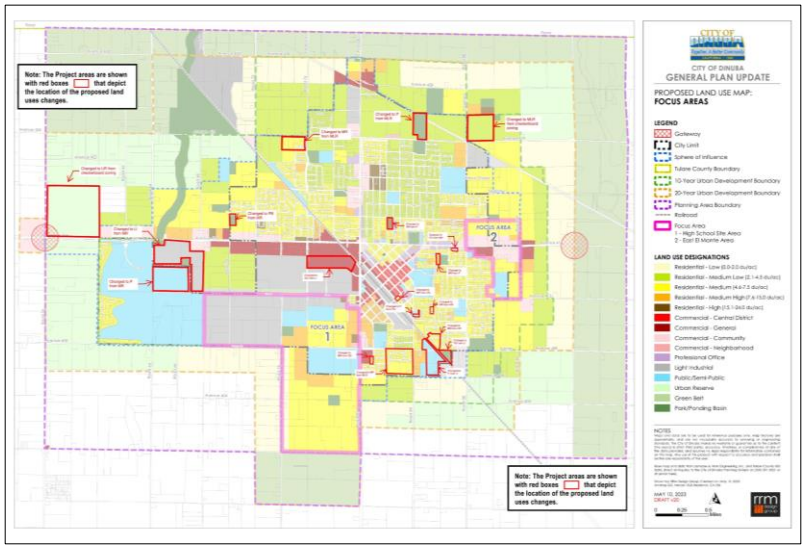

DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

City of Dinuba Focused General Plan Update

May 2023

PREPARED FOR:

CITY OF DINUBA
Together, A Better Community
CALIFORNIA • 1906
www.dinuba.org

City of Dinuba
405 E. El Monte Way
Dinuba, CA 93618

PREPARED BY:

Crawford & Bowen Planning, Inc.
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Draft Subsequent Environmental Impact Report

City of Dinuba Focused General Plan Update

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May 2023

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EXECUTIVE SUMMARY

Introduction

This Draft Subsequent Environmental Impact Report (SEIR) has been prepared consistent with the California Environmental Quality Act (CEQA) for the proposed City of Dinuba Focused General Plan Update (Project). Its intent is to inform the public, regulatory agencies and the City of Dinuba decision makers of the potential environmental impacts the proposed Project would have on environmental factors as specified in the CEQA Guidelines. This SEIR, in its entirety, addresses and discloses potential environmental effects associated with the proposed Project, including direct, indirect, and cumulative impacts to the environmental resources identified in the CEQA Guidelines environmental checklist. The City of Dinuba is the "Lead Agency" pursuant to CEQA and is responsible for the preparation and distribution of the SEIR.

Background

The City of Dinuba last updated its General Plan in 2008 and certified the corresponding *City of Dinuba General Plan Update 2006-2026 Environmental Impact Report* (State Clearinghouse #2006091107) on October 1, 2008. In 2021, the City of Dinuba began the process of preparing a Focused General Plan Update to the City's Land Use and Circulation Elements of the General Plan. To guide the development of the Focused General Plan Update, the City's consultants conducted a survey through an on-line questionnaire, and engaged in stakeholder interviews with members of the community. This input was used to determine proposed land use changes at various locations throughout the City and within specific focus areas. Refer to Chapter Two – Project Description for the full description and maps of the proposed land use changes. A Project Description Summary is provided herein.

CEQA Process

The City of Dinuba circulated a Notice of Preparation (NOP) of an SEIR for the proposed project on February 2, 2023 to trustee and responsible agencies, the State Clearinghouse (SCH #2006091107), and the public. A scoping meeting was held on March 1, 2023. At that time, the City had received two comments letters: one from the Native American Heritage Commission, which noted the requirements for tribal consultation associated with the Project; and a letter from the CA State Department of Toxic Substances Control, which noted the regulatory and legal requirements of their agency. The City later received a third letter from the San Joaquin Valley

Air Pollution Control District dated March 30, 2023. That letter focused on policy guidance to include in the EIR to reduce or mitigate impacts on air quality from future projects that are implemented consistent with the updated General Plan. These letters are included in Appendix A.

The next step in the process is circulation of this SEIR which will be distributed to the public for review and comment for at least 45 days. This EIR is organized as follows:

Executive Summary: Summarizes the analysis contained in the EIR.

Chapter 1 – Introduction: Provides a brief introduction to CEQA and the scope/contents of the DEIR.

Chapter 2 – Project Description: Describes the Project in detail. Includes Project location, objectives, environmental setting and regulatory context.

Chapter 3 – Environmental Analysis: Contains the CEQA checklist. Each topic discusses environmental/regulatory setting, Project impact analysis, mitigation measures and conclusions.

Chapter 4 – Alternatives: Describes and evaluates alternatives to the Project. The proposed Project is compared to each alternatives and potential environmental impacts are analyzed.

Chapter 5 – Other CEQA Sections: Describes other required sections such as environmental effects that cannot be avoided, social effects, growth inducement, etc.

Appendices: Following the text of the SEIR, the updated Land Use and Circulation Elements are attached.

Project Location

The City of Dinuba is located in northwestern Tulare County, California (See Figure 2-1). The general geographic area covered by the proposed Project includes the City limits of Dinuba which is generally bounded by Avenue 406 to the south, Avenue 426 to the north, Road 92 to the east and Road 60 to the west, and the Urban Development Boundary (UDB), the 20-year development boundary which is generally bounded by Avenue 396 on the south, Road 56 to the west, Road 96 to the east, and Avenue 430 to the north. The Planning Area, the unincorporated territory bearing

a relation to the City's planning, is generally bounded by Floral Road to the north, Road 100 to the east, Avenue 396 to the south and Road 56 to the west.

The proposed Project would occur at various locations throughout the City, as shown in Figure 2-2: Location of Land Use Designation Changes (Citywide). In addition, there are two focus areas. Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school (See Figure 2-3: Detail of Focus Area 1). Focus Area 2 is located in the eastern part of the City along East El Monte Avenue (See Figure 2-4: Detail of Focus Area 2). The proposed land use changes around the Downtown area are shown in Figure 2-5: Detail of Downtown Area.

Project Description Summary

The City of Dinuba is proposing a Focused General Plan Update with various land use designation changes in multiple areas of the City including the southwest part of the City's Sphere of Influence around the proposed new High School, in the Downtown area, and several other locations such as the East El Monte Area. The focus of the General Plan Update will be on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary.

Summary of the Land Use Element

The purpose of the Land Use Element is to describe present and planned land uses and their relationship to the community's long-range goals for the future. The Land Use Element identifies the proposed general distribution, location, and extent of land uses such as residential, commercial, industrial, and public/quasi-public. The Element consists of text and a map that outline the future land uses within the City and how these uses are integrated with the other General Plan Elements and policies. The Land Use Map is a particularly important feature of the Element since it shows the location and types of development within the City. The Element also describes the intensity or density of development planned for the community. The general location of future growth is also defined in the Element.

The Land Use Element of the Dinuba General Plan represents the City's desire for long-range changes and enhancements of land uses. Finally, the goals, objectives and policies contained in this Element establish the framework for future land use planning and decision making in Dinuba.

A summary of the proposed City-wide land use designation changes is provided in Table 2-1 in Chapter Two. It should be noted that the proposed Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, the Project is proposing certain land use designation changes to existing acreage. Based on the proposed changes shown in Table 2-1, the Project would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

Summary of the Circulation Element

The Circulation Element guides the continued development and improvement of the circulation system to support existing and planned development, while the Land Use Element identifies the City's planned development pattern. The development of additional land in the future will increase the demand for local and regional street improvements and construction.

The Circulation Element promotes travel by multiple modes of transportation to enhance mobility for all users and reduce vehicle miles traveled (VMT) which in turn lower the cost of transportation system improvements and improve public health and air quality. The pedestrian and bicycling systems will also connect the various activities centers identified in the Land Use Element and promote a pedestrian/bicycle friendly community.

This element contains goals, objectives, and policies to improve overall circulation in Dinuba with an emphasis on providing a citywide network of "Complete Streets". Because local circulation is linked with the regional system, the element also focuses on participation in regional programs to enhance mobility.

Refer to Chapter Two – Project Description for the full description of the Project.

Project Objectives

A broad set of guiding objectives of the Focused General Plan Update carried over from the previous 2008 General Plan Update are as follows:

> The objective of the Focused General Plan Update is to provide direction for future development within the City over the next 20+ years. The Focused General Plan Update will

allow the City to comply with State general plan law, which requires a jurisdiction to periodically update its general plan to reflect current and projected development conditions. Specific Project objectives include the following:

1. Achievement of the General Plan goals and objectives, as noted in each element thereof.
2. Provide for moderate, planned growth, which is in conformance with community objectives.
3. Maintain a compact and contiguous form of development.
4. Develop a set of internally consistent development policies, and eliminate any inconsistencies between existing planning policies and regulations.
5. Provide for employment opportunities and a diverse local economy.
6. Provide for high quality City services and delivery that is responsive to the citizens.

Summary of Project Alternatives

CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed Project that could feasibly attain most of the objectives of the proposed Project. This SEIR analyzed the following alternatives:

- **No Project Alternative:** Under this Alternative, the Focused General Plan Update would not occur and the City would continue to develop under its existing General Plan.
- **Reduced Project Area Alternative:** Under this Alternative, same amount of new development would be allowed as under the General Plan Update, however, growth would be restricted to a smaller area. This alternative was considered because the City could grow at a slower pace than expected.
- **Concentrated Growth Alternative:** Under this Alternative, the total amount of new development would be similar to that allowed under the Focused General Plan Update, but residential densities would be increased in and around existing developed areas, leaving more land designated as greenbelt, agriculture or urban reserve.

See Chapter 4 – Alternatives for a full description of potential environmental impacts associated with each alternative.

Summary of Environmental Impacts

As described in Chapter Three, it was determined that all impacts were either less than significant, or could be mitigated to a less than significant level with the exception of the following impacts:

- Agriculture - loss of farmland (Project and cumulative level)
- Air Quality – exceed criteria pollutant thresholds (Project and cumulative level)
- Greenhouse Gas Emissions – exceed GHG thresholds (Project and cumulative level)
- Hydrology – water supply (Cumulative level)
- Transportation – conflict with Plan (Project and Cumulative level)

The significant and unavoidable impacts findings are the same as the City's 2008 General Plan EIR for Agriculture, Air Quality and Transportation.

Chapter 1

INTRODUCTION

CHAPTER ONE - INTRODUCTION

1.0 Introduction

This Subsequent Environmental Impact Report (SEIR) has been prepared on behalf of the City of Dinuba (City) in accordance with the California Environmental Quality Act (CEQA). This chapter outlines the purpose of and overall approach to the preparation of the SEIR for the City's Focused General Plan Update (referred to as the "Project"). Refer to Chapter Two – Project Description for the complete description of the Project.

The Dinuba General Plan is the overarching policy document that guides land use, housing, transportation, infrastructure, community service, and other policy decisions through out the City. The General Plan includes various elements mandated by State law, including: Land Use, Circulation, Housing, Conservation, Open Space, Noise and Safety and contains the goals and policies that will guide future decisions within the City. It also identifies implementation programs that will ensure the goals and policies in the General Plan are carried out. The Project focuses on updates to the Circulation and Land Use Elements.

An EIR responds to the requirements of CEQA as set forth in Sections 15126, 15175, and 15176 of the CEQA Guidelines. The City's Planning Commission will use the SEIR to make a recommendation to the City Council; the Council will then use the SEIR to understand the potential environmental implications associated with adoption and implementation of the Focused General Plan Update.

1.1 Purpose of EIR

The City of Dinuba, as Lead Agency, determined that the Dinuba Focused General Plan Update is a "project" within the definition of CEQA, so the preparation of an EIR is required by CEQA prior to approving any project that may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

This EIR has been prepared according to CEQA requirements to evaluate the potential environmental impacts associated with the implementation of the Dinuba Focused General Plan Update. The EIR also discusses alternatives to the General Plan, and proposes mitigation measures that will offset, minimize, or otherwise avoid significant environmental impacts. This EIR has been prepared in accordance with CEQA, California Resources Code Section 21000 et seq.; the Guidelines for the California Environmental Quality Act (California Code of

Regulations, Title 14, Chapter 3); and the rules, regulations, and procedures for implementing CEQA as adopted by the City of Dinuba.

An EIR must disclose the expected direct and indirect environmental impacts associated with a project, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development.

1.2 Types of EIR

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. Section 15168 states:

A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

1) Geographically,

2) As logical parts in the chain of contemplated actions,

3) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or

4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

The program-level analysis considers the broad environmental effects of the proposed project. This EIR will be used to evaluate subsequent projects and activities under the proposed project. This EIR is intended to provide the information and environmental analysis necessary to assist public agency decision-makers in considering approval of the proposed project. Additional environmental review under CEQA may be required for subsequent projects and would be generally based on the subsequent project's consistency with the General Plan and the analysis in this EIR, as required under CEQA. It may be determined that some future projects or infrastructure improvements may be exempt from environmental review. When individual subsequent projects or activities under the General Plan are proposed, the lead agency that would approve and/or implement the individual project will examine the projects or activities to

determine whether their effects were adequately analyzed in this program EIR (CEQA Guidelines Section 15168). If the projects or activities would have no effects beyond those disclosed in this EIR, no further CEQA compliance would be required.

Subsequent EIR

The City is preparing a Subsequent Program EIR (SEIR) for the proposed Project. Pursuant to CEQA Guidelines Section 15162, a Subsequent EIR is required when there are changes to a project or new information becomes available after certification of the previous EIR.

The City of Dinuba last updated its General Plan in 2008 and certified the corresponding *City of Dinuba General Plan Update 2006-2026 Environmental Impact Report* (State Clearinghouse #2006091107) on October 1, 2008. That document and associated findings are herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for review at the City of Dinuba located at 405 E. El Monte Way, Dinuba, CA 93618.

In 2021, the City of Dinuba began the process of preparing a Focused General Plan Update to the City's Land Use and Circulation Elements of the General Plan. Because of these updates, the Lead Agency has determined that Project modifications or changed circumstances have occurred and/or new information has become available following the previous discretionary approval, and these changes trigger the need for additional environmental review. Pursuant to the State CEQA Guidelines, a Lead Agency must prepare a Subsequent EIR for a previously-certified EIR when any of the following criteria set forth in CEQA Guidelines Section 15162(a)(1-3) would occur:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified shows any of the following:

    a. The project will have one or more significant effects not discussed in the previous EIR;

    b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In this case, the City adopted their General Plan EIR in October 2008. Due to the proposed General Plan Land Use and Circulation Element changes described in Chapter Two – Project Description, certain sections of the previous General Plan EIR (State Clearinghouse #2006091107) will require updating and/or additional evaluation under CEQA. As such, a Subsequent EIR will be prepared pursuant to Section 15162.

1.3 Intended Uses of the SEIR

The City of Dinuba, as the Lead Agency, has prepared this SEIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from adoption of the Dinuba Focused General Plan Update and subsequent implementation of projects consistent with the General Plan. The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, such as economic and social benefits of a project, in determining whether a project should be approved.

This SEIR will be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with the General Plan. Subsequent actions that may be associated with the General Plan are identified in Chapter 2.0, Project Description. This SEIR may also be used by other agencies within Tulare County, including the Tulare County Local Agency Formation Commission (LAFCO), which may use this SEIR during the preparation of environmental documents and including decisions related to Municipal Service Reviews and Spheres of Influence adjustments relevant to Dinuba. See Chapter 2.0 for additional information.

1.4 Known Responsible and Trustee Agencies

The term "Responsible Agency" includes all public agencies other than the Lead Agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a "Trustee" agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California (CEQA Guidelines Section 15386). While no Responsible Agencies or Trustee Agencies are responsible for approvals associated with adoption of the Dinuba General Plan, implementation of future projects within Dinuba may require permits and approvals from Trustee and Responsible Agencies. Trustee and Responsible Agencies are listed in Chapter 2.0.

1.5 Environmental Review Process

The review and certification process for the SEIR has involved, or will involve, the following general procedural steps:

Notice of Preparation

The City of Dinuba circulated a Notice of Preparation (NOP) of an SEIR for the proposed project on February 2, 2023 to trustee and responsible agencies, the State Clearinghouse (SCH #2006091107), and the public. A scoping meeting was held on March 1, 2023. At that time, the City had received two comments letters: one from the Native American Heritage Commission, which noted the requirements for tribal consultation associated with the Project; and a letter from the CA State Department of Toxic Substances Control, which noted the regulatory and legal requirements of their agency. The City later received a third letter from the San Joaquin Valley Air Pollution Control District dated March 30, 2023. That letter focused on policy guidance to include in the EIR to reduce or mitigate impacts on air quality from future projects that are implemented consistent with the updated General Plan. These letters are included in Appendix A.

Draft SEIR

This document constitutes the Draft SEIR. The Draft SEIR contains a description of the project, description of the environmental setting, identification of the project's direct and indirect impacts on the environment, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft SEIR also identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in this SEIR. Upon completion of the Draft SEIR, the City of

Dinuba will file the Notice of Completion (NOC) with the State Clearinghouse of the Governor's Office of Planning and Research to begin the public review period.

Public Notice/Public Review

Concurrent with the NOC, the City of Dinuba will provide a public notice of availability for the Draft SEIR, and invite comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA requirements, the review period for this Draft SEIR is forty-five (45) days. Public comment on the Draft SEIR will be accepted in written form. All comments or questions regarding the Draft SEIR should be addressed to:

Karl Schoettler, City Planner
City of Dinuba
405 E. El Monte Way
Dinuba, CA 93618
(559) 591-5924
karl@weplancities.com

Responses to Comments/Final EIR

Following the public review period, a Final SEIR will be prepared. The Final SEIR will respond to written comments received during the public review period and to oral comments during such review period.

Certification of the SEIR/Project Consideration

The City of Dinuba will review and consider the Final SEIR. If the City finds that the Final SEIR is "adequate and complete," the City Council may certify the Final SEIR in accordance with CEQA. As set forth by CEQA Guidelines Section 15151, the standards of adequacy require an SEIR to provide a sufficient degree of analysis to allow decisions to be made regarding the proposed project that intelligently take account of environmental consequences.

Upon review and consideration of the Final SEIR, the City Council may take action to approve, revise, or reject the project. A decision to approve the proposed project, for which this SEIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 1509 and a statement of overriding consideration made in accordance with State CEQA Guidelines Section 15093. A Mitigation Monitoring and Reporting Program (MMRP) would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects

on the environment. The Mitigation Monitoring and Reporting Program will be designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the SEIR.

1.6 Organization and Scope

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Discussion of the environmental issues addressed in the Draft SEIR was established through review of environmental and planning documentation developed for the project, environmental and planning documentation prepared for recent projects located within the City of Dinuba, and responses to the NOP. This Draft SEIR is organized in the following manner:

Executive Summary

The Executive Summary summarizes the characteristics of the proposed project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts and potential mitigation measures. This chapter identifies alternatives that reduce or avoid at least one significant environmental effect of the proposed project.

Chapter 1.0 – Introducation

Chapter 1.0 briefly describes the proposed project, the purpose of the environmental evaluation, identifies the lead, trustee, and responsible agencies, summarizes the process associated with preparation and certification of an SEIR, identifies the scope and organization of the Draft SEIR, and summarizes comments received on the NOP.

Chapter 2.0 – Project Description

Chapter 2.0 provides a detailed description of the proposed project, including the location, intended objectives, background information, the physical and technical characteristics, including the decisions subject to CEQA, subsequent projects and activities, and a list of related agency action requirements.

Chapter 3.0 – Environmental Setting, Impacts and Mitigation Measures

Chapter 3.0 contains an analysis of environmental topic areas as identified below. Each subchapter addressing a topical area is organized as follows:

Environmental Setting. A description of the existing environment as it pertains to the topical area. Regulatory Setting. A description of the regulatory environment that may be applicable to the project.

Impacts and Mitigation Measures. Identification of the thresholds of significance by which impacts are determined, a description of project-related impacts associated with the environmental topic, identification of appropriate mitigation measures, and a conclusion as to the significance of each impact. Cumulative impacts are also addressed at the end of each impact section.

The following environmental topics are addressed in this EIR:

- Aesthetics
- Agricultural Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic

- Tribal Resources
- Utilities and Services
- Wildfire

Chapter 4.0 – Project Alternatives

Chapter 5.0 provides a comparative analysis between the merits of the proposed project and the selected alternatives. State CEQA Guidelines Section 15126.6 requires that an SEIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project.

Chapter 5.0 – Other CEQA-Required Topics

Chapter 5.0 evaluates and describes the following CEQA required topics: growth-inducing effects, significant and irreversible effects, significant and unavoidable impacts, substantial adverse effects on fish, wildlife, and plan species, substantial adverse effects on human beings, and effects not found to be significant.

Chapter 6.0 – Report Preparers

Chapter 7.0 lists all authors and agencies that assisted in the preparation of the Draft SEIR, by name, title, and company or agency affiliation.

Appendices

This section includes the NOP and responses to the NOP in addition to the update Land Use and Circulation Elements.

Chapter 2

PROJECT DESCRIPTION

CHAPTER TWO – PROJECT DESCRIPTION

2.1 Background

The City of Dinuba last updated its General Plan in 2008 and certified the corresponding *City of Dinuba General Plan Update 2006-2026 Environmental Impact Report* (State Clearinghouse #2006091107) on October 1, 2008. In 2021, the City of Dinuba began the process of preparing a Focused General Plan Update to the City's Land Use and Circulation Elements of the General Plan. To guide the development of the Focused General Plan Update, the City's consultants conducted a survey through an on-line questionnaire, and engaged in stakeholder interviews with members of the community. This input was used to determine proposed land use changes at various locations throughout the City and within specific focus areas. Refer to Section 2.4 – Project Description for more specific information.

2.2 Project Location

The City of Dinuba is located in northwestern Tulare County, California (See Figure 2-1). The general geographic area covered by the proposed Project includes the City limits of Dinuba which is generally bounded by Avenue 406 to the south, Avenue 426 to the north, Road 92 to the east and Road 60 to the west, and the Urban Development Boundary (UDB), the 20-year development boundary which is generally bounded by Avenue 396 on the south, Road 56 to the west, Road 96 to the east, and Avenue 430 to the north. The Planning Area, the unincorporated territory bearing a relation to the City's planning, is generally bounded by Floral Road to the north, Road 100 to the east, Avenue 396 to the south and Road 56 to the west.

The proposed Project would occur at various locations throughout the City, as shown in Figure 2-2: Location of Land Use Designation Changes (Citywide). In addition, there are two focus areas. Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school (See Figure 2-3: Detail of Focus Area 1). Focus Area 2 is located in the eastern part of the City along East El Monte Avenue (See Figure 2-4: Detail of Focus Area 2). The proposed land use changes around the Downtown area are shown in Figure 2-5: Detail of Downtown Area.

Figure 2-1: Regional Map

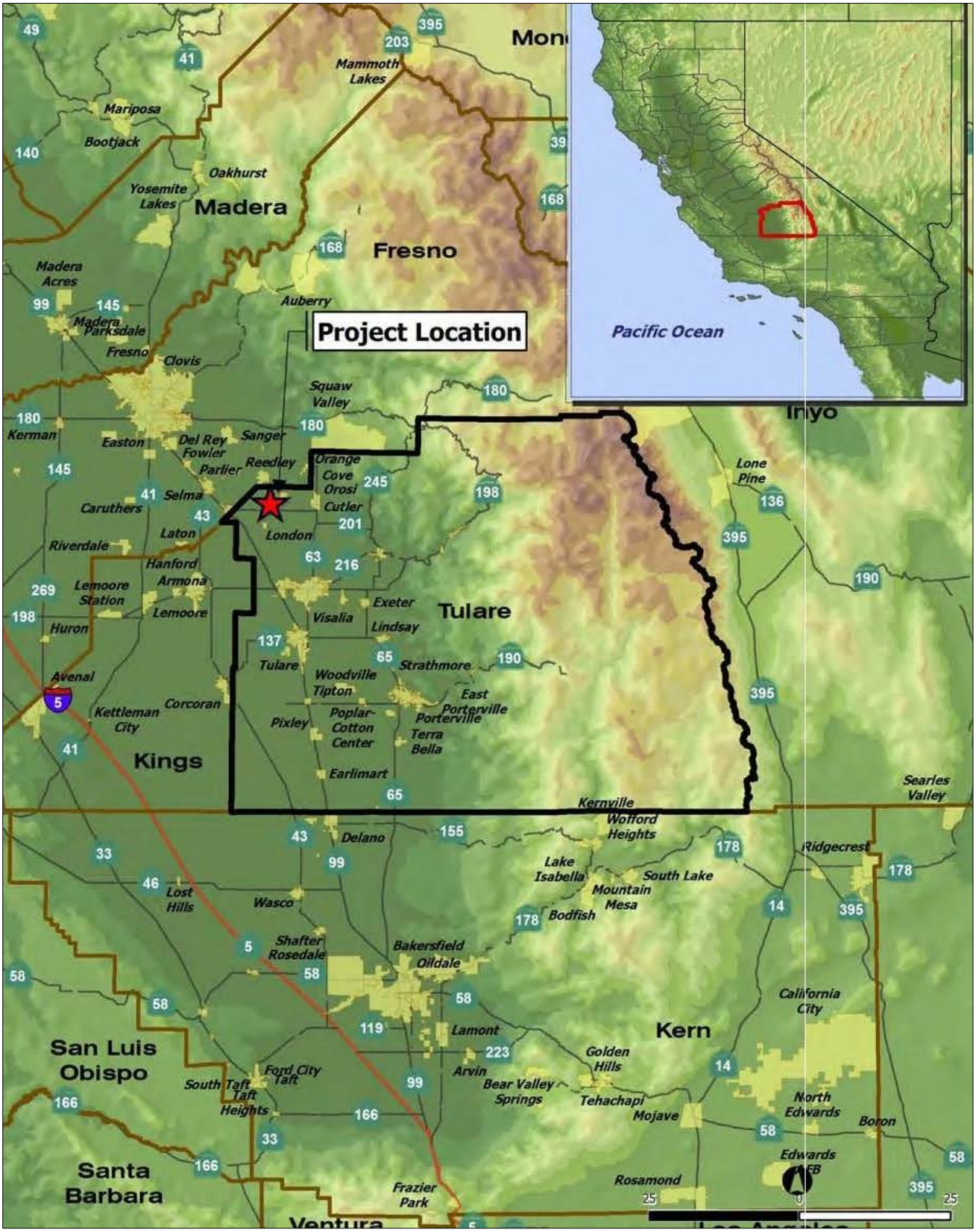


Figure 2-2: Location of Land Use Designation Changes (Citywide)

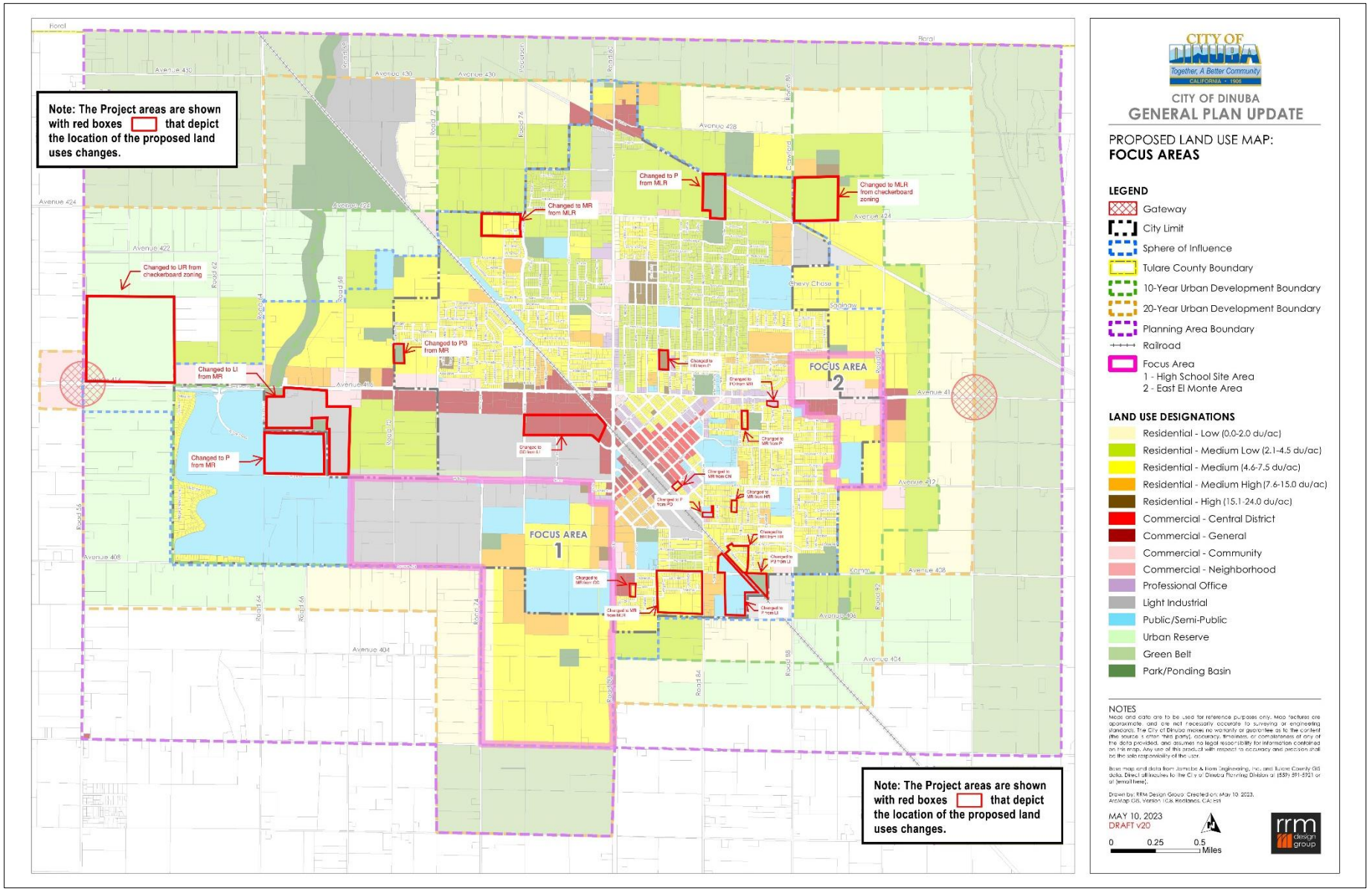


Figure 2-3: Detail of Focus Area 1

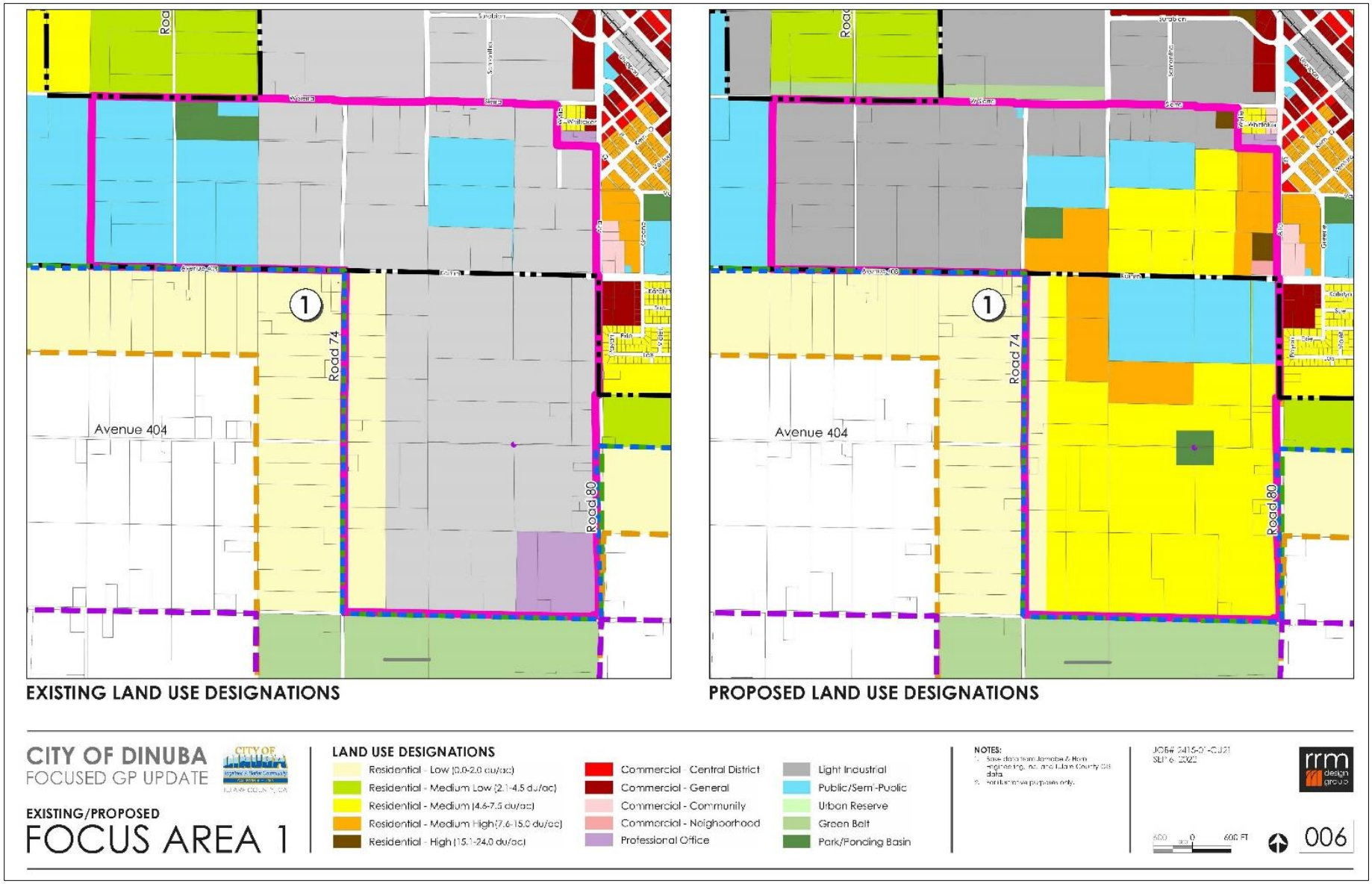


Figure 2-4: Detail of Focus Area 2

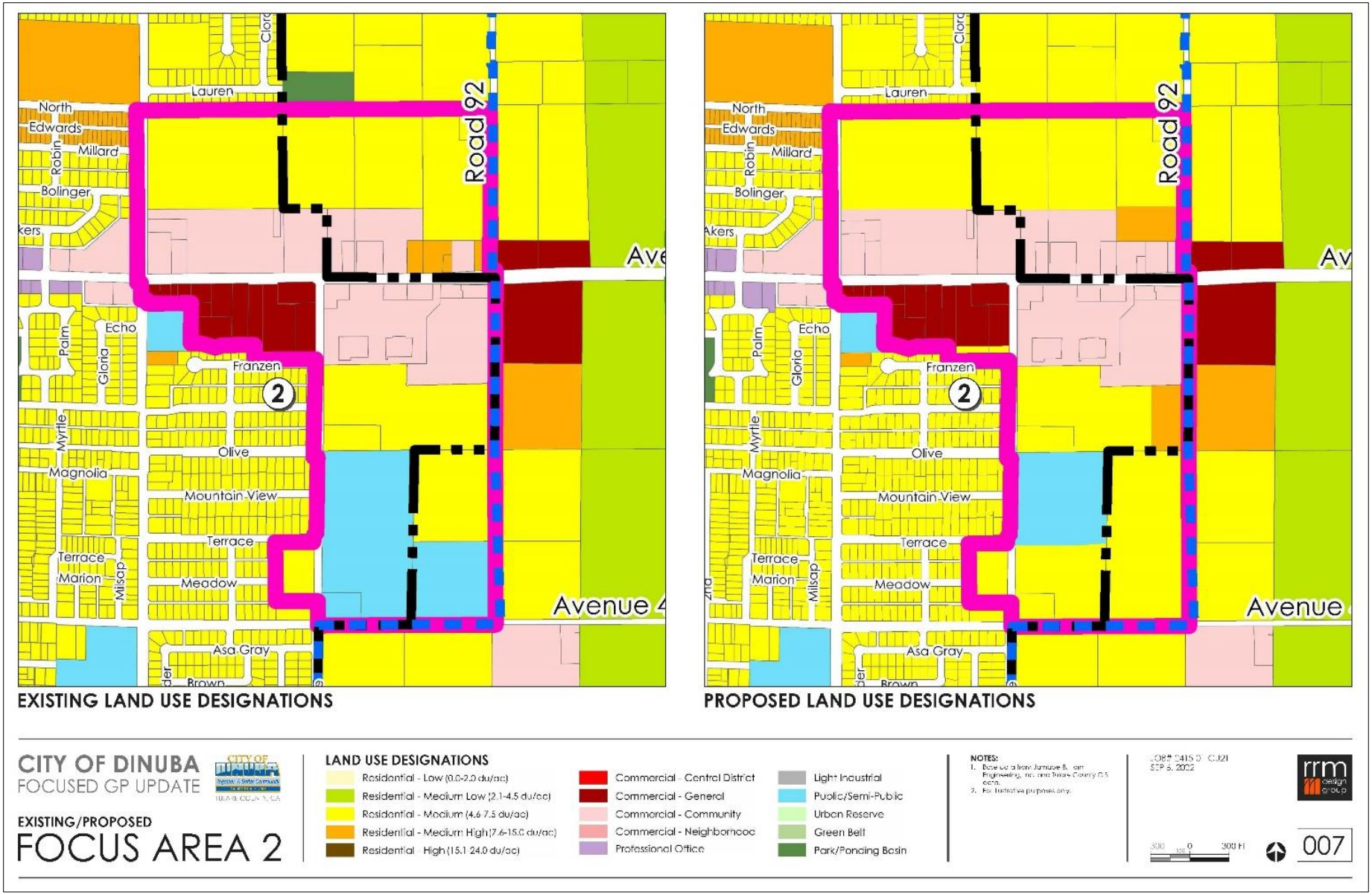
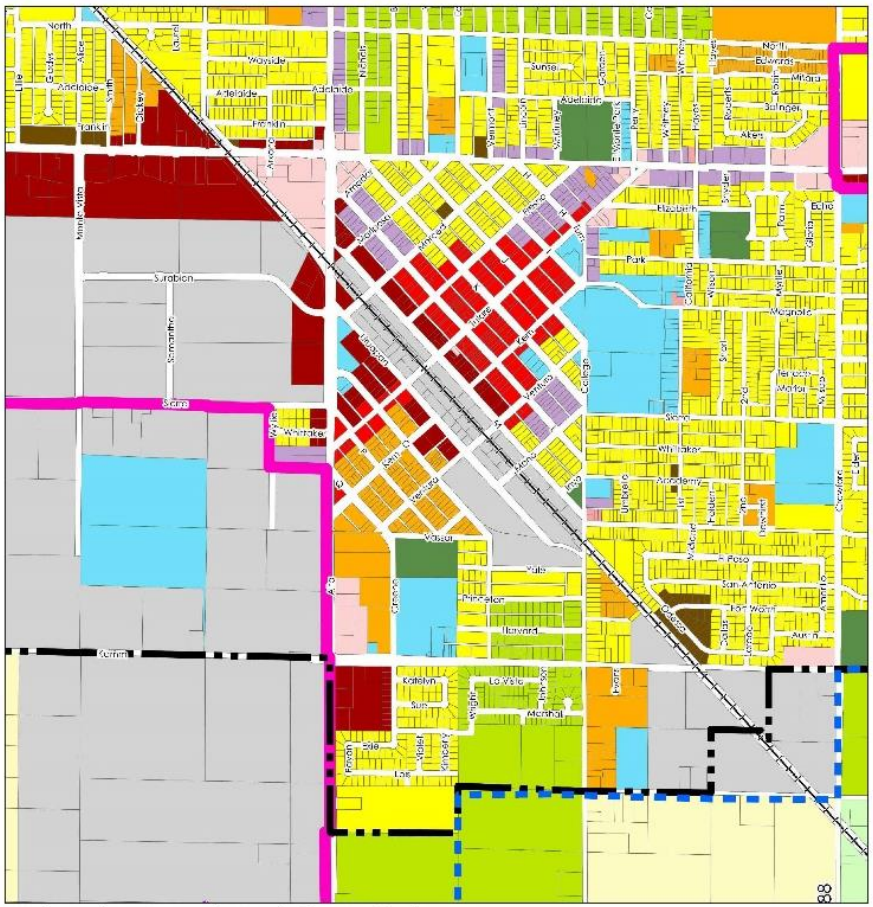
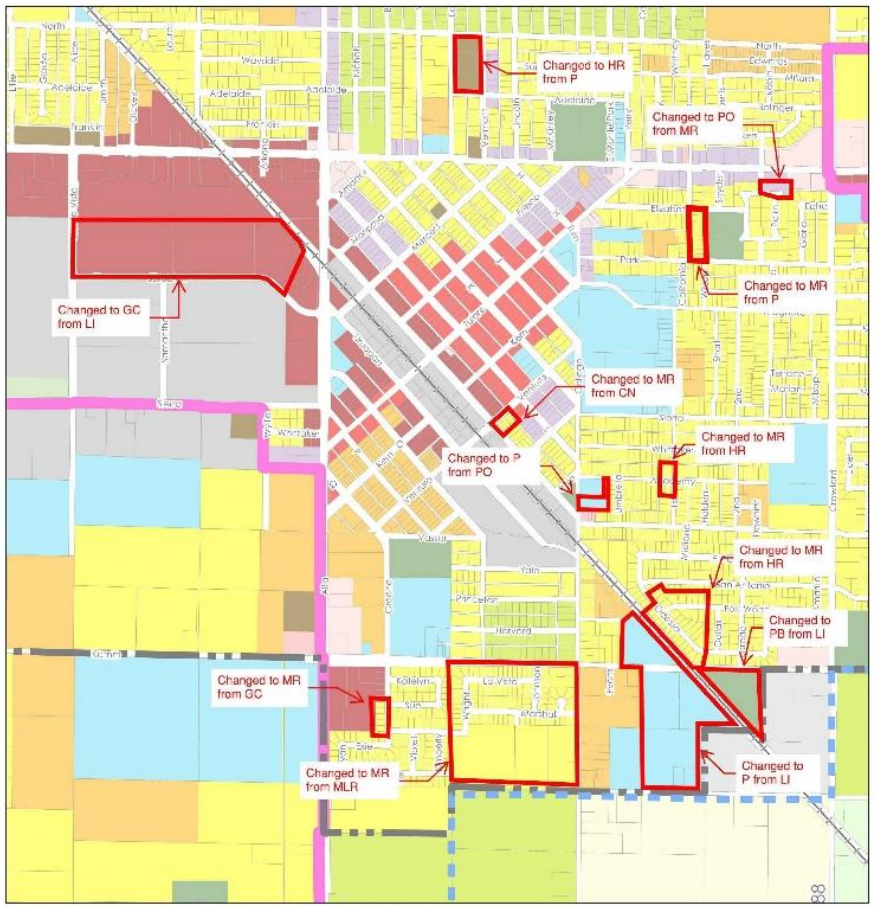


Figure 2-5: Detail of Downtown Area



EXISTING LAND USE DESIGNATIONS



PROPOSED LAND USE DESIGNATIONS

CITY OF DINUBA
FOCUSED GP UPDATE

EXISTING/PROPOSED w/ COMMENTS
DOWNTOWN

LAND USE DESIGNATIONS

- Residential - Low (0.0-2.0 du/ac)
- Residential - Medium Low (2.1-4.5 du/ac)
- Residential - Medium (4.6-7.5 du/ac)
- Residential - Medium High (7.6-15.0 du/ac)
- Residential - High (15.1-24.0 du/ac)
- Commercial - Central District
- Commercial - General
- Commercial - Community
- Commercial - Neighborhood
- Professional Office
- Light Industrial
- Public/Semi-Public
- Urban Reserve
- Green Belt
- Park/Ponding Basin

NOTES:
1. Base data from Jamacha & Thorn Engineering, Inc. and Tulare County GIS data.
2. For illustrative purposes only.

JOB# 21-01-GL2
SEP 27, 2022

rrm design group

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2.3 Project Objectives

A broad set of guiding objectives of the Focused General Plan Update carried over from the previous General Plan Update are as follows:

> The objective of the Focused General Plan Update is to provide direction for future development within the City over the next 20+ years. The Focused General Plan Update will allow the City to comply with State general plan law, which requires a jurisdiction to periodically update its general plan to reflect current and projected development conditions. Specific Project objectives include the following:
>
> 1. Achievement of the General Plan goals and objectives, as noted in each element thereof.
> 2. Provide for moderate, planned growth, which is in conformance with community objectives.
> 3. Maintain a compact and contiguous form of development.
> 4. Develop a set of internally consistent development policies, and eliminate any inconsistencies between existing planning policies and regulations.
> 5. Provide for employment opportunities and a diverse local economy.
> 6. Provide for high quality City services and delivery that is responsive to the citizens

2.4 Project Description

The City of Dinuba is proposing a Focused General Plan Update with various land use designation changes in multiple areas of the City including the southwest part of the City's Sphere of Influence around the proposed new High School, in the Downtown area, and several other locations such as the East El Monte Area. The focus of the General Plan Update will be on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary. The "Project" description in this SEIR is a summary of those documents.

Summary of the Land Use Element

As a city, state law requires that Dinuba prepare and adopt a General Plan as a tool to manage growth and development. The Land Use Element is one of the seven mandatory elements of the General Plan.

The purpose of the Land Use Element is to describe present and planned land uses and their relationship to the community's long-range goals for the future. The Land Use Element identifies the proposed general distribution, location, and extent of land uses such as residential,

commercial, industrial, and public/quasi-public. The Element consists of text and a map that outline the future land uses within the City and how these uses are integrated with the other General Plan Elements and policies. The Land Use Map is a particularly important feature of the Element since it shows the location and types of development within the City. The Element also describes the intensity or density of development planned for the community. The general location of future growth is also defined in the Element.

The Land Use Element of the Dinuba General Plan represents the City's desire for long-range changes and enhancements of land uses. Finally, the goals, objectives and policies contained in this Element establish the framework for future land use planning and decision making in Dinuba.

A summary of the proposed City-wide land use designation changes is provided in Table 2-1. It should be noted that the proposed Focused General Plan Update does not change the amount of land currently within the City's Planning Area Boundary. Rather, the Project is proposing certain land use designation changes to existing acreage. Based on the proposed changes shown in Table 2-1, the Project would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

Table 2-1: Summary of Proposed Land Use Changes (within Planning Area Boundary)

Land Use	Acres Existing	Acres Proposed	Acres CHANGE
UR – Urban Reserve	0.0	151.8	**+151.8**
LR – Residential Low	75.9	40.2	**(-35.7)**
MLR – Residential Medium Low	56.3	40.2	**(-34.4)**
MR – Residential Medium	214.8	512.0	**+297.2**
MHR – Residential Medium High	42.9	92.4	**+49.5**
HR – Residential High	0.0	9.9	**+9.9**
Subtotal Residential:	**389.9**	**846.5**	

GC – Commercial General	52.2	11.4	**(-40.8)**
CC – Commercial Community	54.4	47.6	**(-6.8)**
NC – Commercial Neighborhood	0.0	2.0	**+2.0**
PO – Professional Office	80.8	0.6	**(-80.2)**
LI – Light Industrial	600.6	351.1	**(-249.5)**
P – Public/Semi – Public	258.0	186.5	**(-71.5)**
PB – Park/Ponding Basin	25.3	17.4	**(+10.4)**
Road ROW (as shown on map)	35.4	33.5	**(-1.9)**
Subtotal Non-Residential:	**1,106.7**	**650.1**	
Citywide Total:	**1,496.6**	**1,496.6**	

Beyond the specific land use map changes highlighted in prior paragraphs, the Land Use Element would include additional policy guidance in two new chapters – Growth Management and Environmental Justice. The additional policy guidance in these chapters would provide additional directives for future projects, and the community as a whole, but would not directly create new physical environmental impacts. By design, growth management policies are intended to limit growth to protect resources and environmental justice policies and programs provide equitable services and facilities for all citizens.

Summary of the Circulation Element

The Circulation Element guides the continued development and improvement of the circulation system to support existing and planned development, while the Land Use Element identifies the City's planned development pattern. The development of additional land in the future will increase the demand for local and regional street improvements and construction.

The Circulation Element promotes travel by multiple modes of transportation to enhance mobility for all users and reduce vehicle miles traveled (VMT) which in turn lower the cost of transportation system improvements and improve public health and air quality. The pedestrian

and bicycling systems will also connect the various activities centers identified in the Land Use Element and promote a pedestrian/bicycle friendly community.

This element contains goals, objectives, and policies to improve overall circulation in Dinuba with an emphasis on providing a citywide network of "Complete Streets". Because local circulation is linked with the regional system, the element also focuses on participation in regional programs to enhance mobility.

The City intends to provide and maintain a citywide network of Complete Streets by retrofitting existing streets, and ensuring that new streets are designed according to Complete Streets principles. Streets with an excess of travel lanes relative to actual volume, and/or overly wide travel lane widths, provide opportunities to reallocate space in a manner that better serves all modes of travel. Such measures will also help to reduce motor vehicle speeds in many cases.

Streets in Dinuba are divided into three classifications: arterials, collectors, and local streets, as described below.

- **Arterial streets** provide the principal network for citywide travel by all modes of travel, including walking, bicycling, motor vehicle and transit, and provide regional connections. They link areas of major activity and connect with important county roads and state highways, and distribute traffic serving residential, commercial, and industrial areas. The Circulation Element further divides the arterials into three sub-types based on context and travel volume: boulevards, mixed-use arterials, and community arterials.

- **Commercial Main Streets** are key parts of the City's principal network for all modes of travel that emphasize pedestrian and transit access to properties in Downtown Dinuba. On-street diagonal parking for motor vehicles is typically provided, while primary access to most buildings is to/from the adjacent sidewalk.

- **Collector streets** provide connections for all modes of travel within and between residential areas and activity centers. They serve travel between arterial and local streets, within and between neighborhoods and major activity centers, and provide direct access to abutting properties.

- **Local streets** provide direct access to abutting properties and for localized travel within residential, commercial, and industrial areas.

Figure 2-6 illustrates the circulation plan and street classification for each segment. Table 2-2 provides recommended guidelines for each City street classification and sub-type.

Figure 2-6: Circulation Plan

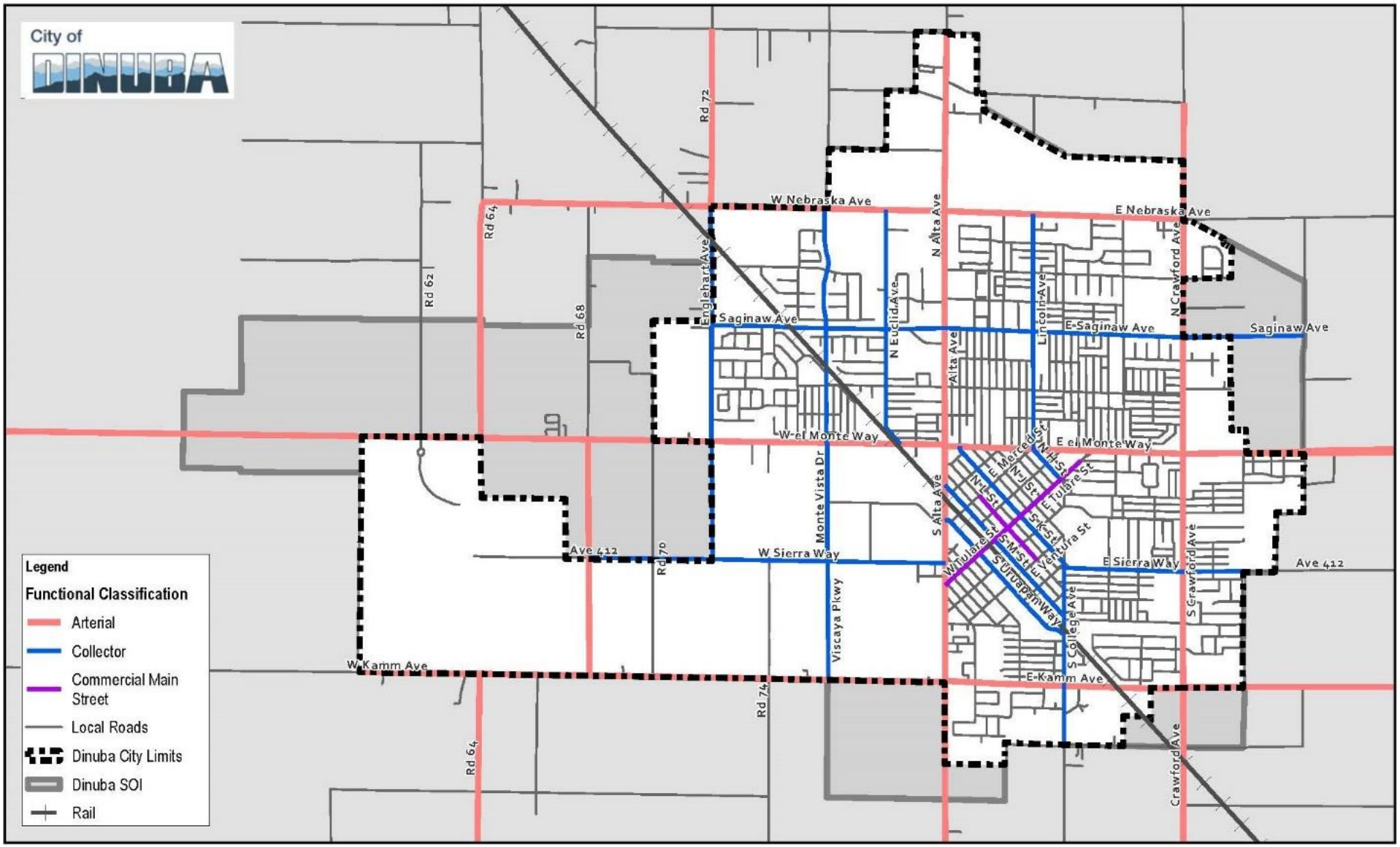


Table 2-2: Recommended Complete Street Design Guidelines by Functional Classification and Sub-type

Street Classification (Sub-type)	Right-of-Way Width	Motor Vehicle Lanes	Motor Vehicle Lane Width	Bicycle Lane Width	On-street Parking Width	Median or Left-turn Width	Curb-to-Curb Width (note 5)	Crossing Distance with Bulbouts	Curbside Landscape Strip	Sidewalk Width	Average Daily Motor Vehicle Traffic
Arterial (Boulevard)	100' to 120'	4	10' to 11' (note 1)	8' to 10' (note 4)	None	10' to 14'	66' to 76'	66' to 76'	5' to 9' (note 8)	6' to 10'	Greater than 25,000
Arterial (Mixed Use Arterial)	100' to 120'	4	10' to 11' (note 1)	5'	7' plus 3' buffer with bike lane	10' to 14'	80' to 86''	60' to 66'	5' to 9' (note 8)	6' to 10'	Greater than 18,000
Arterial (Community Arterial)	90' to 100'	2 + center left-turn lane	10' to 11' (note 1)	5'	7' plus 3' buffer with bike lane	10'to 14'	60'to 66'	40' to 46'	5' to 9' (note 8)	6' to 10'	13,000 to 21,000
Main Street	70' to 90'	2	10', or 12' shared lane (note 2)	5', or 12' shared lane (note 2)	16' diagonal, or 7' parallel plus 3' buffer with bike lane	Not required (note 6)	50' to 62'	24' to 30'	None	11' to 15' with tree planters	Less than 13,000
Collector	70' to 80'	2	10', or 14' shared lane (note 2)	5', or 14' shared lane (note 2)	7' plus 3' buffer with bike lane	Not required (note 6)	48' to 50'	28' to 30'	7'	6'	Less than 13,000
Local	60'	2 (note 3)	10'	Not applicable	7'	Not applicable	34' or 27' (note 7)	20'	5' to 7'	6'	Less than 5,000

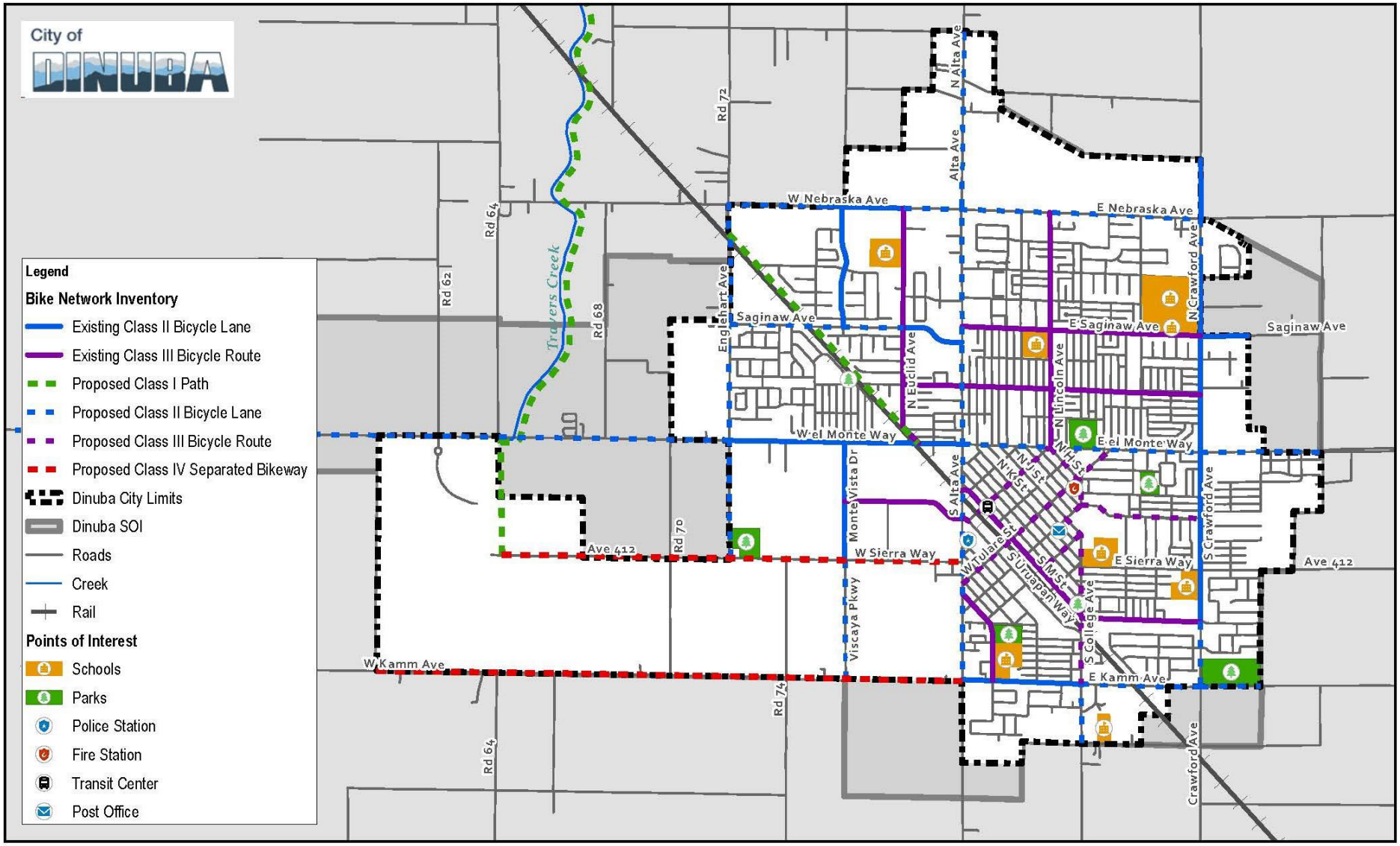
Bikeway Network

This section describes the recommended bikeway network plan. Increasing rates of bicycling will produce a number of community benefits including improved health, reduced traffic, less need for costly roadway improvement projects, and improved air quality. Facilities for biking and walking provide recreational opportunities as well. Grant funding sources are often available to implement bikeway improvements. There are four classifications of bikeway facilities in California, as defined by the California Department of Transportation (Caltrans):

- **Multi-Use Paths (Class I Bikeways).** A path physically separated from motor vehicle traffic by an open space or barrier, and either: within a highway right-of-way or within an independent right-of-way used by bicyclists, pedestrians, joggers, skater, and other non-motorized travelers. Because the availability of uninterrupted rights-of-way is limited, this type of facility may be difficult to locate and more expensive to build relative to other types of bicycle and pedestrian facilities, but less expensive compared to building new roadways.
- **Bicycle Lanes (Class II Bikeways).** A portion of a roadway that has been set aside by striping and pavement markings for the preferential or exclusive use of bicyclists. Bicycle lanes are intended to promote an orderly flow of bicycle and vehicle traffic. This type of facility is established by using the appropriate striping, legends, and signs.
- **Bicycle Routes (Class III Bikeways).** Class III bicycle routes are facilities where bicyclists share travel lanes with motor vehicle traffic. Bike routes must be of benefit to the bicyclist and offer a higher degree of service than adjacent streets. They provide for specific bicycle demand and may be used to connect discontinuous segments of bicycle lane streets. Class III bikeways are often located on residential streets. If the pavement width is sufficient and warranted by traffic volume/speeds, an edge line may be painted to further delineate the bicycle route.
- **Separated Bikeway (Class IV Bikeways).** A Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and adjacent vehicle traffic. The physical separation may include flexible posts, grade separation, inflexible physical barriers or on-street parking. Separated bikeways generally operate in the same direction as vehicle traffic on the same side of the roadway. However, two-way separation bikeways can also be used, usually in lower speed environments (35 miles per hour or less).

Figure 2-7 illustrates the planned bikeway network, incorporating both prior bikeway network plans and new facilities identified as part of the Circulation Element update in 2023.

Figure 2-7: Bikeway Network Plan



Pedestrian Improvement Network

This section identifies priority pedestrian improvements to reduce gaps in the City of Dinuba's pedestrian network.

Figure 2-8 illustrates the recommended pedestrian priority network. Improvements should be consistent with the street classifications and recommended street design recommended in the circulation plan on the preceding pages. Recommendations for site-specific improvements were provided in the *Dinuba Pedestrian and Bicycle Circulation Study* (2019).

The pedestrian priority corridors are listed below:

- El Monte Way
- Alta Avenue
- Crawford Avenue
- Nebraska Avenue
- Kamm Avenue
- Tulare Street
- Merced Street
- Kern Street
- Lincoln Avenue
- Euclid Avenue

Priority intersections were identified throughout the City, including key intersections on most of the pedestrian priority corridors.

Figure 2-7: Pedestrian Network

Relationship to Other Local Agencies

Policies and standards are maintained by other agencies that may affect growth and development in Dinuba. The most important include:

- **Tulare County General Plan**. Similar to Dinuba's General Plan, the County General Plan establishes policies to guide growth and development on unincorporated land around Dinuba. Closely related to the General Plan, the Tulare County Zoning Ordinance regulates the use and development of land outside Dinuba city limits.

- **Tulare County Local Agency Formation Commission (LAFCo).** With respect to Dinuba, this agency primarily reviews and takes action on requests for annexations of land. Among other requirements, LAFCo must find that the City can adequately serve development on land that is being annexed.

- **San Joaquin Valley Air Pollution Control District** maintains the San Joaquin Valley Air Quality Attainment Plan. This Plan includes policies and standards to improve air quality in the San Joaquin Valley Air Basin to ensure the basin meets state and federal air quality standards. The District has oversight with respect to development in Dinuba, including regulations that pertain to businesses and industry that may generate air pollution. The District also has regulations to ensure that dust is controlled during the construction of new development.

- **Tulare County Association of Governments (TCAG)** works with cities and the County on a variety of common policies particularly related to transportation and air quality. The Regional Transportation Plan (RTP) is a document prepared by TCAG that establishes programs and policies for congestion management, transit, bicycles and pedestrians, roadways, and freight countywide, including Dinuba.

- **Regional Water Quality Control Board** has jurisdiction over certain aspects of development related to water quality. In particular the Board regulates the operation of Dinuba's wastewater treatment and disposal system. The Board also has jurisdiction over storm drainage and runoff from construction sites.

- **Caltrans** controls the right-of-way of the state highway system and other facilities.

2.4 Uses of the SEIR and Agency Approvals

The City of Dinuba is the Lead Agency for the proposed Project. The Dinuba Focused General Plan Update will be presented to the Planning Commission and City Council for comment, review and consideration for adoption. The City Council has the sole discretionary authority to approve and adopt the Focused General Plan Update. In order to approve the proposed Project, the City Council would consider the following actions:

- Certification of this Program SEIR (State Clearinghouse #2006091107);
- Adoption of required CEQA findings for the above action including a statement of overriding considerations;
- Adoption of a Mitigation Monitoring and Reporting Program; and
- Approval of the Dinuba Focused General Plan Update.

Generally, implementing projects for which this SEIR may be utilized include, but are not limited to:

- General Plan Amendments;
- Rezonings;
- Specific Plans;
- Tentative maps, variances, conditional use permits, and other land use permits;
- Approval of utility or infrastructure master plans;
- Approval and funding of public improvements projects;
- Approval of resource management plans;
- Tulare County LAFCo consideration of boundary changes requested by the City; and
- Permits issued by responsible/resource agencies.

As mandated by CEQA Guidelines Section 15124(d), this section contains a list of agencies that are expected to use the SEIR in their decision-making, and a list of the approvals for which the SEIR may be used. These lists include information that is known to the Lead Agency. A range of responsible and trustee agencies may utilize this SEIR in the review of subsequent implementation activities over which that may have responsibility. A responsible agency is a

public agency which has discretionary review approval power over a project (CEQA Guidelines Section 15381). A trustee agency is a state agency that has jurisdiction by law over natural resources affected by a project which are held in trust for the people of the state (CEQA Guidelines Section 15386). These responsible and trustee agencies may include, but are not limited to, the following:

- California Air Resources Board;
- California Department of Fish and Wildlife;
- California Department of Conservation;
- California Department of Forestry and Fire Protection;
- California Department of Housing and Community Development;
- California Department of Parks and Recreation;
- California Department of Toxic Substances Control;
- California Department of Transportation (Caltrans);
- California Public Utilities Commission;
- California State Lands Commission;
- California State Office of Historic Preservation;
- California State Water Resources Control Board;
- Central Valley Regional Water Quality Control Board;
- Tulare County Association of Governments;
- County of Tulare;
- County of Tulare Local Agency Formation Commission;
- San Joaquin Valley Unified Air Pollution Control Agency;
- U.S. Fish and Wildlife Service;
- United States Army Corps of Engineers; and
- Any Other Responsible or Trustee Agency.

2.5 Subsequent Use of the EIR

This SEIR is a Program SEIR (See Chapter One – Introduction for a description regarding the use of a Program EIR and CEQA streamlining). When considering approval of subsequent activities under the proposed General Plan, the City of Dinuba would utilize this EIR as the basis in determining potential environmental effects and the appropriate level of environmental review,

if any, or a subsequent activity. Projects or activities successive to this Program SEIR may include, but are not limited to, the following:

- Annexations;
- Development Plan Approvals, such as tentative maps, variances, conditional use permits, and other land use permits;
- Development Agreements;
- General Plan Amendments;
- Rezonings;
- Specific Plans;
- Approval of utility or infrastructure master plans;
- Approval and funding of public improvements projects;
- Approval of resource management plans;
- Tulare County LAFCO consideration of boundary changes requested by the City; and
- Permits issued by responsible/resource agencies.

Chapter 3

ENVIRONMENTAL SETTING, IMPACTS & MITIGATION

3.1 Aesthetics

This section of the SEIR examines visual resources in the proposed Project vicinity and potential impacts the Project may have on the aesthetic character of the landscape. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to aesthetic resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Have a substantial adverse effect on a scenic vista?		X
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?		X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to aesthetics associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on aesthetic resources (Chapter Three, pages 3-2 through 3-4 of the 2008 EIR). There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026 General Plan is self-mitigating in that it contains policies that require development to reduce impacts associated with light and glare.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to aesthetics. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

The scope for considering cumulative impacts to aesthetics are the geographic areas immediately surrounding the proposed Project stie. As described above, buildout of the Focused GPU would result in less than significant impacts. Since the majority of development in the area would be within the City's Planning Area Boundary, it is assumed that cumulative impacts from minimal (rural) development on the periphery of the City would also be less than significant. As such, the Project would have a ***less than cumulatively considerable impact*** to aesthetics.

3.2 Agricultural and Forestry Resources

This section of the SEIR examines agricultural resources in the proposed Project vicinity and potential impacts the Project may have on the agricultural land and resources. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to agricultural resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?		X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?		X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?		X
d. Result in the loss of forest land or conversion of forest land to non-forest use?		X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land		X

to non-forest use?		

The original Dinuba General Plan Draft and Final EIR (2008 EIR) was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to agricultural and forestry resources associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have significant and unavoidable impacts on agricultural and resources (Chapter Three, pages 3-5 through 3-12 of the 2008 EIR)[1]. The 2008 EIR included Mitigation Measures #3.2.3.1 and #3.2.3.2, outlined below.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to agricultural or farmland conversion. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be the same as what was analyzed in the 2008 EIR. Therefore, the impacts remain significant and unavoidable.

2008 EIR Mitigation Measures:

Mitigation Measure #3.2.3.1: The City will encourage property owners outside the City limits but within the SOI to maintain their land in agricultural production until the land is converted to urban uses. The City will also work cooperatively with land trusts and other non-profit organizations to preserve agricultural land in the region. This may include the use of conservation easements. Infill development will be preferred and encouraged over fringe development. Sequential and contiguous development is also preferred and encouraged over leap-frog development.

Mitigation Measure #3.2.3.2: When Williamson Act Contract Cancellations are proposed, the City will use one of the following means to provide agricultural protection to other farmland to offset the loss of farmland protected by Williamson Act Contracts:

[1] Ch. 3.2 Agricutlure, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-5. Accessed April 2023.

A. The City of Dinuba shall conduct a "1240 Land Exchange" Ag Conservation Easement pursuant to Government Code 51282 and Public Resources Code 10251 as a component of the proposed Agricultural Preserve Cancellation; or
B. The City of Dinuba shall require the contribution of a mitigation fee to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The amount of the contribution shall be sufficient to provide protection to an equivalent area of land; or
C. The City of Dinuba shall require the purchase of Agricultural Easements affecting a minimum of 360 acres of agricultural land and such easements shall be transferred to a qualified public or private agency with competence in the maintenance of agricultural easements.

Regardless of the method employed, preference in selecting land to be placed under a conservation easement shall be given to those properties in the Greenbelt identified by the Dinuba General Plan.

New Mitigation Measures

None.

Cumulative Impacts

Significant, Unavoidable and Cumulatively Considerable. The scope for considering cumulative impacts to agricultural and forest resources are the geographic areas covered by the General Plan Update as well as all of Tulare County. Tulare County is the boundary for consideration of cumulative impacts on agricultural resources because land use decisions at the county level generally involve agricultural areas (as opposed to development within incorporated areas of the County) and most data regarding agriculture is aggregated at the county level. Cumulative development anticipated in the region may result in significant impacts to agricultural resources, including the permanent loss and or reduction of agricultural land. As described above, buildout of the Focused GPU would continue to result in significant and unavoidable impacts. Future potential projects implemented under the City's General Plan would be required to be consistent with the policies of the General Plan. However, the Project would have ***significant and unavoidable cumulatively considerable impact*** to agricultural resources. There are no forestry resources in the Project area, therefore, there are no cumulative impacts regarding forestry resources.

3.3 Air Quality

This section of the SEIR evaluates the potential impacts to Air Quality associated with implementation of the proposed Project. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 FEIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to air quality. Therefore, the following determinations are made:

Topic		Further Analysis Required?	2008 FEIR Analysis Sufficient?
a.	Would the project conflict with or obstruct implementation of the applicable air quality plan?		✓
b.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		✓
c.	Expose sensitive receptors to substantial pollution concentrations?		✓
d.	Result in other emissions (such as those leading to odors affecting a substantial number of people?		✓

The original Dinuba General Plan Draft and the Final EIR (2008 EIR) were certified by the City in October 2008. The 2008 EIR evaluated potential impacts to air resources associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have significant and unavoidable impacts resulting from regional operational and cumulative impacts and less than significant impacts resulting from local operational impacts,

construction emissions and the creation of objectionable odors (Chapter Three, pages 3-12 through 3-34 of the 2008 EIR).[1]

Regarding regional operational impacts and cumulative impacts, the 2008 EIR concluded that the primary increase in pollution levels resulting from the project is attributable to increased vehicle traffic. The impact will be lessened by policies of the proposed General Plan's goals and policies that promote the use of alternative transportation, air quality mitigation for new developments (such as increased connectivity and density), and strategies to minimize the number and length of vehicle trips.

Mitigation measure #3.3.2.1 was included to further reduce potential impacts, which stated that the General Plan Policies Statement incorporated the SJVAPCD's commonly recommended mitigation measures and known design features that mitigates the air impacts of development; however, the 2008 EIR still found potential impacts significant and unavoidable.

To analyze localized operational impacts, the 2008 EIR concluded that the potential for Hazardous Air Pollutants (HAPs) impacts primarily results from situating sensitive receptors near sources of HAPs or situating HAPs sources near sensitive receptors. Potential impacts could also result from an emissions release in violation with the San Joaquin Valley Air Pollution Control District (SJVAPCD) permitting requirements. Increased vehicular traffic could be a source of concern for carbon monoxide (CO) impacts. Analysis, such as a Health Risk Assessment, may be required on an individual project basis, as specific projects are proposed. However, additional analysis is not feasible at this time, as no specific project is proposed.

The CO impacts of future development will be lessened by the Circulation Element's requirement of traffic studies to determine mitigation and to maintain a Level of Service (LOS) of C or above. As discussed under Regional Impacts, the CO impacts will be lessened by policies of the proposed General Plan's goals and policies that promote the use of alternative transportation, air quality mitigation for new developments (such as increased connectivity and density), and strategies to minimize the number and length of vehicle trips. Per the screening criteria in the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), further analysis is required if the LOS is reduced to an E or an F. Impacts are therefore less than significant.

The 2008 EIR discussed that construction impacts resulting from General Plan buildout would be considered less than significant due to compliance with the SJVAPCD Regulation VIII and the

[1] Ch. 3.3 Air Quality, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-12 thru 3-34. Accessed March 2023.

creation of objectionable odors was analyzed in the 2008 General Plan's Initial Study, which found that Project implementation would not create objectionable odors affecting a substantial number of people.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan. Additionally, the proposed Land Use Element Update and Circulation Element Update contain goals, objectives and policies that will serve to reduce air emissions as summarized below:

Land Use Element

1.2.5 Incorporate features in new projects to minimize air quality impacts due to development activities.

1.4.11 In order to encourage infill development and improved residential design quality of future development projects, flexible design standards should be developed which meet the intent of the General Plan.

1.4.16 Neighborhoods should be physically connected to one another via a series of Minor Collector roadways and pedestrian paths, and all residents should be within a short walk or drive of retail and other services. New development shall coordinate with the irrigation districts regarding the usage of district facility corridors as walking/bicycle paths available for public use.

1.4.17 Parkways will be encouraged on all residential streets with a sufficient width to allow for street trees to be planted between the curb and the sidewalk.

1.4.18 Commercial uses are encouraged at the periphery of neighborhoods and should be designed to be as accessible and appealing to pedestrians as possible, in order to encourage walking and biking.

1.5-C Promote a mix of land uses in the downtown core area that enhance and diversify the downtown and contribute to a vibrant pedestrian environment.

1.5.2 Neighborhood and Community Commercial sites should be located at or near the intersection of collector and/or arterial streets. Such developments should also be directly accessible from adjacent residential developments to encourage walking and biking.

1.5.3 Community Commercial uses should be located along major traffic ways in consolidated centers that utilize common access and parking. Where feasible, pedestrian links ot residential areas are encouraged.

1.5.4 The Central Commercial designation should be used in the downtown area in order to attract and accommodate growth which includes commercial, financial, office, entertainment, governmental, and residential uses.

b. Ground floor spaces fronting primary streets should be reserved for retail and service businesses that benefit from and encourage pedestrian traffic.

c. Residential and office facilities are encouraged on the upper floors in the Central Commercial district.

d. Live/work units, in which the unit is both a place to live and a place of business, are allowed in the Central Commercial designation as long as the place of residence is in a separate room from the place of business.

1.5.5 The City will encourage the development of mixed-use developments throughout the Downtown core area (Tulare Street from "H" Street to "M" Street), with residential and commercial uses in the same building. Ground floor spaces with frontages on Tulare Avenue should have retail and service uses that contribute to an active pedestrian-oriented street environment, such as retail stores, restaurants, and cafes.

1.5.7 The City shall promote a pedestrian-friendly downtown walking environment through strategies including, but not limited to, the following:

a. The City shall plan and manage the downtown commercial area to include safe, pleasant, and interesting places for walking and enjoying the downtown environment. Development in the downtown area should provide pedestrian-oriented facilities and amenities including, but not limited to, those described below.

b. There shall be adequate pedestrian space along the public right-of-way for walking, using assistive devices, sitting, and other approved uses deemed appropriate such as outdoor dining.

c. There should be a nearly continuous tree canopy along sidewalks, and planters should provide additional foliage and flowers near public gathering areas.

d. Development should provide areas and amenities along pedestrian paths for the enjoyment and comfort of pedestrians, including public art, seating areas, small plazas, and mini-parks.

e. Traffic calming and pedestrian safety should be enhanced, where appropriate, through such features as high-visibility crosswalks, road tables, pavement changes, and bulb outs.

f. Mid-block alleyways and walkways shall be well-lit and integrated with new and remodeled buildings.

1.5.13 In order to encourage the integration of neighborhood and community commercial uses into neighborhoods, designs should de-emphasize the usage of walls as buffers where they create barriers to pedestrian access. Continuous block walls shall be discouraged, and offsets and openings shall be encouraged. Other types of uses, such as open space, may be utilized as buffers.

1.9.1 Support outreach to educate property owners about the benefits of retrofitting properties with air filters, ventilation systems, landscaping, or other measures to reduce air quality impacts.

1.9.2 Provide information to property owners on potential sources of financial assistance for building/site improvements that reduce sources of pollution.

1.9.3 Educate residents on how to protect themselves from extreme heat, smoke exposure during wildfire events, and additional climate vulnerabilities.

1.9.4 Ensure residential areas are adequately buffered from the effects of adjacent industrial uses, such as noise and air pollution.

1.9.7 Plan and design projects, including City Capital Improvement Program (CIP) projects, to consider current and planned adjacent land uses, local transportation needs (e.g., bicycle and pedestrian facilities, transit enhancements, and roadway safety improvements), and climate change vulnerabilities, while incorporating the latest and best practice design guidance.

1.9.8 Coordinate with local and regional planning and transportation agencies to provide high quality public transit services in Dinuba.

1.9.15 Provide access to locally grown and organic foods as a means of supporting local farmers, keeping agricultural lands in production, promoting sustainable agricultural practices, and reducing energy expended on food transport.

1.9.22 Ensure all residents have safe and convenient access to parks, community centers, sports fields, trails, and other recreational and open space amenities.

1.9.23 Promote the use of bicycles for recreation and everyday transportation through high-quality bikeway infrastructure, a connected bicycle network, and programs that encourage bicycling.

1.9.24 Encourage walking for recreation and transportation/commuting through improved sidewalks, safe and accessible trails, a connected pedestrian network, convenient access between residences and key destinations, and high-quality pedestrian-oriented amenities that make walking more inviting (e.g., lighting, seating, shade trees, and drinking fountains).

1.9.25 Incorporate Complete Streets principles into all transportation projects at all phases of development, including planning and land use decisions, design, implementation, maintenance, and performance monitoring.

Circulation Element

2.5.1-3 Sidewalks shall be required in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist. Encourage the retrofitting of downtown streets and alleys to include bulbouts and paseos whenever feasible.

2.5.1-4 Develop the planned citywide bikeway network, including bicycle lanes or separated bikeways on most arterial and collector streets. The bicycle/pedestrian path system should also encompass existing or future railroad rights-of-way and water courses such as Traver Creek, by providing paths between 8 and 12 feet wide and off the roadway, with landscaping, lighting, mileage markers and directional signage and benches.

2.5.2-1 Cooperate with the Tulare Council of Governments (TCAG) in providing transit service and planning to meet the social and economic needs of all segments of the community.

2.5.2-2 Provide reasonable accommodations for comfort and convenience for riders at major transit destinations so people can utilize the transit system safely and comfortably. The City shall determine such needs based on site plan review procedure and other planning implementation methods.

2.5.2-3 Arterial streets should be designed to allow transit vehicles to pull out of traffic at stops.

2.5.2-5 Large developments shall be encouraged to incorporate transit passenger facilities, bicycle racks, lockers, shower facilities, as well as on-site services (eating, mail, banking, etc.) as ways to reduce vehicle trips.

2.5.4-1 Prioritize infill and mixed-use development, and encourage new development in close proximity to existing employment, housing, schools, commercial centers, and other services and amenities.

2.5.4-2 Encourage employers, including government agencies, to allow telecommuting and flex time and to promote staggered shifts to reduce peak-hour trips.

2.5.4-3 Encourage the development of strategies for maximizing the efficiency of the existing street system.

2.5.6-2 Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to developments that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged wherever possible.

2.5.6-3 Require the provision of bicycle parking for most new commercial and multi-family developments.

Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains significant and unavoidable.

2008 EIR Mitigation Measure

Mitigation Measure #3.3.2.1: The City of Dinuba's General Plan Policies Statement has incorporated the SJVAPCD's commonly recommended mitigation measures and known design features that mitigate the air impacts of development. As no specific development is proposed at this time, recommending project-specific mitigation would be inadvisable.

New Mitigation Measures

None.

Cumulative Impacts

Significant, Unavoidable and Cumulatively Considerable. The scope for considering cumulative impacts to air quality resources is the San Joaquin Valley Air Basin. Cumulative Criteria Pollutant Impacts were discussed in the 2008 EIR and within the analysis, cumulative impacts were demonstrated to be significant and unavoidable. As such, cumulative impacts, even with mitigation, are considered ***cumulatively significant and unavoidable.***

3.4 Biological Resources

This section of the SEIR identifies potential impacts of implementing the proposed Project on biological resources. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to biological resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?		X
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?		X
c. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;		X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or		X

impede the use of native wildlife nursery site?		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		X

The original Dinuba General Plan Draft and the Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to biological resources associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on biological resources (Chapter Three, pages 3-34 through 3-54 of the 2008 EIR).[1]

The 2008 EIR analyzed the potential impacts within the Planning Area to Swainson's hawk, burrowing owl, loggerhead shrike, western spadefoot, and other raptors and migratory birds in the Planning Area. Mitigation Measures #3.4.1 - #3.4.1.4 were included to reduce potential impacts to less than significant levels.[2] It should be noted that previous Mitigation Measure #3.4.1.3 (regarding protection of Valley elderberry longhorn beetle) is no longer applicable because the Valley elderberry longhorn beetle is no longer listed as a protected species.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to biological resources. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant. The following mitigation measures continue to be applicable:

[1] Ch. 3.4 Biological Resources, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-34. Accessed March 2023.

[2] Ibid. page 3-49.

2008 EIR Mitigation Measures

Mitigation Measure #3.4.1: To protect special-status species and their habitats, the City shall ensure that appropriate biological surveys will be performed prior to issuing grading permits or building permits. The City will develop and maintain a map that identifies areas to be surveyed. The following survey methods, timing of surveys, and avoidance and protection measures will be implemented, as appropriate:

Mitigation Measure #3.4.1.1: To protect vernal pools and vernal pool associates including spiny-sepaled button celery, San Joaquin orcutt grass, vernal pool fairy shrimp, Molestan blister beetles, and western spadefoot toads, surveys will be conducted to determine the presence of vernal pools. Because vernal pools would only occur on or near Barris Hill, surveys are only required in these areas. Surveys to detect vernal pools may be conducted at any time of the year, but are most easily accomplished during the rainy season or during early spring when pools contain water. If vernal pools are found to occur on a project site, the pools and a 100 foot-wide buffer around each pool or group of pools will be observed. If the vernal pools and buffer areas cannot be avoided, then the project proponent must consult with and obtain authorizations to take vernal pools from appropriate state and federal agencies including, but not limited to, the California Department of Fish and Game, the United States Fish and Wildlife Service, the Army Corps of Engineers, and the State Water Resources Quality Control Board. Consultation and authorizations may require additional surveys for special-status species be completed. Because there is a policy of no net losses of wetlands, mitigation to reduce losses and compensation to offset losses to vernal pools and associated special-status species are likely to be required.

To protect western spadefoot toads, additional surveys for potential breeding habitat shall be conducted in fallow agricultural fields, vacant lots, along roadsides and within other areas that contain disturbed grassland habitats. Breeding habitat for western spadefoot toads consists of vernal pools, roadside ditches and other temporary water pools that lack predators (e.g. mosquito fish). Surveys for suitable breeding pools are best conducted during the wet season, October through April. If suitable breeding pools are found, a 100-foot buffer will be maintained around the pool. If the pools and buffers cannot be maintained then the project proponent must consult with the California Department of Fish and Game to develop alternative avoidance and mitigation measures.

Mitigation Measure #3.4.1.2: To protect recurved larkspur, the City shall ensure that a survey will be conducted for any project occurring in grassland or grazed grassland habitats within the Planning Area. Grassland habitats are primarily limited to Barris Hill. Any

surveys shall be conducted by a qualified biologist or botanist during the appropriate flowering season for this plant (March through May) and shall be conducted prior to issuance of a grading or building permit for the project. If recurved larkspur is found to occur on the project site, the population of plants shall be avoided and protected. If protection is not possible, the California Department of Fish and Game will be consulted and appropriate authorizations obtained.

Mitigation Measure #3.4.1.4: To protect burrowing owls, loggerhead shrikes, and other raptors and migratory birds, the following measures shall be implemented:

- To protect burrowing owls, preconstruction surveys shall be conducted at all project sites that contain grasslands, fallowed agricultural fields, vacant lots, or fallowed fields along roadsides, railroad corridors, and other locations. If, during a pre-construction survey, burrowing owls are found to be present, the following measures will be implemented as adopted from CDFG guidelines:

    - Compensation for the loss of burrowing owl habitat will be provided at a ratio of 3:1. Compensation may occur through participation in an approved mitigation bank, through conservation easement, or through other means acceptable to the regulatory wildlife agencies.

    - Exclusion areas will be established around occupied burrows in which no construction activities will occur. During the non-breeding season (September 1 through January 31), the exclusion area will extend 160 feet around any occupied burrows. During the breeding season of burrowing owls (February 1 through August 31), exclusion areas of 250 feet surrounding occupied burrows would be installed.

    - If construction must occur within these buffer areas, passive relocation of burrowing owls may be implemented as an alternative, but only during the non-breeding season and only with the concurrence of the California Department of Fish and Game. Passive relocation of burrowing owls would be implemented by a qualified biologist using accepted techniques. Burrows from which owls had been relocated would be excavated using hand tools and under direct supervision of a qualified biologist.

    - Any owl burrows removed during construction will be compensated at a ratio of 3 artificial burrows created for each burrow removed. Artificial burrows would be created on lands accepted as compensation for habitat loss.

- To protect raptors, loggerhead shrikes, and other migratory birds, preconstruction surveys must be conducted prior to the initiation of construction, if construction activities are to start between February 15 and September 15 (during the breeding season for raptors and migratory birds). Surveys must consist of the following:
    - All trees which are suitable for raptor nesting and are within 600 feet of construction activities shall be inspected for active nests by a qualified biologist.
    - Surveys will be conducted at the following intensities, depending upon dates of initiation of construction:

Construction start	Survey period	Number of surveys	Timing
1 January to 20 March	1 January to 20 March	1	All day
21 March to 24 March	1 January to 20 March	1	All day
	21 March to 24 March	Up to 3	Sunrise to 1000 and 1600 to sunset
24 March to 5 April	1 January to 20 March	1	All day
	21 March to 5 April	3	Sunrise to 1000 and 1600 to sunset
6 April to 9 April	21 March to 5 April	3	Sunrise to 1000 and 1600 to sunset
	6 April to 9 April	Up to 3	Sunrise to 1000 and 1600 to sunset
	1 January to 20 March	1 (if all 3 surveys are performed between 6 and 9 April, then this survey need not be conducted)	All day
10 April to 30 July	21 March to 5 April	3	Sunrise to 1000 and 1600 to sunset
	6 April to 20 April	3	Sunrise to 1000 and 1600 to sunset
31 July to 15 September	21 March to 5 April	3	Sunrise to 1000 and 1600 to sunset
	10 to 30 July	3	Sunrise to 1000 and 1600 to sunset

- If raptors are nesting in trees within 600 feet of the construction area, construction will not occur within this zone until after young have fledged (this usually occurs by early June). If migratory birds are nesting within 250 feet of the construction area, construction will not occur within that zone until after young have fledged. Nests will be monitored by a qualified biologist to determine fledging date.
- If construction activities must occur within these set-back distances, the CDFG will be contacted and alternate protection measures required by the CDFG will be followed.

New Mitigation Measures

None.

Cumulative Impacts

Less Than Cumulatively Considerable. The scope for considering cumulative impacts to biological resources are the geographic areas immediately surrounding the proposed Project site. Construction of the proposed Project may result in risks associated with biological resources. Each project site has different biological resource considerations that would be subject to review. Considering the protection granted by local, state, and federal agencies and their requirements, the overall cumulative impact would not be significant. As described above, buildout of the Focused GPU would result in less than significant impacts. Since the majority of development in the area would be within the City's Planning Area Boundary, it is assumed that cumulative impacts from minimal (rural) development on the periphery of the City would also be less than significant. As such, the Project would have a ***less than cumulatively considerable*** to biological resources.

3.5 Cultural Resources

This section of the SEIR evaluates the potential impacts to Cultural Resources associated with implementation of the proposed Project. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to cultural resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X
c. Disturb any human remains, including those interred outside of formal cemeteries?		X

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to cultural resources associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on cultural resources (Chapter Three, pages 3-55 through 3-60 of the 2008 EIR).[1] Mitigation Measure #3.5.3.1 was included in the 2008 EIR. The 2008 General Plan was also self-mitigating in that it contained policies that require developments to reduce impacts associated with cultural resources.

[1] Ch. 3.5 Cultural Resources, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-55. Accessed April 2023.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to cultural resources. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impacts remain less than significant with mitigation. The following mitigation measure continues to be applicable:

2008 EIR Mitigation Measures

Mitigation Measure #3.5.3.1: All projects (as defined by CEQA Guidelines Section 15378(a) and Public Resources Code Section 21065) shall implement the following measures for cultural resources discovered during project implementation activities:

1. In the event that cultural or paleontological resources are encountered during project construction, all earth-moving activity in the specific construction area shall cease until the applicant retains the services of a qualified archaeologist or paleontologist. The archaeologist or paleontologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts on those cultural, paleontological or archaeological resources that have been encountered (e.g., excavate the significant resource).

2. If human bone or bone of unknown origin is found during project construction, all work shall stop in the vicinity of the find and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission. The Native American Heritage Commission shall notify the person considered to be the most likely descendant. The most likely descendant will work with the project applicant to develop a program for the re-interment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.

3. Project personnel shall not collect or retain artifacts found at the site. Prehistoric resources may include, but would not be limited to: chert or obsidian flakes; projectile points; mortars and pestles; and dark friable soils containing shell, fragmentary bone, dietary debris, scorched rock, or human remains. Historic resources may include, but would not be limited

to, stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits, including those in old wells and privies.

4. If development and/or modification of the historic features reported by the Center for Archeological Research at CSU, Bakersfield is proposed, a historic analysis of such modification shall be made, including consultation with the State Historic Preservation Office. Historic features or elements that are considered to be significant shall be preserved. If such preservation is not feasible, mitigation shall include:

- Relocation of the structure to a location that is historically suitable; or
- Recordation of feature through archival photography and donation of artifacts to the Dinuba museum.

New Mitigation Measures:

None.

Cumulative Impacts

The scope for considering cumulative impacts to cultural resources is the geographic areas within and immediately surrounding the City's Planning Area. As described above, buildout of the Focused GPU would result in less than significant impacts to cultural resources. Since the majority of development in the area would be within the City's Planning Area Boundary, it is assumed that cumulative impacts from minimal (rural) development on the periphery of the City would also be less than significant, as those projects would need to be in compliance with the Tulare County General Plan EIR. As such, the Project would have a ***less than cumulatively considerable impact*** to cultural resources.

3.6 Energy

This section of the SEIR examines energy resources in the proposed Project vicinity and potential impacts the Project may have on energy. It provides a background discussion of energy resources and organized with an existing setting, regulatory setting, and impact analysis. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to energy resources. The original 2008 Dinuba General Plan EIR did not evaluate energy resources, as the section was introduced into the CEQA Appendix G Checklist after the adoption of the 2008 EIR. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	X	

Environmental Setting

Electricity

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves a number of system components, including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power

grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Pacific Gas & Electric provides energy to the City of Dinuba in the form of natural gas and electricity. PG&E's network provides natural gas and electric service to approximately 16 million people.[1] PG&E's electric distribution network consists of approximately 108,000 circuit miles of distribution lines, and as of December 31, 2021, the provider owns approximately 18,000 circuit miles of interconnected transmission lines.[2] At December 31, 2021, PG&E's natural gas system consisted of approximately 43,800 miles of distribution pipelines, over 6,200 miles of backbone and local transmission pipelines, and various storage facilities.

Energy Usage

Energy usage is typically quantified using the British Thermal Unit (BTU). Total energy usage in California was 6,923 trillion BTU in 2020 (the most recent year for which this specific data is available), which equates to an average of 175 million BTU per capita.[3] Of California's total energy consumption, the breakdown by sector is approximately 34 percent transportation, 24.6 percent industrial, 21.8 percent residential, and 19.6 percent commercial. Electricity and natural gas in California are generally consumed by stationary users such as residences and commercial/ industrial facilities, whereas petroleum consumption is generally accounted for by transportation-related energy use.[4] In 2020, approximately 524 million barrels of petroleum was consumed in California.[5]

Tulare County electricity consumption from 2011 to 2021 is shown in Table 3.6-1. Electricity consumption in Tulare County increased approximately 30 percent between 2011 - 2021.

[1] 2021 Joint Annual Report to Shareholders, PG&E. Pg 34. https://s1.q4cdn.com/880135780/files/doc_financials/2022/ar/2021-Annual-Report-Master_-Web-ready-032322-Spot-K.pdf. Accessed March 2023.

[2] Ibid.

[3] California, State Profile and Energy Estimates, U.S. Energy Information Administration. https://www.eia.gov/state/print.php?sid=CA. Accessed March 2023.

[4] Ibid.

[5] Ibid.

Table 3.6-1

Electricity Consumption in Tulare County 2011 – 2021[6]

Year	GWh consumed
2021	4878.46
2020	4642.81
2019	4249.14
2018	4438.03
2017	4243.89
2016	4363.2
2015	4477.12
2014	4492.37
2013	4316.7
2012	4163.27
2011	3746.71

Natural Gas

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the State, and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network, and, therefore, resource availability is typically not an issue. Natural gas provides more than half of the state's utility-scale net electricity generation, and approximately one-third of the state's total energy requirements. It is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel.

Natural gas is provided to the City of Dinuba by Pacific Gas and Electric. The natural gas consumption attributable to Tulare County from 2011 to 2021 is provided in Table 3.6-2. Natural gas consumption in Tulare County increased approximately 5.3 percent between 2011 and 2021.

[6] Electricity Consumption by County, California Energy Commission. Energy Reports. https://ecdms.energy.ca.gov/elecbycounty.aspx. Accessed March 2023.

Table 3.6-2

Natural Gas Consumption in Tulare County 2011 – 2021[7]

Year	Millions of Therms consumed
2021	167.9
2020	159.47
2019	155.14
2018	157.29
2017	150.42
2016	151.41
2015	149.48
2014	151.22
2013	157.85
2012	157.72
2011	159.47

While specific energy and natural gas usage is not available for the City of Dinuba, data can be extrapolated by a per capita use. The California Department of Finance provides population estimates for the year 2022 for both Tulare County and the City of Dinuba. While energy and natural gas consumption data is available for the years 2011 through 2021, using the 2022 population data will provide a reasonable estimate of Dinuba's electricity and natural gas usage. In 2022, the City of Dinuba constituted approximately 5.29% of Tulare County's population[8] and as such, the available consumption data is multiplied by 5.29% to estimate consumption data for the City of Dinuba, as provided in Table 3.6-3.

[7] Gas Consumption by County, California Energy Commission. Energy Reports. https://www.ecdms.energy.ca.gov/gasbycounty.aspx Accessed March 2023.

[8] Population and Housing Estimates for Cities, Counties, and the State, January 2020-2022. California Department of Finance. https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2022/. Accessed March 2023.

Table 3.6-3

Electricity and Natural Gas Consumption in Dinuba 2011 – 2021

Year	Electricity (GWh consumed)	Natural Gas (millions of Therms consumed)
2021	258.07	8.88
2020	245.60	8.44
2019	224.78	8.21
2018	234.77	8.32
2017	224.50	7.96
2016	230.81	8.01
2015	236.84	7.91
2014	237.65	8.00
2013	228.35	8.35
2012	220.24	8.34
2011	198.20	8.44

Transportation Energy

According to the U.S. Energy Information Administration, transportation accounted for nearly 34 percent of California's total energy consumption in 2020.[9] Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles.[10] In 2022, California consumed approximately 12.52 billion gallons of gasoline (including aviation gasoline) and approximately 2.82 billion gallons of diesel fuel[11]. The state is now working on developing flexible strategies to reduce petroleum use.

[9] California, State Profile and Energy Estimates, U.S. Energy Information Administration. https://www.eia.gov/state/print.php?sid=CA. Accessed March 2023.

[10] California Gasoline Data, Facts, and Statistics. California Energy Commission. https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-gasoline-data-facts-and-statistics. Accessed March 2023.

[11] Motor Vehicle Fuel 10 Year Reports and Taxable Diesel Gallons 10 Year Report - California Department of Tax and Fee Administration. https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm. Accessed March 2023.

Accordingly, gasoline consumption in California has declined, from approximately 15.56 billion gallons in FY 2018.[12]

Although exact estimates are not available by County, retail fuel outlet survey data estimates Tulare County accounted for approximately 1.3 percent and 3.5 percent of total statewide gasoline and diesel retail sales, respectively, in 2021. [13]

Regulatory Setting

Federal Regulations

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Energy and Policy Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration (NHTSA) is responsible for establishing additional vehicle standards.

Corporate Average Fuel Economy (CAFE) Program

The Corporate Average Fuel Economy (CAFE) Program was enacted by Congress in 1975. The purpose of the program is to reduce the consumption of energy by increasing the fuel economy of cars and light trucks.

Energy Independence and Security Act of 2007 (EISA)

This Act set increased CAFE standards for motor vehicles and includes the following provisions related to energy efficiency:

- Renewable fuel standards (RFS)
- Appliance and lighting efficiency standards
- Building energy efficiency

This Act requires increasing levels of renewable fuels to replace petroleum. The U.S. EPA is responsible for developing and implementing regulations to ensure transportation fuel sold into the US contains a minimum volume of renewable fuel.

[12] Ibid.

[13] California Annual Retail Fuel Outlet Report Results (CEC-A15), California Energy Commission. https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-retail-fuel-outlet-annual-reporting. Accessed March 2023.

The RFS programs regulations were developed in collaboration with refiners, renewable fuel products, and other stakeholders and were created under the Energy Policy Act of 2005. The RFS program established the first renewable fuel volume mandate in the US. As required under the act, the original RFS program required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012.

The RFS program is a national policy that requires a certain volume of renewable fuel to replace or reduce the quantity of petroleum-based transportation fuel, heating oil or jet fuel. The four renewable fuel categories under the RFS are:

- Biomass-based diesel
- Cellulosic biofuel
- Advanced biofuel
- Total renewable fuel

Under the Act, the RFS program was expanded in several key ways that laid the foundation for achieving significant reductions of GHG emissions through the use of renewable fuels, for reducing imported petroleum, and for encouraging the development and expansion of the nation's renewable fuels sector. The updated program is referred to as RFS2 and includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline:
- EISA increase the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- EISA established new categories of renewable fuel and set separate volume requirements for each one; and
- EISA required by the U.S. EPA to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.[14]

Additional provisions of the EISA address energy savings in government and public institutions, promoting research for alternate energy, additional research in carbon capture, international energy programs, and the creation of "green jobs."

[14] Overview for Renewable Fuel Standard, U.S. EPA. Renewable Fuel Standard Program. https://www.epa.gov/renewable-fuel-standard-program/overview-renewable-fuel-standard. Accessed March 2023.

Federal Vehicle Standards

In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011; and, in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, President Obama issued a memorandum directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of carbon dioxide (CO_2) in model year 2025, on an average industry fleetwide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking.

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014 – 2018. The standards for CO2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018-2027 for certain trailers, and model years 2021-2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO_2 emissions by approximately 1.1 billion MT and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.[15]

In August 2018, the USEPA and NHTSA released a notice of proposed rulemaking called Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). This rule would modify the existing CAFE standards and

[15] EPA and DOT Finalize Greenhouse Gas and Fuel Efficiency Standards for Heavy-Duty Trucks, U.S. Department of Transportation. https://www.transportation.gov/briefing-room/epa-and-dot-finalize-greenhouse-gas-and-fuel-efficiency-standards-heavy-duty-trucks. Accessed March 2023.

tailpipe carbon dioxide emissions standards for passenger cars and light trucks, and establish new standards covering model years 2021-2026. SAFE standards are expected to uphold model year 2020 standards through 2026.[16]

In March 2020, the NHTSA and EPA issued Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule to finalize CAFE and carbon dioxide emissions standards for model years 2021-2026. The SAFE Vehicles Rule sets tough but feasible fuel economy and carbon dioxide standards that increase 1.5% in stringency each year from model years 2021 through 2026. These standards apply to both passenger cars and light trucks, and will continue the nation's progress toward energy independence and carbon dioxide reduction, while recognizing the realities of the marketplace and consumers' interest in buying vehicles that meet all of their diverse needs.[17]

State of California Regulations

Integrated Energy Policy Report

Senate Bill 138 (Bowen Chapter 568, Statues of 2002) requires the California Energy Commission to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public and safety (Public Resources Code §25301(a)).

The California Energy Commission's (CEC) Integrated Energy Policy Report (IEPR) provides the results of the CEC's assessments of energy issues facing the state and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2022 IEPR Update was adopted in February 2023. The 2022 IEPR Update discusses embedding equity and environmental justice at the CEC, California energy planning library, California energy demand forecast, energy reliability, Western electricity integration, gasoline cost factors and price spikes, role of hydrogen in California clean energy future, fossil gas transition, and distributed energy resources.[18]

[16] The Safer Affordable Fuel-Efficient 'SAFE' Vehicles Rule, U.S. Department of Transportation. SAFE. https://www.nhtsa.gov/corporate-average-fuel-economy/safe. Accessed March 2023.

[17] Ibid.

[18] 2022 Integrated Energy Policy Report Update, California Energy Commission. https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2022-integrated-energy-policy-report-update. Accessed March 2023.

State of California Energy Action Plan

The CEC initially adopted the Energy Action Plan in 2003, which identified emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The CEC's goal for the Energy Action Plan is to ensure that adequate, reliable, and reasonably-priced electrical power and natural gas supplies, including prudent reserves, are achieved and provided through policies, strategies, and actions that are cost-effective and environmentally sound for California's consumers and taxpayers. The plan called for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identified a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24)

Part 6 of the Title 24 refers to California's Energy Efficiency Standards for Residential and Nonresidential Buildings in 1978 in response to a legislative mandate to reduce energy consumption in California. Although not originally intended to reduce GHG emissions, increased energy efficiency and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

The 2022 Building Energy Efficiency Standards (Energy Code) went into effect January 1, 2023. California's Building Energy Efficiency Standards are updated on an approximately three-year cycle. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more.[19]

Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) planning and design; (2) energy efficiency;

[19] 2022 Building Energy Efficiency Standards, California Energy Commission. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency. Accessed March 2023.

(3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental air quality." The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC).

CALGreen contains both mandatory and voluntary measures. For nonresidential land uses, there are 39 mandatory measures including, but not limited to, exterior light pollution reduction, wastewater reduction by 20 percent, and commissioning of projects over 10,000 square feet. Two tiers of voluntary measures apply to nonresidential land uses, for a total of 36 additional elective measures.

Executive Order B-30-15

Executive Order B-30-15, 2030 Carbon Target and Adaptation, issued by Governor Brown in April 2015, set a target of reducing GHG emissions by 40 percent below 1990 levels in 2030. To achieve this ambitious target, Governor Brown identified five key goals for reducing GHG emissions in California through 2030:

- Increase the amount of renewable electricity provided state-wide to 50 percent;
- Double energy efficiency savings achieved in existing buildings and make heating fuels cleaner;
- Reduce petroleum use in cars and trucks by up to 50 percent;
- Reduce emissions of short-lived climate pollutants; and
- Manage farms, rangelands, forests, and wetlands to increasingly store carbon.

Executive Order B-55-18

In 2018, Governor Brown signed EO B-55-18 to achieve carbon neutrality by moving California to 100 percent clan energy by 2045. This Executive Order also includes specific measures to reduce GHG emissions via clean transportation, energy efficient buildings, directing cap-and-trade funds to disadvantaged communities, and better management of the state's forest land.

Senate Bill (SB) 375 (Sustainable Communities and Climate Protection Act)

In January 2009, California SB 375, known as the Sustainable Communities and Climate Protection Act, went into effect. The objective of SB 375 is to better integrate regional planning of transportation, land use, and housing to reduce sprawl and ultimately reduce GHG emissions and other air pollutants. SB 375 tasks CARB to set GHG reduction targets for each of California's 18 regional Metropolitan Planning Organizations (MPOs). Each MPO is required to prepare a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan (RTP). The

SCS is a growth strategy in combination with transportation policies that will show how the MPO will meet its GHG reduction target. If the SCS cannot meet the reduction goal, an Alternative Planning Strategy may be adopted that meets the goal through alternative development, infrastructure, and transportation measures or policies.

In 2010, CARB released the proposed GHG reduction targets for the MPOs. The proposed reduction targets for the Tulare CAG region were 13 percent by year 2020 and 16 percent by year 2035 beginning in October of 2018.[20]

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard (RPS) Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2017. The 2003 Integrated Energy Policy Report recommended accelerating that goal to 20 percent by 2010, and the 2004 Energy Report Update further recommended increasing the target to 33 percent by 2020. The state's Energy Action Plan also supported this goal. In 2006 under Senate Bill 107, California's 20 percent by 2010 RPS goal was codified. The legislation required retail sellers of electricity to increase renewable energy purchases by at least one percent each year with a target of 20 percent renewables by 2010. Publicly owned utilities set their own RPS goals, recognizing the intent of the legislature to attain the 20 percent by 2010 target.

In 2008, Governor Schwarzenegger signed Executive Order S-14-08 requiring that "all retail sellers of electricity shall serve 33 percent of their load with renewable energy by 2020." The following year, Executive Order S-21-09 directed CARB to enact regulations to achieve the goal of 33 percent renewables by 2020.

In 2015, Governor Brown signed Senate Bill 350 to codify ambitious climate and clean energy goals. One key provision of SB 350 is for retail sellers and publicly owned utilities to procure "half of the state's electricity from renewable sources by 2030."

The State's RPS program was further strengthened by SB 100 in 2018. SB 100 revised the State's RPS Program to require retail sellers of electricity to serve 50 percent and 60 percent of the total kilowatt-hours sold to retail end-use customers be served by renewable energy sources by 2026 and 2030, respectively, and to require that 100 percent of all electricity supplied come from renewable sources by 2045.

[20] California Air Resources Board. Regional Plan Targets. https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets. Accessed March 2023.

Executive Order S-01-07 Low Carbon Fuel Standard Regulation

CARB initially approved the Low Carbon Fuel Standard (LCFS) regulation in 2009, identifying it as one of the nine discrete early action measures in the 2008 Scoping Plan to reduce California's GHG emissions. The LCFS regulation defines a Carbon intensity, or "CI," reduction target (or standard) for each year, which the rule refers to as the "compliance schedule." The LCFS regulation requires a reduction of at least 10 percent in the CI of California's transportation fuels by 2020 and maintains that target for all subsequent years.

CARB approved the LCFS regulation in 2009 and began implementation on January 1, 2011. The Board approved some amendments to the LCFS in December 2011, which were implemented on January 1, 2013. In September 2015, the Board approved the re-adoption of the LCFS, which became effective on January 1, 2016, to address procedural deficiencies in the way the original regulation was adopted. In 2018, the Board approved amendments to the regulation, which included strengthening and smoothing the carbon intensity benchmarks through 2030 in-line with California's 2030 GHG emission reduction target enacted through SB 32, adding new crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.[21]

Advanced Clean Cars Program

In 2012, CARB approved the Advanced Clean Cars (ACC) Program (formerly known as Pavley II) for model years 2017-2025. The components of the ACC program are the Low-Emission Vehicle (LEV) regulations and the Zero-Emission Vehicle (ZEV) regulation. The program combines the control of smog, soot, and global warming gases with requirements for greater numbers of zero-emission vehicles into a single package of standards. By 2025, new automobiles under California's Advanced Clean Car program will emit 34 percent less global warming gases and 75 percent less smog-forming emissions.

EO B-48-18, issued by Governor Brown in 2018, establishes a target to have five million ZEVs on the road in California by 2030. This Executive Order is supported by the State's 2018 ZEV Action Plan Priorities Update, which expands upon the State's 2016 ZEV Action Plan. While the 2016

[21] Low Carbon Fuel Standard, California Air Resources Board. https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/about. Accessed March 2023.

plan remains in effect, the 2018 update function as an addendum, highlighting the most important actions State agencies are taking in 2018 to implement the directives of EO B-48-18.

City of Dinuba

The City currently utilizes the guidance provided in its General Plan that minimizes wasteful energy consumption, as summarized below:

Circulation Element[22]*:*

2.5 Alternative Transportation Mode

Objective: Promote the use of alternative modes of transportation.

Policies and Standards: #2.64 - Encourage and provide for ride sharing, park and ride, and other similar commuter energy savings programs.

Objectives: Encourage the development of strategies for maximizing the efficiency of the existing street system. Promote a variety of public transit connections with other nearby cities and locations.

Policies and Standards: #2.84 - The City shall encourage the use of energy efficient and non polluting fuels and modes of transportation.

Open Space, Conservation and Recreation Element[23]*:*

3.4 Air Quality

Objectives: F. Conserve energy and reduce air emissions by encouraging energy efficient building designs and transportation systems.

Urban Boundary Element[24]

4.2 Growth Policies

[22] General Plan Policies Statement, City of Dinuba - September 2008. Page 2-1.

[23] Circulation Element, General Plan Policies Statement, City of Dinuba - September 2008. Page 3-1

[24] Urban Boundary Element, General Plan Policies Statement, City of Dinuba - September 2008. Page 4-1

Objective: Implement growth policies which will guide the timing, type, and location of growth, preserve resource lands, protect natural features and open space, and encourage techniques which encourage energy conservation

Housing Element[25]

Goal7: Promote energy and water conservation in all residential neighborhoods.

Objectives:

7.1 Maintain local ordinances, and support federal and state regulations to promote energy and water conservation.

7.2 Utilize regional, state and federal opportunities to provide funding for energy and water conservation.

7.3 Promote energy and water conservation through educational programs.

Policies:

7.1.1 Promote development of public policies and regulations that achieve a high level of energy and water conservation in all new and rehabilitated housing units.

7.2.1 Encourage maximum utilization of federal, state, and utility company programs that assist homeowners and renters in providing energy conservation measures.

7.3.1 Provide information to the public about available programs on the City's website and social media page.

7.4.1 The City will continue to enforce building code regulations (Title 24, California Administrative Code) that require compliance with residential energy conservation measures for all new construction, remodeling, and rehabilitation.

[25] Housing Element, General Plan Policies Statement, City of Dinuba (2015). Page 9-21

Thresholds of Significance

Consistent with Appendix G of the CEQA Guidelines, the proposed Project will have a significant impact related to energy if it will:

- Result in potentially significant environmental impact due to a wasteful, inefficient or unnecessarily consumption of energy resources during project construction or operation;
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

Impacts and Mitigation Measures

Impact 3.6-1: *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant. The original Dinuba General Plan Draft and Final EIR (2008 EIR) were certified by the City in October 2008. The 2008 EIR did not evaluate energy resources as the section was introduced into the CEQA Appendix G Checklist after the adoption of the EIR.

As described in Chapter Two – Project Description, the City is proposing updates to the Land Use Element and Circulation Element of the General Plan. Within the Land Use Element Update, various land use designation changes are proposed in different areas of the City, which will occur within existing City planning area boundaries. These changes do not change the amount of land currently within the City's Planning Area Boundary, rather, the Project is proposing certain land use designation changes to existing acreage, as detailed in Table 2-1: Summary of Proposed Land Use Changes (within Planning Area Boundary). As such, the incremental potential growth in residential and non-residential uses would be infill development and would occur within the fabric of already developed areas throughout the City. By encouraging residential, commercial, and industrial development within already developed and urbanized areas, the concentration of population, employment, and services allows for more efficient use of energy.

Electricity

Construction Use. Temporary electric power would be required at various construction sites throughout the City of Dinuba as development occurs under the Project. Electricity would be consumed by lighting and electronic equipment located in trailers used by construction crews, and by small, off-road equipment used during construction activities. It is too speculative at this time to calculate energy usage associated with construction activities because the details regarding future construction activities are not known.

Operational Use. Development allowed by the Project would require electricity for multiple uses, including, but limited to building heating and cooling, lighting, appliance use (washer, dryer, microwave), vehicles, and other electronics (television).

Natural Gas

Construction Use. Substantial natural gas consumption is not anticipated to occur during construction activities that could occur with Project implementation. Fuels used for construction would generally consist of diesel and gasoline, which are discussed in the next section "Diesel and Gasoline Fuel". Potential natural gas use during construction activities allowed by the Focused GPU would not substantially contribute to overall energy consumption in the City of Dinuba, and would not be unnecessary, inefficient, or wasteful.

Operational Use. Natural gas consumption during Project operations would be required for various purposes, such as building heating and cooling.

Although the Focused GPU will not directly create new physical environmental impacts, new development and land use turnover would be required to comply with statewide mandatory energy requirements outlined in Title 24, Part 6, of the California Code of Regulations (the CALGreen Code), which could decrease estimated electricity and natural gas consumption in new and retrofitted structures. Furthermore, energy consumed by development in the City of Dinuba could continue to be subject to the regulations described in the Regulatory Setting of this Section. For these reasons, the electrical and natural gas energy that would be consumed by the Project is not considered unnecessary, inefficient, or wasteful.

Diesel and Gasoline Fuel

Construction Use. Diesel and gasoline fuels, also referred to as petroleum, would be consumed during construction activities within the City of Dinuba. Fuel use by construction equipment would be the primary energy resource consumed during construction activities, and VMT associated with the transportation of construction materials (e.g., deliveries) and worker trips would also result in petroleum consumption. Whereas on-site, heavy-duty construction equipment and delivery trucks would predominantly use diesel fuels, construction workers would generally rely on gasoline-powered vehicles to travel to and from construction sites. State regulations such as LCFS would reduce the carbon intensity of transportation-related fuels, and all construction projects would be required to comply with CARB's Airborne Toxic Control Measures, which, for example, restrict heavy-duty diesel vehicle idling to five minutes. Since petroleum use during construction would be temporary at each location, necessary for

construction activities, and subject to mandatory regulations described above, it would not be unnecessary, wasteful or inefficient.

Operational Use. Vehicle fuel consumption associated with development would primarily be attributable to people traveling to or from the City for work, shopping, school, or other reasons; however, fuel consumption would generally decrease as vehicle fuel efficiency increases to meet State GHG reduction goals.

Numerous regulations are in place that require and encourage fuel efficiency. For example, CARB has adopted an approach to passenger vehicles by combining the control of smog-causing pollutants and GHG emissions into a single, coordinated package of standards. The approach also includes efforts to support and accelerate the number of plug-in hybrids and ZEVs in California. In addition, per the requirements identified in SB 375, CARB adopted a regional goal to reduce GHG's by 35 percent by 2045.

As such, petroleum consumption associated with implementation of the Focused GPU would not be considered unnecessary, inefficient, or wasteful.

As described above, the consumption of electricity, natural gas, and vehicle fuel resources would be necessary to accommodate continued development associated with the Focused GPU. The use of energy resources in the City of Dinuba would become substantially more efficient over time with the change in land uses envisioned by the Project and the application of more stringent regulations that reduce energy usage. The proposed Land Use Element Update and Circulation Element Updates contain goals, objectives and policies that will serve to protect energy efficiency and are as follows:

<u>Land Use Element</u>

1.4.11 In order to encourage infill development and improved residential design quality of future development projects, flexible design standards should be developed which meet the intent of the General Plan.

1.4.16 Neighborhoods should be physically connected to one another via a series of Minor Collector roadways and pedestrian paths, and all residents should be within a short walk or drive of retail and other services. New development shall coordinate with the irrigation districts regarding the usage of district facility corridors as walking/bicycle paths available for public use.

1.4.17 Parkways will be encouraged on all residential streets with a sufficient width to allow for street trees to be planted between the curb and the sidewalk.

1.4.18 Commercial uses are encouraged at the periphery of neighborhoods to integrate with residential uses and should be designed to be as accessible and appealing to pedestrians as possible, in order to encourage walking and biking.

1.5-C Promote a mix of land uses in the downtown core area that enhance and diversify the downtown and contribute to a vibrant pedestrian environment.

1.5.2 Neighborhood and Community Commercial sites should be located at or near the intersection of collector and/or arterial streets. Such developments should also be directly accessible from adjacent residential developments to encourage walking and biking.

1.5.3 Community Commercial uses should be located along major traffic ways in consolidated centers that utilize common access and parking. Where feasibile, pedestrian links to residential areas are encouraged.

1.5.4 The Central Commercial designation should be used in the downtown area in order to attract and accommodate growth which includes commercial, financial, office, entertainment, governmental, and residential uses.

a. Rehabilitation of existing structures and the development of new buildings to accommodate mixed uses and create a vibrant and economically robust downtown in the Central Commercial district are encouraged.

b. Ground floor spaces fronting primary streets should be reserved for retail and service businesses that benefit from and encourage pedestrian traffic.

c. Residential and office facilities are encouraged on the upper floors in the Central Commercial district.

d. Live/work units, in which the unit is both a place to live and a place of business, are allowed in the Central Commercial designation as long as the place of residence is in a separate room from the place of business.

1.5.5 The City will encourage the eventual phasing out of existing industrial uses and other uses surrounding the downtown that generally are not compatible with or supportive of a downtown commercial core area and their replacement with appropriate commercial, mixed use, and high-quality higher density residential uses.

1.5.6 The City will encourage the development of mixed-use developments throughout the Downtown core area (Tulare Street from “H” Street to “M” Street), with residential and

commercial uses in the same building. Ground floor spaces with frontages on Tulare Avenue should have retail and service uses that contribute to an active pedestrian-oriented street environment, such as retail stores, restaurants, and cafes.

1.5.7 The City shall promote a pedestrian-friendly downtown walking environment through strategies including, but not limited to, the following:

a. The City shall plan and manage the downtown commercial area to include safe, pleasant, and interesting places for walking and enjoying the downtown environment. Development in the downtown area should provide pedestrian-oriented facilities and amenities including, but not limited to, those described below.

b. There shall be adequate pedestrian space along the public right-of-way for walking, using assistive devices, sitting, and other approved uses deemed appropriate such as outdoor dining.

c. There should be a nearly continuous tree canopy along sidewalks, and planters should provide additional foliage and flowers near public gathering areas.

d. Development should provide areas and amenities along pedestrian paths for the enjoyment and comfort of pedestrians, including public art, seating areas, small plazas, and mini-parks.

e. Traffic calming and pedestrian safety should be enhanced, where appropriate, through such features as high-visibility crosswalks, road tables, pavement changes, and bulb outs.

1.5.13 In order to encourage the integration of neighborhood and community commercial uses into neighborhoods, designs should de-emphasize the usage of walls as buffers where they create barriers to pedestrian access. Continuous block walls shall be discouraged, and offsets and openings shall be encouraged. Other types of uses, such as open space, may be utilized as buffers.

1.9.7 Plan and design projects, including City Capital Improvement Program (CIP) projects, to consider current and planned adjacent land uses, local transportation needs (e.g., bicycle and pedestrian facilities, transit enhancements, and roadway safety improvements), and climate change vulnerabilities, while incorporating the latest and best practice design guidance.

1.9.8Coordinate with local and regional planning and transportation agencies to provide high quality public transit services in Dinuba.

1.9.15 Provide access to locally grown and organic foods as a means of supporting local farmers, keeping agricultural lands in production, promoting sustainable agricultural practices, and reducing energy expended on food transport.

1.9.22 Ensure all residents have safe and convenient access to parks, community centers, sports fields, trails, and other recreational and open space amenities.

1.9.23 Promote the use of bicycles for recreation and everyday transportation through high-quality bikeway infrastructure, a connected bicycle network, and programs that encourage bicycling.

1.9.24 Encourage walking for recreation and transportation/commuting through improved sidewalks, safe and accessible trails, a connected pedestrian network, convenient access between residences and key destinations, and high-quality pedestrian-oriented amenities that make walking more inviting (e.g., lighting, seating, shade trees, and drinking fountains).

1.9.25 Incorporate Complete Streets principles into all transportation projects at all phases of development, including planning and land use decisions, design, implementation, maintenance, and performance monitoring.

<u>Circulation Element</u>

2.5.1-3 Sidewalks shall be required in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist.

2.5.1-4 Develop the planned citywide bikeway network, including bicycle lanes or separated bikeways on most arterial and collector streets. The bicycle/pedestrian path system should also encompass existing or future railroad rights-of-way and water courses such as Traver Creek, by providing paths between 8 and 12 feet wide and off the roadway, with landscaping, lighting, mileage markers and directional signage and benches.

2.5.2-1 Cooperate with the Tulare Council of Governments (TCAG) in providing transit service and planning to meet the social and economic needs of all segments of the community.

2.5.2-2 Provide reasonable accommodations for comfort and convenience for riders at major transit destinations so people can utilize the transit system safely and comfortably. The City shall determine such needs based on site plan review procedure and other planning implementation methods.

2.5.2-3 Arterial streets should be designed to allow transit vehicles to pull out of traffic at stops.

2.5.2-4 Encourage transit alternatives to meet the basic transportation needs of the young, the elderly, the handicapped, and individuals without access to an automobile.

2.5.2-5 Large developments shall be encouraged to incorporate transit passenger facilities, bicycle racks, lockers, shower facilities, as well as on-site services (eating, mail, banking, etc.) as ways to reduce vehicle trips.

2.5.4-1 Prioritize infill and mixed-use development, and encourage new development in close proximity to existing employment, housing, schools, commercial centers, and other services and amenities.

2.5.4-2 Encourage employers, including government agencies, to allow telecommuting and flex time and to promote staggered shifts to reduce peak-hour trips.

2.5.4-3 Encourage the development of strategies for maximizing the efficiency of the existing street system.

2.5.6-2 Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to developments that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged wherever possible.

2.5.6-3 Require the provision of bicycle parking for most new commercial and multi-family developments.

Compliance with the above-noted policies and mandatory federal and state regulations will reduce potential unnecessary, inefficient, or wasteful uses of energy resources. Impacts relating to energy remain ***less than significant.***

Mitigation Measures

None Required.

Impact 3.6-2: *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less Than Significant. Title 24, California's Energy Efficiency Standards for Residential and Non-residential Buildings, was established by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings through the State, including the City of Dinuba. In 2022, the CEC updated Title 24 standards with more stringent requirements. The 2022 Standards were incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use. Additional savings result from the application of the Standards on building alterations. For example, stricter requirements for cool roofs, lighting, and air distribution ducts are expected to save additional electricity. These savings are cumulative, doubling as years go by.

In addition to being in compliance with federal and state regulations, the Focused GPU itself provides policies that are designed specifically to reduce energy consumption or to reduce other types of pollutants that have the co-benefit of reducing energy consumption, as discussed in Impacts 3.6-1 and 3.8-1. Any impacts related to conflicting or obstructing a state or local plan for renewable energy or energy efficiency would be ***less than significant***.

Mitigation Measures

None Required.

Cumulative Impact

Less Than Cumulatively Considerable. The scope for considering cumulative impacts to energy are the geographic areas covered by the Focused GPU as well as all of the San Joaquin Valley. Continued development associated with the Focused GPU would require the consumption of electricity, natural gas, and vehicle fuel resources to accommodate growth. As discussed above, new development and land use turnover would be required to comply with statewide mandatory energy requirements outlined in Title 24, Part 6, of the California Code of Regulations (the CALGreen Code), which could decrease estimated electricity and natural gas consumption in new and retrofitted structures. Furthermore, energy consumed by development in the City of Dinuba will continue to be subject to the regulations described in the Regulatory Setting of this Section. For these reasons, the electrical and natural gas energy that would be consumed by the Project is not considered unnecessary, inefficient, or wasteful. Impacts are ***less than cumulatively considerable.***

3.7 Geology/Soils

This section of the SEIR identifies potential impacts of implementing the proposed Project on geology and soils. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to geological and soil resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a-i. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		X
a-ii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?		X
a-iii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?		X
a-iv. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?		X
b. Result in substantial soil erosion or the loss of topsoil?		X

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X
d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?		X

The original Dinuba General Plan Draft and the Final EIR (2008 EIR) were certified by the City in October 2008. The 2008 EIR evaluated potential impacts to geological resources associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on geological resources (Chapter Three, pages 3-60 through 3-65 of the 2008 EIR).[1] The 2008 EIR asserted that although the City of Dinuba is not located on a known fault, without proper construction and engineering techniques, distant earthquakes can have potentially significant adverse impacts on people and structures. Mitigation measure #3.6.3.1 from the 2008 EIR was included to reduce potential impacts to less than significant levels, which states that any new project must be designed in compliance with the Uniform Building Code and California Building Code, and must be inspected by City building inspectors during the construction phase. Also, non-single-family projects must be designed by an engineer or architect to resist any seismic-related impacts, including liquefaction, and must be designed for the appropriate soil type by an engineer to resist spreading, subsidence, or collapse. The Five-County Seismic Safety Element places the Planning Area in an area of minimal ground shaking, with no likelihood of ground failure or liquefaction.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to geological resources. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to

[1] Ch. 3.6 Geology/Soils, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-60. Accessed March 2023.

be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant with mitigation.

2008 EIR Mitigation Measures

Mitigation Measure #3.6.3.1: Any new project must be designed in compliance with the Uniform Building Code and California Building Code, and must be inspected by City building inspectors during the construction phase. Also, non-single-family projects must be designed by an engineer or architect to resist any seismic-related impacts, including liquefaction, and must be designed for the appropriate soil type by an engineer to resist spreading, subsidence, or collapse. The Five-County Seismic Safety Element places the Planning Area in an area of minimal ground shaking, with no likelihood of ground failure or liquefaction.

New Mitigation Measures

None.

Cumulative Impacts

Less Than Cumulatively Considerable. The scope for considering cumulative impacts to geology and soils is generally site-specific rather than cumulative in nature because each project site has different geological considerations that would be subject to review. Construction of the proposed Project may result in risks associated with geology and soils. For example, there will always be a chance that a fault located anywhere in the state (or region) could rupture and cause seismic ground shaking. Additionally, grading, excavation, removal of vegetation cover, and loading activities associated with construction activities could temporarily increase runoff, erosion, and sedimentation.

While some cumulative impacts may occur in the region as individual projects are constructed, local and state regulations (as described in the Regulatory Setting section of this Chapter), will reduce the risk to people in the region. Considering the protection granted by local, state, and federal agencies and their requirements for the seismic design, as discussed above, the overall cumulative impact would not be significant. The proposed Project's incremental contribution to cumulative geologic and soil impacts would be ***less than cumulatively considerable***.

3.8 Greenhouse Gas Emissions

This section of the SEIR discusses regional greenhouse gas (GHG) emissions and climate change impacts that could result from implementation of the proposed Project. It provides a background discussion of greenhouse gases and effects of global climate change and organized with an existing setting, regulatory setting, and impact analysis. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to greenhouse gas emissions. The original Dinuba General Plan EIR did not evaluate potential greenhouse gas impacts, as the section was introduced into the CEQA Appendix G Checklist after the preparation of the EIR. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Have a substantial adverse effect on a scenic vista?	X	
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X	
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X	

Environmental Setting

The United States Environmental Protection Agency (EPA) refers to climate change as, "…significant changes in average conditions—such as temperature, precipitation, wind patterns, and other aspects of climate—that occur over years, decades, centuries, or longer."[1] These changes are assessed using historical records of temperature changes occurring in the past, such as during previous ice ages. Many of the concerns regarding climate change use this data to extrapolate a level of statistical significance, specifically focusing on temperature records from the last 150 years (the Industrial Age) that differ from previous climate changes in rate and magnitude.

The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. Its Fourth Assessment Report concluded that "[w]arming of the climate system is unequivocal," and that "[m]ost of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations.". In its latest Sixth Assessment Report, the IPCC estimates that there is a more than 50% chance that global surface temperature rise will reach or surpass 1.5 degrees C in the near term (2021-2040), even for the very low greenhouse gas emissions scenario.[2] Global temperature rise in such a carbon-intensive scenario could also increase by 3.3 degrees C to 5.7 degrees C by 2100.

An individual project cannot generate enough GHG emissions to cause a discernible change in global climate. However, the project participates in the potential for global climate change by its incremental contribution of GHGs—and when combined with the cumulative increase of all other sources of GHGs—constitute potential influences on global climate change.

In California, climate change may result in consequences such as the following:

- **Reduction in the quality and supply of water from the Sierra snowpack.** If heat-trapping emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snowpack by as

[1] Climate Change: Basic Information, U.S. Environmental Protection Agency. https://www.epa.gov/climatechange-science/frequently-asked-questions-about-climate-change#climate-change. Accessed March 2023.

[2] Summary of Policymakers, IPCC Sixth Assessment Report. https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf. Accessed March 2023.

much as 70 to 90 percent. This can lead to challenges in securing adequate water supplies. It can also lead to a potential reduction in hydropower.

- **Increased risk of large wildfires.** If rain increases as temperatures rise, wildfires in the grasslands and chaparral ecosystems of southern California are estimated to increase by approximately 30 percent toward the end of the 21st century because more winter rain will stimulate the growth of more plant "fuel" available to burn in the fall. In contrast, a hotter, drier climate could promote up to 90 percent more northern California fires by the end of the century by drying out and increasing the flammability of forest vegetation.
- **Reductions in the quality and quantity of certain agricultural products.** The crops and products likely to be adversely affected include wine grapes, fruit, nuts, and milk.
- **Exacerbation of air quality problems.** If temperatures rise to the medium warming range, there could be 75 to 85 percent more days with weather conducive to ozone formation in Los Angeles and the San Joaquin Valley, relative to today's conditions. This is more than twice the increase expected if rising temperatures remain in the lower warming range. This increase in air quality problems could result in an increase in asthma and other health-related problems.
- **A rise in sea levels resulting in the displacement of coastal businesses and residences.** During the past century, sea levels along California's coast have risen about seven inches. If emissions continue unabated and temperatures rise into the higher anticipated warming range, sea level is expected to rise an additional 22 to 35 inches by the end of the century. Elevations of this magnitude would inundate coastal areas with salt water, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.
- **An increase in temperature and extreme weather events.** Climate change is expected to lead to increases in the frequency, intensity, and duration of extreme heat events and heat waves in California. More heat waves can exacerbate chronic disease or heat-related illness.
- **A decrease in the health and productivity of California's forests.** Climate change can cause an increase in wildfires, an enhanced insect population, and establishment of non-native species.

<u>Greenhouse Gasses</u>

Gases that trap heat in the atmosphere are referred to as GHGs. The effect is analogous to the way a greenhouse retains heat. Common GHGs include water vapor, carbon dioxide, methane, NOX, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols. Natural processes and human activities emit GHGs. The presence of GHGs in the atmosphere affects the earth's temperature. Emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

GHGs defined by Assembly Bill (AB) 32 (discussed further in the Regulatory Environment section) include carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF6). The physical properties and common sources of these GHGs are described in Table 3.8-1. A seventh greenhouse gas, nitrogen trifluoride (NF3) was added to Health and Safety Code section 38505(g)(7) as a greenhouse gas of concern.[3] Other greenhouse gases include water vapor, ozone, and aerosols. Black carbon (BC) emissions also have important impacts on public health, the environment, and the Earth's climate. BC is a significant component of particle pollution, which has been linked to adverse health and environmental impacts through decades of scientific research. BC has been linked to a range of climate impacts, including increased temperatures, accelerated ice and snow melt, and disruptions to precipitation patterns.[4]

Table 3.8-1 – Description of Greenhouse Gases[5]

Greenhouse Gas	Description and Physical Properties	Sources
Nitrous Oxide (N_2O)	Nitrous oxide (laughing gas) is a colorless greenhouse gas. It has a lifetime of 114 years. Its global warming potential is 310.	Microbial processes in soil and water, fuel combustion, and industrial processes.

[3] California Environmental Protection Agency. Air Resources Board. Assembly Bill 32 Overview. https://ww2.arb.ca.gov/resources/fact-sheets/ab-32-global-warming-solutions-act-2006. Accessed March 2023.

[4] Report to Congress on Black Carbon: Executive Summary. March 2012. U.S. Environmental Protection Agency. Accessed March 2023.

[5] Compiled from a variety of sources, primarily from: United Nations, Intergovernmental Panel on Climate Change. 2007. *Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*. Page 30. http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr.pdf. Accessed March 2023.

Greenhouse Gas	Description and Physical Properties	Sources
Methane (CH_4)	Methane is a flammable gas and is the main component of natural gas. It has a lifetime of 12 years. Its global warming potential is 21.	Methane is extracted from geological deposits (natural gas fields). Other sources are landfills, fermentation of manure, and decay of organic matter.
Carbon dioxide (CO_2)	Carbon dioxide (CO_2) is an odorless, colorless, natural greenhouse gas. Carbon dioxide's global warming potential is 1. The concentration in 2005 was 379 parts per million (ppm), which is an increase of about 1.4 ppm per year since 1960.	Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
Chlorofluorocarbons (PFCs)	These are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). Global warming potentials range from 3,800 to 8,100.	Chlorofluorocarbons were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987.
Hydrofluorocarbons (HCFCs)	Hydrofluorocarbons are a group of greenhouse gases containing carbon, chlorine, and at least one hydrogen atom. Global warming potentials range from 140 to 11,700.	Hydrofluorocarbons are synthetic manmade chemicals used as a substitute for chlorofluorocarbons in applications such as automobile air conditioners and refrigerants.
Perfluorocarbons (PFCs)	Perfluorocarbons have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Global warming potentials range from 6,500 to 9,200.	Two main sources of perfluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride (SF6)	Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. It has a high global warming potential, 23,900.	This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas.

Greenhouse Gas	Description and Physical Properties	Sources
Nitrogen trifluoride (NF3)	Nitrogen trifluoride (NF3) was added to Health and Safety Code section 38505(f)(7) as a greenhouse gas of concern. It has a high global warming potential of 17,200	This gas is used in electronics manufacture for semiconductors and liquid crystal displays.

Individual GHG compounds have varying global warming potential and atmospheric lifetimes. Carbon dioxide, the reference gas for global warming potential, has a global warming potential (GWP) of one. The GWP of a GHG is a measure of how much a given mass of a greenhouse gas is estimated to contribute to global warming. To describe how much global warming a given type and amount of greenhouse gas may cause, the carbon dioxide equivalent (CO2e) is used. The calculation of the carbon dioxide equivalent is a consistent methodology for comparing greenhouse gas emissions since it normalizes various greenhouse gas emissions to a consistent reference gas, CO_2. For example, CH_4 has a GWP of 21 which indicates that CH_4 has 21 times greater warming effect than CO_2 on a molecule-per-molecule basis. CO2e is the mass emissions of an individual GHG multiplied by its GWP.

Emissions Inventories

In 2021, U.S. greenhouse gas emissions totaled 6,347.7 million metric tons of carbon dioxide equivalents, or 5,593.5 million metric tons of carbon dioxide equivalents after accounting for sequestration from the land sector.[6]

Emissions increased from 2020 to 2021 by 6.8 percent (after accounting for sequestration from the land sector). The increase in total greenhouse gas emissions was driven largely by an increase in CO_2 emissions from fossil fuel combustion. In 2021, CO_2 emissions from fossil fuel combustion increased by 7.0 percent relative to the previous year. This increase in fossil fuel consumption emissions was due primarily to economic activity rebounding after the COVID-19 pandemic. Greenhouse gas emissions in 2021 (after accounting for sequestration from the land sector) were 16.3 percent below 2005 levels.[7]

[6] Draft U.S. Inventory of Greenhouse Gas Emissions and Sinks: 1990-2021, U.S. EPA. https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks. Accessed March 2023.

[7] Ibid.

Effects of Climate Change

Globally, climate change has the potential to impact numerous environmental resources through potential, though uncertain, impacts related to future air temperatures and precipitation patterns. The projected effects of global warming on weather and climate are likely to vary regionally, but are expected to include the following direct effects[8]:

- Higher maximum temperatures and more hot days over nearly all land areas;
- Higher minimum temperatures, fewer cold days and frost days over nearly all land areas;
- Reduced diurnal temperature range over most land areas;
- Increase of heat index over land areas; and
- More intense precipitation events.

There are many secondary effects that are projected to result from global warming, including global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. While the possible outcomes and the feedback mechanisms involved are not fully understood, and much research remains to be done, the potential for substantial environmental, social, and economic consequences over the long term may be great.[9]

Regulatory Setting

Intergovernmental Panel on Climate Change

In 1988, the United Nations and the World Meteorological Organization established the Intergovernmental Panel on Climate Change to assess the scientific, technical, and socio-economic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation.

United Nations Framework Convention on Climate Change (Convention)

On March 21, 1994, the United States joined a number of countries around the world in signing the Convention. Under the Convention, governments gather and share information on greenhouse gas emissions, national policies, and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision

[8] TAR Climate Change 2001: The Scientific Basis. United Nations, Intergovernmental Panel on Climate Change. https://www.ipcc.ch/report/ar3/wg1/. Accessed May 2018.
[9] Ibid.

of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

The Paris Agreement

The Paris Agreement is an agreement within the United Nations Framework Convention on Climate Change (UNFCCC), dealing with greenhouse gas emissions mitigation, adaptation, and finance, signed in 2016. The Paris Agreement's long-term goal is to keep the increase in global average temperature to well below 2 degrees C, above pre-industrial levels; and to limit the increase to 1.5 degrees C, since this would substantially reduce the risks and effects of climate change. Additionally, the agreement aims to increase the ability of countries to deal with the impacts of climate change, and at making finance flows consistent with a low GHG emissions and climate-resilient pathway.[10] Between June 1, 2017 and January 20, 2021, the United States had temporarily withdrawn from the Paris Climate Agreement.

Federal Regulations

Clean Air Act

The Federal Clean Air Act (FCAA) does not specifically regulate GHG emissions; however, on April 2, 2007 the U.S. Supreme Court in *Massachusetts v. U.S. Environmental Protection Agency*, determined that GHGs are pollutants that can be regulated under the FCAA. The EPA adopted an endangerment finding and cause or contribute finding for GHGs on December 7, 2009. Under the endangerment finding, the Administrator found that the current and projected atmospheric concentrations of the six, key, well-mixed GHGs (CO2, CH4, N2O, HFCs, PFCs, and SF6) threaten the public health and welfare of current and future generations. Under the cause or contribute finding, the Administrator found that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution which threatens public health and welfare.

Based on these findings, on April 1, 2010, the EPA finalized the light-duty vehicle rule controlling GHG emissions. This rule confirmed that January 2, 2011, is the earliest date that a 2012 model year vehicle meeting these rule requirements may be sold in the United States. On May 13, 2010, the EPA issued the final GHG Tailoring Rule. This rule set thresholds for GHG emissions that define when permits under the Prevention of Significant Deterioration and Title V Operating

[10] Key Aspects of the Paris Agreement. UNFCCC. https://unfccc.int/most-requested/key-aspects-of-the-paris-agreement. Accessed March 2023.

Permit programs are required for new and existing industrial facilities. Implementation of the federal rules is expected to reduce the level of emissions from new motor vehicles and large stationary sources.

Mandatory Reporting of Greenhouse Gases

The Consolidated Appropriations Act of 2008, passed in December 2007, requires the establishment of mandatory GHG reporting requirements. On September 22, 2009, the EPA issued the Final Mandatory Reporting of Greenhouse Gases Rule, which became effective January 1, 2010. The rule requires reporting of GHG emissions from large sources and suppliers in the United States, and is intended to collect accurate and timely emissions data to inform future policy decisions. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to the EPA.

Fuel Efficiency and Vehicle Emissions Standards

Established by the US Congress in 1975, the Corporate Average Fuel Economy (CAFE) standards reduce energy consumption increasing the fuel economy of cars and light trucks. The National Highway Traffic Safe Administration (NHTSA) and US EPA jointly administer the CAFE standards. The US Congress has specified that CAFE standards must be set at the "maximum feasible level" with consideration given to: (1) technological feasibility; (2) economic practicality; (3) effect of other standards on f economy; and (4) need for the nation to conserve energy.

CAFE standards are regulated by DOT's National Highway Traffic and Safety Administration (NHTSA). NHTSA sets and enforces the CAFE standards, while the Environmental Protection Agency (EPA) calculates average fuel economy levels for manufacturers, and also sets related GHG standards. NHTSA establishes CAFE standards under the Energy Policy and Conservation Act (EPCA) of 1975, as amended by the Energy Independence and Security Act (EISA) of 2007, while EPA establishes GHG emissions standards under the Clean Air Act. Following the direction set by President Obama on May 21, 2010, NHTSA and EPA have issued joint Final Rules for Corporate Average Fuel Economy and Greenhouse Gas emissions regulations for passenger cars and light trucks built in model years 2017 and beyond, and have also developed fuel efficiency

and GHG emissions regulations for medium- and heavy-duty vehicles built in model years 2014 through 2018.[11]

On March 31, 2022, the NHTSA finalized CAFE Standards for model years 2024-2026. The final rule establishes standards that would require an industry-wide fleet average of approximately 49 mpg for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8% annually for model years 2024 and 2025, and 10% annually for model year 2026. The agency projects the final standards will save consumers nearly $1,400 in total fuel expenses over the lifetimes of vehicles produced in these model years and avoid the consumption of about 234 billion gallons of gas between model years 2030 to 2050.[12]

Fuel efficiency standards for medium- and heavy-duty trucks have been jointly developed by US EPA and NHTSA. On October 25, 2016, the final rule for Phase 2 GHG emissions and fuel efficiency standards for medium- and heavy-duty engines and vehicles were published. These standards would cover model years 2018-2027 for certain trailers and model years 2021-2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO_2 emissions by approximately 1.1 billion metric tons, save vehicle owners fuel costs of about $170 billion, and reduce oil consumption by up to two billion barrels over the lifetime of the vehicles sold under the program.[13]

The Phase 1 heavy-duty truck standards applied to combination tractors, heavy- duty pickup trucks and vans, and vocational vehicles for model years 2014 through 2018, and result in a reduction in fuel consumption from 6 to 23 percent over the 2010 baseline, depending on the vehicle type. US EPA and NHTSA have also adopted the Phase 2 heavy-duty truck standards, which cover model years 2021 through 2027 and require the phase-in of a 5 to 25 percent reduction in fuel consumption over the 2017 baseline depending on the compliance year and vehicle type.

California harmonized its vehicle efficiency standards through 2025 with the federal standards.

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[11] Corporate Average Fuel Economy (CAFE) Standards, Department of Transportation. https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards. Accessed March 2023.

[12] Corporate Average Fuel Economy, NHTSA. https://www.nhtsa.gov/laws-regulations/corporate-average-fuel-economy. Accessed March 2023.

[13] Regulations for Emissions from Vehicles and Engines, EPA. https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-phase-2-greenhouse-gas-emissions-standards. Accessed March 2023.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022;
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020, and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks; and
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

Clean Power Plan and New Source Performance Standards for Electric Generating Units

On October 23, 2015, the EPA published a final rule (effective December 22, 2015) establishing the carbon pollution emission guidelines for existing stationary sources: electric utility generating units (80 FR 64510–64660), also known as the Clean Power Plan. These guidelines prescribe how states must develop plans to reduce GHG emissions from existing fossil-fuel-fired electric generating units. The guidelines establish CO_2 emission performance rates representing the best system of emission reduction for two subcategories of existing fossil-fuel-fired electric generating units: (1) fossil-fuel-fired electric utility steam-generating units and (2) stationary combustion turbines. Concurrently, the EPA published a final rule (effective October 23, 2015) establishing standards of performance for GHG emissions from new, modified, and reconstructed stationary sources: electric utility generating units (80 FR 64661–65120). The rule prescribes CO_2 emission standards for newly constructed, modified, and reconstructed affected fossil-fuel-fired electric utility generating units. The U.S. Supreme Court stayed implementation of the Clean Power Plan pending resolution of several lawsuits. Additionally, in March 2017, President Trump directed the EPA Administrator to review the Clean Power Plan in order to determine whether it is consistent with current executive policies concerning GHG emissions, climate change, and energy.

Presidential Executive Order 13693

Presidential Executive Order 13693, Planning for Federal Sustainability in the Next Decade, signed in 2015, seeks to maintain federal leadership in sustainability and greenhouse gas emission reductions. Its goal is to reduce agency Scope 1 and 2 GHG emissions by at least 40 percent by 2025, foster innovation, reduce spending, and strengthen communities through increased efficiency and improved environmental performance. Sustainability goals are set for building efficiency and management, energy portfolio, water use efficiency, fleet efficiency, sustainable acquisition and supply chain greenhouse gas management, pollution prevention, and electronic stewardship.

Presidential Executive Order 13783

Presidential Executive Order 13783, Promoting Energy Independence and Economic Growth (March 28, 2017), orders all federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of carbon, nitrous oxide, and methane.

Cap-and-Trade

Cap-and-Trade refers to a policy tool where emissions are limited to a certain amount and can be traded or provides flexibility on how the emitter can comply. There is no federal GHG Cap-and-Trade program currently; however, some states have joined to create initiatives to provide a mechanism for Cap-and-Trade.

The Regional Greenhouse Gas Initiative, which began in 2009, is an effort to reduce GHGs among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Each state caps carbon dioxide emissions from power plants, auctions carbon dioxide emission allowances, and invests the proceeds in strategic energy programs that further reduce emissions, save consumers money, create jobs, and build a clean energy economy.[14]

The Western Climate Initiative partner jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15 percent below 2005 levels by 2020. The partners are California, British Columbia, Manitoba, Ontario, and Quebec.[15] Currently only California and Quebec are participating in the Cap-and-Trade program.

[14] Regional Greenhouse Gas Initiative. https://www.rggi.org/program-overview-and-design/elements. Accessed March 2023.

[15] Western Climate Initiative, Inc. https://wci-inc.org/our-work/purpose. Accessed March 2023.

State Regulations

Legislative Actions to Reduce GHGs

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark AB 32 California Global Warming Solutions Act of 2006 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

AB 32. The California State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. "Greenhouse gases" as defined under AB 32 include CO2, methane, NOX, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Since AB 32 was enacted, a seventh chemical, nitrogen trifluoride, has also been added to the list of GHGs. The ARB is the state agency charged with monitoring and regulating sources of GHGs. AB 32 states the following:

> Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

According to the 2000-2020 California GHG Inventory Report (2022 Edition), since the peak level in 2004, California's GHG emissions have generally followed a decreasing trend. In 2014, statewide GHG emissions dropped below the 2020 GHG Limit and have remained below the Limit since that time.[16] Per the report, in 2020, emissions from GHG emitting activities statewide were 369.2 million metric tons of carbon dioxide (CO2) equivalent (MMTCO2e), 35.3 MMTCO2e lower than 2019 levels and 61.8 MMTCO2e below the 2020 GHG Limit of 431 MMTCO2e. The 2019 to 2020 decrease in emissions is likely due in large part to the impacts of the COVID-19 pandemic. Economic recovery from the pandemic may result in emissions increases over the next

[16] California Greenhouse Gas Emissions Inventory for 2000 to 2020. California Air Resources Board. https://ww2.arb.ca.gov/sites/default/files/classic/cc/inventory/2000-2020_ghg_inventory_trends.pdf. Accessed March 2023.

few years. As such, the total 2020 reported emissions are likely an anomaly, and any near-term increases in annual emissions should be considered in the context of the pandemic.[17]

2022 ARB Scoping Plan. AB 32 required the California Air Resources Board (CARB or Board) to develop a Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of reducing emissions to 1990 levels by 2020. The Scoping Plan was first approved by the Board in 2008 and must be updated at least every five years. Since 2008, there have been three updates to the Scoping Plan.[18]

The latest 2022 Scoping Plan lays out the sector-by-sector roadmap for California to achieve carbon neutrality by 2045 or earlier, outlining a technologically feasible, cost-effective, and equity-focused path to achieve the state's climate target. This is a challenging but necessary goal to minimize the impacts of climate change. Previous plans have focused on specific greenhouse gas (GHG) reduction targets for our industrial, energy, and transportation sectors—first to meet 1990 levels by 2020, then to meet the more aggressive target of 40 percent below 1990 levels by 2030. The current 2022 plan, addressing recent legislation and direction from Governor Newsom, extends and expands upon these earlier plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045.[19]

Four scenarios were extensively modeled to develop the 2022 Scoping Plan, with the objective of informing the most viable path to remain on track to achieve the State's 2030 GHG reduction target: a reduction in anthropogenic emissions by 85% below 1990 levels and carbon neutrality by 2045. All four have their merits and are informed by stakeholder input. The scenario ultimately chosen as the basis of the 2022 Scoping Plan is the alternative that most closely aligns with existing statute and Executive Orders. It was selected because it best achieves the balance of cost-effectiveness, health benefits, and technological feasibility.[20]

For the first time, the latest Scoping Plan includes modeling and quantification of GHG emissions and carbon sequestration in natural and working lands (NWL). To date, the focus has been only on reducing the emissions of GHGs from our transportation, energy, and industrial sectors. The state's 2020 and 2030 GHG reductions targets only include these sources, as they are the primary

[17] Ibid.

[18] AB 32 Climate Change Scoping Plan. https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/about. Accessed March 2023.

[19] 2022 Scoping Plan for Achieving Carbon Neutrality. November 2022. California Air Resources Board. https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp_1.pdf. Accessed March 2023.

[20] Ibid, Page 23.

drivers of climate change and disproportionate harmful air pollution in our vulnerable communities. The 2022 Scoping Plan, through the lens of carbon neutrality, expands the scope to more meaningfully consider how our NWL contribute to the state's long-term climate goals.[21]

Over the past decade and a half, the state has undertaken a successful three-pronged approach to reducing GHGs: incentives, regulations, and carbon pricing. The 2017 Scoping Plan leveraged existing programs such as the Renewables Portfolio Standard, Advanced Clean Cars, Low Carbon Fuel Standard, Short-lived Climate Pollutant Strategy, mobile source measures to achieve federal air quality targets, and a Cap-and-Trade Program, among others, to lay out a technologically feasible and cost-effective path to achieve the 2030 GHG reduction target.

Cap-and-Trade Program Update. Cap-and-Trade was designed by CARB to achieve the goals of the Global Warming Solutions Act of 2006 (AB 32) - including reducing California's greenhouse gas emissions to 1990 levels by 2020 - and the goals of AB 398, which clarified the role of California's Cap-and-Trade Program in achieving California's 2030 greenhouse gas emissions target of 40 percent below 1990 levels.[22] The Cap-and-Trade Program first came into effect in 2012 and included declining allowance caps through 2020. The Cap-and-Trade Program includes GHG emissions from transportation, electricity, industrial, agricultural, waste, residential and commercial sources, and caps them while complementing the other measures needed to meet the 2030 GHG target.[23]

A 2022 report by the Office of Environmental Health and Hazard Assessment (OEHHA) that evaluated GHG and harmful air pollution emissions from the heavy-duty vehicle (HDV) and large stationary source sectors found that both HDVs and facilities subject to the Cap-and-Trade Program have reduced emissions of co-pollutants, with HDVs showing a clearer downward trend when compared to stationary sources. These emission reductions have major health benefits, including a reduction in premature pollution-related deaths. The greatest beneficiaries of reduced emissions from both HDVs and facilities subject to the Cap-and-Trade Program have been in communities of color and in disadvantaged communities in California, as identified by

[21] Ibid.

[22] Greenhouse Gas Cap-and-Trade Program, California Public Utilities Commission. https://www.cpuc.ca.gov/industries-and-topics/natural-gas/greenhouse-gas-cap-and-trade-program. Accessed March 2023.

[23] California's 2017 Climate Change Scoping Plan. California Air Resources Board. https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf. Accessed March 2023.

CalEnviroScreen (CES). This has reduced the emission gap between disadvantaged and non-disadvantaged communities, but a wide gap still remains.[24]

Since the adoption of the first Scoping Plan in 2008, carbon pricing in the form of a Cap-and-Trade Program has been part of ARB's portfolio to achieve the state's GHG reduction targets, and it will remain critical as the state works toward carbon neutrality.[25]

The reduction in the role of offsets in the program was in recognition of ongoing concerns raised by environmental justice advocates regarding the ability of companies to use offsets for compliance instead of investing in actions on site to reduce GHG emissions that could also potentially reduce criteria or toxic emissions. The 2022 Scoping Plan notes that data show the relationship between facility emissions of GHGs and co-pollutants is highly variable by sector and pollutant. Changes to the allowance price containment reserve and the addition of the price ceiling were included to ensure protections against price spikes in the program, while the changes to the leakage assistance factors were to ensure the maximum protection against leakage in the program. The original design of the program included an auction floor price that increases by 5 percent plus inflation each year, and that escalation factor is retained in the post-2020 program and is also applied to the allowance price containment reserve and price ceiling. These features, combined with the self-ratcheting mechanism for unsold allowances at auctions, help to ensure the program is able to handle periods of high and low demand for allowances while continuing to ensure a steadily increasing price signal for regulated entities to invest in GHG reduction technologies.

As a result of achieving the 2020 target several years earlier than mandated by law, there are unused allowances in circulation. CARB estimated the amount to be approximately 310 million allowances after the conclusion of the third compliance period (2018–2020). This bank represents approximately 5 percent of the total number of vintage 2013–2030 allowances issued within the joint market. This bank of allowances can only remain banked if year-over-year the covered emissions are declining by 14 MMT. If the annual decline in actual emissions is less than 14 MMT, regulated entities will need to use the banked allowances to cover their compliance obligations. It is likely that the existing bank of 310 million allowances will be needed over the early part of this decade and will be exhausted by the end of the decade. During the same period, prices for

[24] 2022 Scoping Plan for Achieving Carbon Neutrality. November 2022. California Air Resources Board. https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp_1.pdf, Page 33. Accessed March 2023.

[25] Ibid.

allowances will continue to increase at least 5 percent plus inflation year-over-year, sending a steadily increasing price signal to spur investment in onsite reductions for covered entities.[26]

AB 398. In 2017, AB 398 was passed by a supermajority in the California Legislature and included prescriptive direction on the design of the program from 2021 through 2030. The AB 398 Cap-and-Trade Program came into effect on January 1, 2021, and it included the following changes:

- Doubling of stringency with an annual cap decline of 4 percent per year from 2021–2030
- AB 398 price ceiling
- AB 398 redesigned allowance price containment reserve with two tiers
- AB 398 100 percent leakage assistance factor for industry
- AB 398 lower offset limits: Usage limit cut from 8 percent to 4 percent, and half of offsets must provide direct benefits to California

AB 1279. AB 1279 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85 percent below 1990 levels. The bill requires CARB to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO2 removal solutions and carbon capture, utilization, and storage (CCUS) technologies.

SB 97 and the CEQA Guidelines Update. Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states: "(a) On or before July 1, 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the Office of Planning and Research pursuant to subdivision (a)."[27]

Section 21097 was also added to the Public Resources Code. This provided an exemption until January 1, 2010 for transportation projects funded by the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, or projects funded by the Disaster Preparedness and Flood Prevention Bond Act of 2006—in stating that the failure to analyze adequately the effects of GHGs would not violate CEQA. The Natural Resources Agency completed the approval

[26] Ibid, Page 113.

[27] Ibid, Page 70.

process and the Amendments became effective on March 18, 2010. The Natural Resources Agency adopted additional amendments related to greenhouse gases in the 2019 CEQA Guidelines Update adopted on December 28, 2018.

The 2010 CEQA Amendments along with the 2018 CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing CEQA Guidelines to reference climate change.

Section 15064.4(b) of the CEQA Guidelines provides direction for lead agencies for assessing the significance of impacts of GHG emissions:

- The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

Section 15064.4(c) states that a lead agency may use a model or methodology to estimate greenhouse gas emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The lead agency must support its selection of a model or methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use.

The 2018 CEQA Guidelines include the following discussion regarding thresholds of significance.

> (d) Using environmental standards as thresholds of significance promotes consistency in significance determinations and integrates environmental review with other environmental program planning and regulation. Any public agency may adopt or use an environmental standard as a threshold of significance. In adopting or using an environmental standard as a threshold of significance, a public agency shall explain how the particular requirements of that environmental standard reduce project impacts, including cumulative impacts, to a level that is less than significant, and why the environmental standard is relevant to the analysis of the project under consideration. For the purposes of this subdivision, an "environmental standard" is a rule of general application that is adopted by a public agency through a public review process and that is all of the following:
>
> 1) a quantitative, qualitative or performance requirement found in an ordinance, resolution, rule, regulation, order, plan or other environmental requirement;
> 2) adopted for the purpose of environmental protection;
> 3) addresses the environmental effect caused by the project; and,
> 4) applies to the project under review.

In addition, the 2018 amendments revised Appendix G Checklist questions to include a new question specifically on energy conservation, which focuses on potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

CEQA emphasizes that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (see CEQA Guidelines Section 15130(f)).[28]

SB 32. The Governor signed SB 32 on September 8, 2016. SB 32 gives ARB the statutory responsibility to include the 2030 target previously contained in Executive Order B-30-15 in the next Scoping Plan update. SB 32 states that "In adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions authorized by this division, the state [air resources] board shall ensure that statewide greenhouse gas emissions are reduced to at least 40 percent below the statewide greenhouse gas emissions limit no later than December 31, 2030." The

[28] Ibid, Page 71.

2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. The major elements of the framework proposed to achieve the 2030 target are as follows:

1. SB 350
    - Achieve 50 percent Renewables Portfolio Standard (RPS) by 2030.
    - Doubling of energy efficiency savings by 2030.
2. Low Carbon Fuel Standard (LCFS)
    - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020).
3. Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
    - Maintaining existing GHG standards for light- and heavy-duty vehicles.
    - Put 4.2 million zero-emission vehicles (ZEVs) on the roads.
    - Increase ZEV buses, delivery and other trucks.
4. Sustainable Freight Action Plan
    - Improve freight system efficiency.
    - Maximize use of near-zero emission vehicles and equipment powered by renewable energy.
    - Deploy over 100,000 zero-emission trucks and equipment by 2030.
5. Short-Lived Climate Pollutant (SLCP) Reduction Strategy
    - Reduce emissions of methane and hydrofluorocarbons 40 percent below 2013 levels by 2030.
    - Reduce emissions of black carbon 50 percent below 2013 levels by 2030.
6. SB 375 Sustainable Communities Strategies
    - Increased stringency of 2035 targets.
7. Post-2020 Cap-and-Trade Program
    - Declining caps, continued linkage with Québec, and linkage to Ontario, Canada.
    - ARB will look for opportunities to strengthen the program to support more air quality co-benefits, including specific program design elements. In Fall 2016, ARB staff described potential future amendments including reducing the offset usage limit, redesigning the allocation strategy to reduce free allocation to support increased technology and energy investment at covered entities and reducing allocation if the covered entity increases criteria or toxics emissions over some baseline.

8. 20 percent reduction in greenhouse gas emissions from the refinery sector.
9. By 2018, develop Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

SB 375. Senate Bill 375 (Stats. 2880, Ch. 728) was built on AB 32 (California's 2006 climate change law). SB 375's core provision is a requirement for regional transportation agencies to develop a Sustainable Communities Strategy (SCS) in order to reduce GHG emissions from passenger vehicles. The SCS is one component of the existing Reginal Transportation Plan (RTP). VMT per capita to be reduced by 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045.

SB 905. SB 905 was enacted in September 2022. SB 905 requires CARB to create the Carbon Capture, Removal, Utilization, and Storage Program to evaluate, demonstrate, and regulate CCUS and carbon dioxide removal (CDR) projects and technology. The bill requires CARB, on or before January 1, 2025, to adopt regulations creating a unified state permitting application for approval of CCUS and CDR projects. The bill also requires the Secretary of the Natural Resources Agency to publish a framework for governing agreements for two or more tracts of land overlying the same geologic storage reservoir for the purposes of a carbon sequestration project.

SB 1020. SB 1020 adds interim renewable energy and zero carbon energy retail sales of electricity targets to California end-use customers set at 90 percent in 2035 and 95 percent in 2040. It accelerates the timeline required to have 100 percent renewable energy and zero carbon energy procured to serve state agencies from the original target year of 2045 to 2035. This bill requires each state agency to individually achieve the 100 percent goal by 2035 with specified requirements. This bill requires the CPUC, California Energy Commission (CEC), and CARB, on or before December 1, 2023, and annually thereafter, to issue a joint reliability progress report that reviews system and local reliability. The bill also modifies the requirement for CARB to hold a portion of its Scoping Plan workshops in regions of the state with the most significant exposure to air pollutants by further specifying that this includes communities with minority populations or low-income communities in areas designated as being in extreme federal non-attainment.

SB 1383 (Short Lived Climate Pollutants). As part of the 2014 Scoping Plan, CARB committed to developing a dedicated strategy to reduce SLCP emissions. The resulting SLCP Reduction Strategy, adopted by CARB in 2017, implements targets codified in SB 1383 (Lara, Chapter 395,

Statutes of 2016) to reduce methane and HFC emissions by 40 percent by 2030 and anthropogenic black carbon emissions by 50 percent.[29]

SLCPs covered under AB 1383 include methane, fluorinated gases, and black carbon – all GHGs with a much higher warming impact than carbon dioxide and with the potential to have detrimental effects on human health. The methane emission reduction goals include a 75 percent reduction in the level of statewide disposal of organic waste from 2014 levels by 2025.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs through the use of executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05. On June 1, 2005, former California Governor Arnold Schwarzenegger announced through Executive Order S-3-05, the following reduction targets for GHG emissions:

- By 2010, reduce greenhouse gas emissions to 2000 levels.
- By 2020, reduce greenhouse gas emissions to 1990 levels.
- By 2050, reduce greenhouse gas emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07—Low Carbon Fuel Standard. The governor signed Executive Order S 01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In particular, the executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, the ARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. This analysis supporting development of the protocols was included in the State Implementation Plan for alternative fuels (State Alternative Fuels Plan adopted by California Energy Commission on December 24, 2007) and was submitted to ARB for consideration as an "early action" item under AB 32. The ARB adopted the Low Carbon Fuel Standard on April 23, 2009.

[29] Ibid. Page 43.

The Low Carbon Fuel Standard was subject to legal challenge in 2011. Ultimately, ARB was required to bring a new LCFS regulation to the Board for consideration in February 2015. The proposed LCFS regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low-carbon fuels, offer additional flexibility to regulated parties, update critical technical information, simplify and streamline program operations, and enhance enforcement. The Office of Administrative Law (OAL) approved the regulation on November 16, 2015. The regulation was amended in 2018 to strengthen and smooth carbon intensity benchmarks through 2030, in-line with GHG reduction target enacted through SB 32.[30]

Executive Order S-13-08. Executive Order S-13-08 states that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of its population and to its natural resources." Pursuant to the requirements in the order, the 2009 California Climate Adaptation Strategy (California Natural Resources Agency 2009) was adopted, which is the ". . . first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States." Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order B-30-15. On April 29, 2015, Governor Edmund G. Brown Jr. issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The Governor's executive order aligns California's GHG reduction targets with those of leading international governments ahead of the United Nations Climate Change Conference in Paris late 2015. The executive order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050, and directs the ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of $MMCO_2e$. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this executive order is not legally enforceable against local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

Executive Orders B-55-18 Carbon Neutrality by 2045 (2018). This Executive Order signed on September 10, 2018 sets a new statewide goal to achieve carbon neutrality as soon as possible, and no

[30] Ibid, Page 67.

later than 2045, and achieve and maintain net negative emissions thereafter. The executive order directs ARB to work with relevant state agencies to develop a framework for implementation and accounting that tracks progress toward this goal. This goal is in addition to the statewide targets of reducing greenhouse gas emissions.

California Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations. California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601–1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the State and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Title 24 Energy Efficiency Standards. California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The most current 2022 Building Energy Efficiency Standards went into effect on January 1, 2023.

Title 24 California Green Building Standards Code (California Code of Regulations Title 24, Part 11 code) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect January 1, 2011. The code is updated on a regular basis, with the most recent update consisting of the 2022 California Green Building Code Standards that became effective January 1, 2023. Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. The Code recognizes that many jurisdictions have developed existing construction and demolition ordinances and defers to them as the ruling guidance provided the ordinances include a minimum 50-percent diversion requirement. The code also provides exemptions for areas not served by construction and demolition recycling infrastructure.

State building code provides the minimum standard that buildings need to meet in order to be certified for occupancy, which is generally enforced by the local building official.

The California Green Building Standards Code (California Code of Regulations Title 24, Part 11 code) requires:

- **Short-term bicycle parking**. If a commercial project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for five percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- **Long-term bicycle parking**. For buildings with over 10 tenant-occupants, provide secure bicycle parking for five percent of tenant-occupied motorized vehicle parking capacity, with a minimum of one space (5.106.4.1.2).
- **Designated parking**. Provide designated parking in commercial projects for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- **Recycling by Occupants**. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of nonhazardous materials for recycling. (5.410.1).
- **Construction waste**. A minimum 50-percent diversion of construction and demolition waste from landfills, increasing voluntarily to 65 and 80 percent for new homes and 80-percent for commercial projects. (5.408.1, A5.408.3.1 [nonresidential], A5.408.3.1 [residential]). All (100 percent) of trees, stumps, rocks and associated vegetation and soils resulting from land clearing shall be reused or recycled (5.408.3).
- **Wastewater reduction**. Each building shall reduce the generation of wastewater by one of the following methods:
- The installation of water-conserving fixtures or
- Using nonpotable water systems (5.303.4).
- **Water use savings**. Twenty percent mandatory reduction in indoor water use with voluntary goal standards for 30, 35, and 40 percent reductions (5.303.2, A5303.2.3 [nonresidential]).
- **Water meters**. Separate water meters for buildings in excess of 50,000 square feet or buildings projected to consume more than 1,000 gallons per day (5.303.1).
- **Irrigation efficiency**. Moisture-sensing irrigation systems for larger landscaped areas (5.304.3).
- **Materials pollution control**. Low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particleboard (5.404).

- **Building commissioning**. Mandatory inspections of energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity according to their design efficiencies (5.410.2).

Model Water Efficient Landscape Ordinance. The Model Water Efficient Landscape Ordinance (Ordinance) was required by AB 1881 Water Conservation Act. The bill required local agencies to adopt a local landscape ordinance at least as effective in conserving water as the Model Ordinance by January 1, 2010. Reductions in water use of 20 percent consistent with (SBX-7-7) 2020 mandate are expected for the ordinance. Governor Brown's Drought Executive Order of April 1, 2015 (EO B-29-15) directed DWR to update the ordinance through expedited regulation. The California Water Commission approved the revised ordinance on July 15, 2015, which became effective on December 15, 2015. New development projects that include landscaped areas of 500 square feet or more are subject to the ordinance. The update requires:

- More efficient irrigation systems
- Incentives for graywater usage
- Improvements in on-site stormwater capture
- Limiting the portion of landscapes that can be planted with high water use plants
- Reporting requirements for local agencies.

Regional Agencies

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has jurisdiction over eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and the San Joaquin Valley Air Basin portion of Kern. The Air District "is a public health agency whose mission is to improve the health and quality of life for all Valley residents through efficient, effective and entrepreneurial air quality- management strategies."[31]

Climate Change Action Plan. On August 21, 2008, the SJVAPCD Governing Board approved a proposal called the Climate Change Action Plan (CCAP). The CCAP began with a public process bringing together stakeholders, land use agencies, environmental groups, and business groups to conduct public workshops to develop comprehensive policies for CEQA guidelines, a carbon

[31] San Joaquin Valley Air Pollution Control District. About The District. https://ww2.valleyair.org/about/. Accessed March 2023.

exchange bank, and voluntary GHG emissions mitigation agreements for the Board's consideration. The CCAP contains the following goals and actions:

- Develop GHG significance thresholds to address CEQA projects with GHG emission increases.
- Develop the San Joaquin Valley Carbon Exchange for banking and trading GHG reductions.
- Authorize use of the SJVAPCD's existing inventory reporting system to allow use for GHG reporting required by AB 32 regulations.
- Develop and administer GHG reduction agreements to mitigate proposed emission increases from new projects.
- Support climate protection measures that reduce greenhouse gas emissions as well as toxic and criteria pollutants. Oppose measures that result in a significant increase in toxic or criteria pollutant emissions in already impacted areas.

On December 17, 2009, the SJVAPCD Governing Board adopted "Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA," and the policy "District Policy—Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency." The SJVAPCD concluded that the existing science is inadequate to support quantification of the impacts that project-specific GHG emissions have on global climatic change. The SJVAPCD found the effects of project-specific emissions to be cumulative, and without mitigation, their incremental contribution to global climatic change could be considered cumulatively considerable. The SJVAPCD found that this cumulative impact is best addressed by requiring all projects to reduce their GHG emissions, whether through project design elements or mitigation.[32]

The SJVAPCD's approach is intended to streamline the process of determining if project-specific GHG emissions would have a significant effect. Projects exempt from the requirements of CEQA, and projects complying with an approved plan or mitigation program would be determined to have a less than significant cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources, and must have a certified final CEQA document.

For non-exempt projects, those projects for which there is no applicable approved plan or program, or those projects not complying with an approved plan or program, the lead agency must evaluate the project against performance-based standards and would require the adoption of design elements, known as Best Performance Standards (BPS), to reduce GHG emissions. The BPS have not yet fully

[32] Ibid, Page 73.

been established, though they must be designed to achieve a 29 percent reduction when compared with the Business-As-Usual (BAU) projections identified in ARB's AB 32 Scoping Plan.

BAU represents the emissions that would occur in 2020 if the average baseline emissions during the 2002–2004 period were grown to 2020 levels, without control. Thus, these standards would carry with them pre-quantified emissions reductions, eliminating the need for project-specific quantification. Therefore, projects incorporating BPS would not require specific quantification of GHG emissions, and automatically would be determined to have a less than significant cumulative impact for GHG emissions.

For stationary source permitting projects, BPS means, "The most stringent of the identified alternatives for control of GHG emissions, including type of equipment, design of equipment and operational and maintenance practices, which are achieved-in-practice for the identified service, operation, or emissions unit class." The SJVAPCD has identified BPS for the following sources: boilers; dryers and dehydrators; oil and gas extraction; storage, transportation, and refining operations; cogeneration; gasoline dispensing facilities; volatile organic compound control technology; and steam generators.

For development projects, BPS means, "Any combination of identified GHG emission reduction measures, including project design elements and land use decisions that reduce project-specific GHG emission reductions by at least 29 percent compared with business as usual."

Projects not incorporating BPS would require quantification of GHG emissions and demonstration that BAU GHG emissions have been reduced or mitigated by 29 percent. As stated earlier, ARB's adjusted inventory reduced the amount required by the State to achieve 1990 emission levels from 29 percent to 21.7 percent to account for slower growth experienced since the 2008 recession. According to SJVAPCD guidance, quantification of GHG emissions would be required for all projects for which the lead agency has determined that an environmental impact report is required, regardless of whether the project incorporates BPS. The SJVAPCD has not yet adopted BPS for development projects, so quantification of project emissions is required. The SJVAPCD has not updated its guidance to address SB 32 2030 targets.[33]

San Joaquin Valley Carbon Exchange. The SJVAPCD initiated work on the San Joaquin Valley Carbon Exchange in November 2008. The purpose of the carbon exchange is to quantify, verify, and track voluntary GHG emissions reductions generated within the San Joaquin Valley. However, the SJVAPCD has pursued an alternative strategy that incorporates the GHG emissions into its existing

[33] Ibid, Page 73.

Rule 2301—Emission Reduction Credit Offset Banking that formerly only addressed criteria pollutants. The SJVAPCD is also participating with the California Air Pollution Control Officers Association (CAPCOA), of which it is a member, in the CAPCOA Greenhouse Gas Reduction Exchange (GHG Rx). The GHG Rx is operated cooperatively by air districts that have elected to participate. Participating districts have signed a Memorandum of Understanding (MOU) with CAPCOA and agree to post only those credits that meet the Rx standards for quality. The objective is to provide a secure, low-cost, high-quality greenhouse gas exchange for credits created in California. The GHG Rx is intended to help fulfill compliance obligations or mitigation needs of local projects subject to environmental review, reducing the uncertainty of using credits generated in distant locations. The SJVAPCD currently has no credits posted to the GHG Rx as of this writing.[34]

Rule 2301. While the Climate Change Action Plan indicated that the GHG emission reduction program would be called the San Joaquin Valley Carbon Exchange, the District incorporated a method to register voluntary GHG emission reductions into its existing Rule 2301—Emission Reduction Credit Banking through amendments of the rule. Amendments to the rule were adopted on January 19, 2012. The purposes of the amendments to the rule include the following:

- Provide an administrative mechanism for sources to bank voluntary GHG emission reductions for later use.
- Provide an administrative mechanism for sources to transfer banked GHG emission reductions to others for any use.
- Define eligibility standards, quantitative procedures, and administrative practices to ensure that banked GHG emission reductions are real, permanent, quantifiable, surplus, and enforceable.

Tulare County

Regional Transportation Plan. Tulare County Association of Governments (TCAG) is the Metropolitan Planning Organization (MPO) for Tulare County and has responsibilities as Tulare County's Council of Governments (COG), transportation authority, and the Regional Transportation Planning Agency (RTPA).

The Regional Transportation Plan (RTP) is a long-range plan that every MPO is required to complete. The plan is meant to provide a long-range, fiscally constrained guide for the future of Tulare County's transportation system. The 2018 RTP plan extends to the year 2042 in its scope. As required by the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill 375), the 2018 Regional

[34] Ibid, Page 74.

Transportation Plan and Sustainable Communities Strategy (RTP/SCS) contains a Sustainable Communities Strategy that considers both land use and transportation together in a single, integrated planning process that accommodates regional housing needs and projected growth. The 2018 RTP/SCS meets the requirements of SB 375 and demonstrates how the integrated land use and transportation plan achieves the region's mandated GHG emission targets for passenger vehicles.[35]

Thresholds of Significance

San Joaquin Valley Air Pollution Control District Significance Criteria

The effects of project specific GHG emissions are cumulative, and unless appropriately reduced or mitigated their incremental contribution to global climatic change could be considered significant. Valley land-use agencies adopting this guidance as policy for addressing GHG impacts under CEQA, as a lead agency will require all new projects with increased GHG emissions to implement performance-based standards, or otherwise demonstrate that project specific GHG emissions have been reduced or mitigated by at least 29%.

- Projects determined to be exempt from the requirements of CEQA would be determined to have a less than significant individual and cumulative impact for GHG emissions and would not require further environmental review, including analysis of project specific GHG emissions. Projects exempt under CEQA would be evaluated consistent with established rules and regulations governing project approval and would not be required to implement BPS.

- Projects complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the lead agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the lead agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement BPS.

- Projects implementing Best Performance Standards would not require quantification of project specific GHG emissions. Consistent with CEQA Guideline, such projects would be

[35] Ibid, Page 74.

determined to have a less than significant individual and cumulative impact for GHG emissions.

- Projects not implementing Best Performance Standards would require quantification of project specific GHG emissions and demonstration that project specific GHG emissions would be reduced or mitigated by at least 29%, compared to Business-as-Usual (BAU*), including GHG emission reductions achieved since the 2002-2004 baseline period. Projects achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG.
- Notwithstanding any of the above provisions, projects requiring preparation of an Environmental Impact Report for any other reason would require quantification of project specific GHG emissions. Projects implementing BPS or achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG.

In summary, the use of BPS streamlines the significance determination process by pre-quantifying the emission reductions that would be achieved by a specific GHG emission reduction measure and pre-approving the use of such a measure to reduce project-related GHG emissions. Establishing BPS also streamlines the CEQA review process by providing project proponents, lead agencies and the public with clear guidance on how to reduce GHG emission impacts. Thus, project proponents would be able to incorporate project specific GHG reduction measures during the initial project design phase, which could reduce project specific GHG impacts to less than significant levels.[36]

Methodology and Assumptions

The issue of global climate change is inherently a cumulative impact issue. The cumulative nature of global climate change arises from the fact that while it is typically possible to estimate the amount of GHGs that a development project would generate during its construction and operational phases, it is not generally possible to identify the extent to which those GHGs measurably contribute to the effects of global climate change. It is difficult to discern if and how the GHG emissions of individual projects or those resulting from the implementation of plans

[36] SJVAPCD. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf. Page 5. Accessed April 2023.

such as general plan, would have a significant material effect on global climate. Rather, a project or plan would contribute to the cumulative increase in GHG emissions from all global sources, which combined can produce measurable global climate changes. Thus, the impact of implementing the proposed GPU on climate change is addressed only as a cumulative impact.

Impacts and Mitigation Measures

Impact 3.8-1: *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?*

Significant and Unavoidable. The original Dinuba General Plan Draft and Final EIR (2008 EIR) were certified by the City in October 2008. The 2008 EIR did not evaluate potential greenhouse gas impacts as the section was introduced into the CEQA Appendix G Checklist after the preparation of the 2008 EIR.

As described in Chapter Two – Project Description, the City is proposing updates to the Land Use Element and Circulation Element. Within the Land Use Element Update, various land use designation changes are proposed in different areas of the City, which will occur within existing City planning area boundaries. These changes do not change the amount of land currently within the City's Planning Area Boundary, rather, the Project is proposing certain land use designation changes to existing acreage, as detailed in Table 2-1: Summary of Proposed Land Use Changes (within Planning Area Boundary). Additionally, the proposed Land Use Element would include additional policy guidance which would provide additional directives for future projects but not directly create new physical environmental impacts.

The Circulation Element Update promotes travel by multiple modes of transportation to enhance mobility for all users and to reduce vehicle miles traveled (VMT) which in turn, lowers greenhouse gas emissions resulting from internal combustion vehicles. The proposed Land Use Element Update and Circulation Element Updates contain goals, objectives and policies that will serve to reduce greenhouse gas emissions as summarized below:

<u>Land Use Element</u>

1.2.5 Incorporate features in new projects to minimize air quality impacts due to development activities.

1.4.11 In order to encourage infill development and improved residential design quality of future development projects, flexible design standards should be developed which meet the intent of the General Plan.

1.4.16 Neighborhoods should be physically connected to one another via a series of Minor Collector roadways and pedestrian paths, and all residents should be within a short walk or drive of retail and other services. New development shall coordinate with the irrigation districts regarding the usage of district facility corridors as walking/bicycle paths available for public use.

1.4.17 Parkways will be encouraged on all residential streets with a sufficient width to allow for street trees to be planted between the curb and the sidewalk.

1.4.18 Commercial uses are encouraged at the periphery of neighborhoods and should be designed to be as accessible and appealing to pedestrians as possible, in order to encourage walking and biking.

1.5-C Promote a mix of land uses in the downtown core area that enhance and diversify the downtown and contribute to a vibrant pedestrian environment.

1.5.2 Neighborhood and Community Commercial sites should be located at or near the intersection of collector and/or arterial streets. Such developments should also be directly accessible from adjacent residential developments to encourage walking and biking.

1.5.3 Community Commercial uses should be located along major traffic ways in consolidated centers that utilize common access and parking. Where feasible, pedestrian links ot residential areas are encouraged.

1.5.4 The Central Commercial designation should be used in the downtown area in order to attract and accommodate growth which includes commercial, financial, office, entertainment, governmental, and residential uses.

b. Ground floor spaces fronting primary streets should be reserved for retail and service businesses that benefit from and encourage pedestrian traffic.

c. Residential and office facilities are encouraged on the upper floors in the Central Commercial district.

d. Live/work units, in which the unit is both a place to live and a place of business, are allowed in the Central Commercial designation as long as the place of residence is in a separate room from the place of business.

1.5.5 The City will encourage the development of mixed-use developments throughout the Downtown core area (Tulare Street from "H" Street to "M" Street), with residential and commercial uses in the same building. Ground floor spaces with frontages on Tulare Avenue should have retail and service uses that contribute to an active pedestrian-oriented street environment, such as retail stores, restaurants, and cafes.

1.5.7 The City shall promote a pedestrian-friendly downtown walking environment through strategies including, but not limited to, the following:

a. The City shall plan and manage the downtown commercial area to include safe, pleasant, and interesting places for walking and enjoying the downtown environment. Development in the downtown area should provide pedestrian-oriented facilities and amenities including, but not limited to, those described below.

b. There shall be adequate pedestrian space along the public right-of-way for walking, using assistive devices, sitting, and other approved uses deemed appropriate such as outdoor dining.

c. There should be a nearly continuous tree canopy along sidewalks, and planters should provide additional foliage and flowers near public gathering areas.

d. Development should provide areas and amenities along pedestrian paths for the enjoyment and comfort of pedestrians, including public art, seating areas, small plazas, and mini-parks.

e. Traffic calming and pedestrian safety should be enhanced, where appropriate, through such features as high-visibility crosswalks, road tables, pavement changes, and bulb outs.

f. Mid-block alleyways and walkways shall be well-lit and integrated with new and remodeled buildings.

1.5.13 In order to encourage the integration of neighborhood and community commercial uses into neighborhoods, designs should de-emphasize the usage of walls as buffers where they create barriers to pedestrian access. Continuous block walls shall be discouraged,

and offsets and openings shall be encouraged. Other types of uses, such as open space, may be utilized as buffers.

1.9.1 Support outreach to educate property owners about the benefits of retrofitting properties with air filters, ventilation systems, landscaping, or other measures to reduce air quality impacts.

1.9.2 Provide information to property owners on potential sources of financial assistance for building/site improvements that reduce sources of pollution.

1.9.3 Educate residents on how to protect themselves from extreme heat, smoke exposure during wildfire events, and additional climate vulnerabilities.

1.9.4 Ensure residential areas are adequately buffered from the effects of adjacent industrial uses, such as noise and air pollution.

1.9.7 Plan and design projects, including City Capital Improvement Program (CIP) projects, to consider current and planned adjacent land uses, local transportation needs (e.g., bicycle and pedestrian facilities, transit enhancements, and roadway safety improvements), and climate change vulnerabilities, while incorporating the latest and best practice design guidance.

1.9.8 Coordinate with local and regional planning and transportation agencies to provide high quality public transit services in Dinuba.

1.9.15 Provide access to locally grown and organic foods as a means of supporting local farmers, keeping agricultural lands in production, promoting sustainable agricultural practices, and reducing energy expended on food transport.

1.9.22 Ensure all residents have safe and convenient access to parks, community centers, sports fields, trails, and other recreational and open space amenities.

1.9.23 Promote the use of bicycles for recreation and everyday transportation through high-quality bikeway infrastructure, a connected bicycle network, and programs that encourage bicycling.

1.9.24 Encourage walking for recreation and transportation/commuting through improved sidewalks, safe and accessible trails, a connected pedestrian network, convenient access between residences and key destinations, and high-quality pedestrian-oriented amenities that make walking more inviting (e.g., lighting, seating, shade trees, and drinking fountains).

1.9.25 Incorporate Complete Streets principles into all transportation projects at all phases of development, including planning and land use decisions, design, implementation, maintenance, and performance monitoring.

Circulation Element

2.5.1-3 Sidewalks shall be required in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist. Encourage the retrofitting of downtown streets and alleys to include bulbouts and paseos whenever feasible.

2.5.1-4 Develop the planned citywide bikeway network, including bicycle lanes or separated bikeways on most arterial and collector streets. The bicycle/pedestrian path system should also encompass existing or future railroad rights-of-way and water courses such as Traver Creek, by providing paths between 8 and 12 feet wide and off the roadway, with landscaping, lighting, mileage markers and directional signage and benches.

2.5.2-1 Cooperate with the Tulare Council of Governments (TCAG) in providing transit service and planning to meet the social and economic needs of all segments of the community.

2.5.2-2 Provide reasonable accommodations for comfort and convenience for riders at major transit destinations so people can utilize the transit system safely and comfortably. The City shall determine such needs based on site plan review procedure and other planning implementation methods.

2.5.2-3 Arterial streets should be designed to allow transit vehicles to pull out of traffic at stops.

2.5.2-5 Large developments shall be encouraged to incorporate transit passenger facilities, bicycle racks, lockers, shower facilities, as well as on-site services (eating, mail, banking, etc.) as ways to reduce vehicle trips.

2.5.4-1 Prioritize infill and mixed-use development, and encourage new development in close proximity to existing employment, housing, schools, commercial centers, and other services and amenities.

2.5.4-2 Encourage employers, including government agencies, to allow telecommuting and flex time and to promote staggered shifts to reduce peak-hour trips.

2.5.4-3 Encourage the development of strategies for maximizing the efficiency of the existing street system.

2.5.6-2 Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to developments that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged wherever possible.

2.5.6-3 Require the provision of bicycle parking for most new commercial and multi-family developments.

Implementing the goals and policies presented above are intended to encourage non-vehicle transportation modes and reduce VMT associated with buildout of the General Plan. While these policies can help reduce greenhouse gas emissions, it is not anticipated that they would be sufficient to achieve the reduction of 29% below existing baseline for the City as a whole. Consequently, it may not be possible for the City to achieve cumulative GHG emission reductions that are consistent with AB 32 and the Scoping Plan. However, as individual future projects are proposed within the City's jurisdiction, they would be subject to further environmental analysis, including an evaluation of greenhouse gas emissions. Additionally, the City cannot demonstrate definitively at this time that there is mitigation available to effectively reduce greenhouse gas emissions associated with implementation of the updated Land Use and Circulation Elements. As such, the impact is ***significant and unavoidable***.

Mitigation Measures: None are feasible.

Cumulative Impacts

Significant, Unavoidable and Cumulatively Considerable. The scope for considering cumulative impacts to greenhouse gases is the geographic areas covered by the San Joaquin Valley Air Basin. The analysis above provides a cumulative-level analysis of GHG emission impacts and the project's consistency with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gases. While goals, objectives and policies are proposed in the Updated Land Use and Circulation Elements to reduce GHG emissions, it is not known if these actions would reduce GHG emissions to less than significant levels. Therefore, cumulative impacts of Greenhouse Gas emissions, even with mitigation, are considered ***significant, unavoidable and cumulatively considerable***.

3.9 Hazards and Hazardous Materials

This section of the SEIR identifies potential impacts of the proposed Project pertaining to hazards and hazardous materials, proximity to airports/schools, and assessment of wildfire risk. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to hazards and hazardous materials. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of		X

	a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?		
f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X
g.	Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?		X

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to hazards and hazardous materials associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on hazards and hazardous material resources (Chapter Three, pages 3-65 through 3-72 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026 General Plan is self-mitigating in that it contains policies that require developments to reduce impacts associated with hazards and hazardous materials.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to hazards and hazardous materials. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

2008 EIR Mitigation Measures

None.

[1] Ch. 3.7 Hazards and Hazardous Materials, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-65. Accessed March 2023.

New Mitigation Measures

None.

Cumulative Impacts

Less Than Cumulatively Considerable. The scope for considering cumulative impacts to hazards and hazardous materials is generally site-specific rather than cumulative in nature because each project site has different hazardous considerations that would be subject to review. Future development in the Project area may involve the transportation, use, and/or disposal of hazardous materials, which may involve the use of equipment that contains hazardous materials (e.g., solvents and fuels, diesel-fueled equipment). Furthermore, some will inevitably transport or use hazardous materials within ¼ mile of a school, or other sensitive receptors such as hospitals and residences.

While some impacts could occur in the region as future development occurs, the City's objectives and policies, as well as State and federal regulations, will reduce the risk to people in the City and surrounding area. Considering the protection granted by local, State and federal agencies and their requirements for the use of hazardous materials in the region, as discussed above, the overall cumulative impact would be less than significant. As such, the proposed project's incremental contribution to cumulative hazards and human health impacts would be ***less than cumulatively considerable***.

3.10 Hydrology and Water Quality

This section of the SEIR evaluates the potential impacts to Hydrology and Water Quality associated with implementation of the proposed Project. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to hydrology and water quality resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	X	
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off- site; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	X	

iv. impede or redirect flood flows?		
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	X	
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	X	

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to hydrology and water quality associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on hydrology and water quality (Chapter Three, page 3-72 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026 General Plan was self-mitigating in that it contains policies that require developments to reduce impacts associated with hydrological resources.

Environmental Setting

Regional Hydrology

The primary surface waters in the vicinity of Dinuba include the Kings River, the Friant-Kern Canal, and the East Branch of the Alta Canal. Closer to the City limits are numerous smaller canals which service local croplands. The Kings River flows approximately five miles west and southwest of the urbanized portion of Dinuba. One of the districts diverting water from the Kings River is the 15,000-acre Alta Irrigation District. Situated northeast of Dinuba, this district extracts surface water to supplement agricultural groundwater pumping.

The City of Dinuba is located in the Kings sub-basin of the San Joaquin Valley groundwater basin in the Tulare Lake hydrologic region. The sub-basin encompasses approximately 1,530 square miles and contains approximately 90 million acre-feet of water. Groundwater levels in this region are ample and have exhibited a general upward trend since droughts in 1976-77, and 1987-92. Prior to agricultural and urban development, groundwater moved from areas of recharge along the eastern rim of the Valley to areas of discharge along the Valley axis. Recharge was primarily by seepage from stream flows. Under present conditions, groundwater is recharged primarily from stream flow percolation, from percolation basins developed by agricultural irrigation

[1] Ch. 3.8 Hydrology and Water Quality, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-81. Accessed May 2023.

districts, by percolation from treated wastewater disposal facilities and from percolation attributed to excess applied surface irrigation water. Groundwater depth in the Dinuba area is approximately fifty feet below the ground surface.

Project Area Setting

The proposed Project would occur at various locations throughout the City of Dinuba, CA and the City's Planning Area. The proposed Focused General Plan Update will focus on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary. There are two focus areas, Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school. Focus Area 2 is located in the eastern part of the City along East El Monte Avenue. Land use changes are also proposed around the Downtown area. The proposed Update would result in a net increase of 286.5 acres of land designated for Residential, 151.8 acres of land designated for Urban Reserve, and 10.4 acres of land designated for Park/Ponding Basin. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

Regulatory Setting

Federal Agencies and Regulations

Clean Water Act

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the United States. The SDWA focuses on all waters either designed or potentially designed for drinking water use, whether from surface water or groundwater sources. The SDWA and

subsequent amendments authorized the EPA to establish health-based standards, or maximum contaminant levels (MCLs), for drinking water to protect public health against both natural and anthropogenic contaminants. All owners or operators of public water systems are required to comply with these primary (health-related) standards.

Federal Emergency Management Agency (FEMA)

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

National Pollutant Discharge Elimination System

The EPA has published regulations establishing storm water permit application requirements under the Clean Water Act. The National Pollutant Discharge Elimination System (NPDES) program controls and reduces pollutants to water bodies from point and non-point discharges. The EPA has published regulations establishing storm water permit application requirements under the Clean Water Act. The NPDES program controls and reduces pollutants to water bodies from point and non-point discharges.

Projects that disturb more than one acre of land during construction are required to file a notice of intent to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activities. The NPDEA construction permit requires implement both construction and post construction phase storm water pollution best management practices. The State NPDES General Construction Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that uses storm water "Best Management Practices" to control runoff, erosion, and sedimentation from the site both during and after construction. The SWPPP has two major objectives: 1) help identify the sources of sediments and other pollutants that affect the quality of storm water discharges; and 2) to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges.

<u>State Agencies & Regulations</u>

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes

the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The proposed Project site is located within the Central Valley Region. The state board protects water quality through designation of beneficial uses, establishment of water quality objectives, and administration of the NPDES permit program for storm water and construction site runoff. Regional boards are also responsible for providing permits under Section 401 of the Clean Water Act.

California Water Code

The Federal CWA places the primary responsibility for the control of surface water pollution and for planning the development and use of water resources with the states, although this does establish certain guidelines for the States to follow in developing their programs and allows the Environmental Protection Agency to withdraw control from states with inadequate implementation mechanisms.

California's primary statute governing water quality and water pollution issues with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act of 1970 (Division 7 of the California Water Code) (Porter-Cologne Act). The Porter-Cologne Act grants the State Water Resource Control Board (SWRCB) and each of the RWQCBs power to protect water quality, and is the primary vehicle for implementation of California's responsibilities under the Federal CWA. The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a water quality control plan (Basin Plan) for its region the regional plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its State water policy. The Porter-Cologne Act also provides that a RWQCB may include within its regional plan water discharge prohibitions applicable to particular conditions, areas, or types of waste.

The Water Code Section 13260 requires all dischargers of waste that may affect water quality in waters of the state to prepare and provide a water quality discharge report to the RWQCB. Section 13260a-c is as follows:

(a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:

(1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.

(2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.

(3) A person operating, or proposing to construct, an injection well.

(b) No report of waste discharge need be filed pursuant to subdivision (a) if the requirement is waived pursuant to Section 13269.

(c) Each person subject to subdivision (a) shall file with the appropriate regional board a report of waste discharge relative to any material change or proposed change in the character, location, or volume of the discharge.

Water Code section 10910 (SB 610)

Water Code section 10910 (SB 610) requires a water supply assessment to evaluate whether total projected water supplies will meet the projected water demand for certain development projects that are otherwise subject to CEQA review. Existing law identifies those projects as (a) a residential development of more than 500 dwelling units; (b) a shopping center or business employing more than 1,000 persons or having more than 500,000 square feet of floor space; (c) a commercial office building employing more than 1,000 persons or having more than 250,000 square feet; (d) a hotel or motel with more than 500 rooms; (e) an industrial or manufacturing establishment housing more than 1,000 persons or having more than 650,000 square feet or 40 acres; (f) a mixed use project containing any of the foregoing; or (g) any other project that would have a water demand at least equal to a 500 dwelling unit project. The proposed project would not be subject to the provision of Water Code section 10910 (SB 610) because it does not exceed the threshold amount of square footage or anticipated employee generation for a shopping center.

Regional Water Quality Board

The Regional Water Quality Control Board (RWQCB) administers the National Pollutant Discharge Elimination System (NPDES) storm water-permitting program in the Central Valley region, including Fresno. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

Sustainable Groundwater Management Act

For General Plans: Section 65350.5 requires planning agencies to review prior to adopting new or amended general plan:

a. An adoption of, or update to, a groundwater sustainability plan or groundwater management plan pursuant to Part 2.74 (commencing with Section 10720) or Part 2.75 (commencing with Section 10750) of Division 6 of the Water Code or groundwater management court order, judgment or decree.

b. An adjudication of water rights.

c. An order or interim plan by the State Water Resources Control Board pursuant to Chapter 11 (commencing with Section 10735) of Part 2.74 of Division 6 of the Water Code.

Kings Basin Integrated Regional Water Management Plan (IRWMP)

The IRWMP defines problems and issues; regional goals and objectives; water management strategies; and projects to enhance the beneficial uses of water for the Kings Basin Region. Now in its third edition, the current IRWMP is the outcome of a yearlong collaborative planning process that included extensive stakeholder involvement and numerous meetings among various

work groups and participants. The final plan document was adopted by the Kings Basin Water Authority Board of Directors on October 17, 2018.[2]

Methodology

The analysis considered current conditions of the Project site and applicable laws, regulations and guidelines pertaining to hydrology and water quality. Various databases, planning documents (including the City's adopted Urban Water Management Plan), and maps were reviewed to assist in the environmental evaluation. Specific references are noted in the text. In accordance with CEQA, the effects of a project are evaluated to determine if they will result in significant adverse impacts on the environment. The criteria used to determine the significance of an impact to hydrology and water quality are based on the Environmental Checklist in Appendix G of the State CEQA Guidelines and identified below.

Thresholds of Significance

In accordance with the CEQA Guidelines, a project impact would be considered significant if the project would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

    i. result in substantial erosion or siltation on- or offsite;

    ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

[2] Ibid.

iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

iv. impede or redirect flood flows

- In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Impacts and Mitigation Measures

Impact 3.10-1: *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant. Buildout of the General Plan could potentially result in surface and groundwater quality degradation during both construction and operational phases of development. The predominant types of development that would occur within the Planning Area are potential sources of non-point water pollution that could result in degradation of water quality. Non-point sources of water pollution refer to those that are diffuse in nature and cannot be traced to a specific "end-of-pipe" location. Non-point sources of water quality pollution in urban environment that would be created with buildout of the proposed General Plan generally consist of contaminants such as oil, grease, pesticides, fertilizer, solid waste and sediment that are deposited on impervious surfaces such as streets, parking lots, and driveways. These contaminants can be carried in storm water to directly surface water bodies or discharged via the City's storm water system to receiving waters. Construction activities are also a source of nonpoint contaminants such as sediment eroded from construction sites, oil, and grease. Most urban and construction activity contaminants also have potential to percolate through the soil and contaminate groundwater.

Construction activities associated with buildout of the Planning Area would result in ground-disturbing activities such as grading, excavation, placing fill, trenching, etc. Such earthmoving activities would increase the potential for erosion and sedimentation, particularly during storm events. Additionally, construction equipment and vehicles could deposit constituents such as fuels and exhaust into the environment that could be conveyed within stormwater runoff to surface waters or groundwater. Construction activities use concrete, solvents, glues, oils, paints, and generate trash, all of which, if they come into contact with rainfall or stormwater runoff can cause pollution in stormwater. While temporary, all of these construction activities and products,

including ground-disturbing construction activities could still result in the pollution of stormwater runoff that leaves the construction site that could contribute to downstream surface waters or groundwater degradation.

However, there are regulatory mechanisms in place that would reduce the effects of construction activities on water quality, including the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Development within the Planning Area would be required to comply with the requirements of the NPDES Construction General Permit. Any development project disturbing one or more acres of soil must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activities. Construction activities subject to the Construction General Permit includes clearing, grading and other ground-disturbing activities such as stockpiling or excavation. The Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to water quality. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. The potential for increased surface and groundwater quality degradation will also increase; new construction activities will take place; new developments will bring an increase in use of contaminants that have potential to degrade water quality; and new impervious surfaces will be created result in increased storm water runoff that will be discharged directly to surface or ground water or indirectly through the City's storm water system. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Impact 3.10-2: *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant. As previously noted, the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary, but is proposing various land use designation changes to existing acreage. The Project would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

According to the US Census Bureau, the City had a population of 25,139 in 2021.[3] The City's previous General Plan had projected the City would have a future population of 38,813 in 2030[4]. However, the City's 2020 Urban Water Management Plan (UWMP) provided future population estimates as follows:

Year	UWMP Population Estimate
2025	28,232
2030	30,941
2035	33,991
2040	37,166

Based on a 2021 population of 25,139, the City's UWMP could accommodate an additional 12,027 residents through Year 2040 (to reach 37,166 residents). To reach that population, the City would need to grow by approximately 2 percent each year. However, according to the UWMP, "Population growth is anticipated to be about 1.85 percent annually based on historic growth rates. Water demands are anticipated to increase in proportion to population growth. Water demands in the Public Water System service area are projected to total approximately 2,427 MG annually in 2040. The water demand of these additional areas is anticipated to be met by constructing additional public water supply wells."[5] Therefore, based on historical growth rates and availability of water as identified in the City's UWMP, it is anticipated that the proposed

[3] https://www.census.gov/quickfacts/fact/table/dinubacitycalifornia/PST045221. Accessed May 2023.

[4] Dinuba 2006 – 2026 General Plan EIR, page 3-106.

[5] City of Dinuba Urban Water Management Plan (2020)., page 1-3.

Project would have sufficient water supplies. In addition, the City's UWMP provides the following information regarding water supply and availability:

> "The City anticipates that its sources of supplies will be available to meet demands on a consistent basis for all year types throughout the planning horizon of this UWMP. The Kings River East Groundwater Sustainability Agency (KREGSA) Groundwater Sustainability Plan (GSP) includes implementation or projects and management actions which are anticipated to maintain the groundwater basin in a sustainable condition.
>
> The Public Water System service area relies solely on groundwater pumping to meet its demands. With implementation of the projects and management actions identified in the KREGSA GSP, the City's groundwater supplies are anticipated to be sustainable and available to meet the projected demands of its Public Water System service area. The KREGSA GSP identifies sustainable management criteria for water levels. Maintaining water levels above the Minimum Threshold levels identified in the KREGSA GSP is anticipated to allow the City's wells to meet the demands of the Public Water System while minimizing undesirable results related to chronic groundwater level declines such as declining pump capacity, well inefficiency, water levels falling below pump intakes and pump screens, and degraded water quality. The most recent KREGSA GSP Annual Report indicates that groundwater levels Representative Monitoring Sites near the City are above their designated Minimum Thresholds and on track to meet the forecast groundwater level projections and Interim Milestones established for these wells. Groundwater recharge is proposed to be implemented near the City's well field to help maintain groundwater levels.
>
> As population and water demands increase with the Public Water System service area, the City will construct the new wells required to meet the increased demands. Groundwater wells will be equipped with wellhead treatment if needed to remove contaminants that exceed water quality standards."[6]

As identified in the 2008 EIR, the City has an adopted water conservation ordinance. The City's Elements for Open Space, Conservation and Recreation, Section 3.2 Natural Resources; the Urban Boundary Element, Section 4.1 Urban Boundaries, Section 4.2 Growth Policies, Section 4.3 Growth Management Coordination and the Urban Design Element, Section 5.1 Design Guidelines and Development Review, Section 5.2 Neighborhood Land Use Planning, Section 5.5 Commercial, all

[6] City of Dinuba Urban Water Management Plan (2020)., page 7-1.

contain specifications or design guidelines which will act to minimize impervious surfaces, encourage the use of water conservation in landscaping and building design features, and permit innovative systems for rainwater collection that will lessen demand for groundwater resources.

Urban Water Management Plan Updates

The City intends to update its Urban Water Management Plan every 5 years as required by the California Water Code and the Urban Water Management Planning Act of 1983.

Initial amendments to the UWMP Act required that total projected water use be compared to water supply sources over the next 20 years, in 5-year increments. Recent DWR guidelines also suggest projecting through a 25-year planning horizon to maintain a 20-year timeframe until the next UWMP update has been completed and for use in developing Water Supply Assessments.

Other amendments require that UWMPs include provisions for recycled water use, demand management measures, and a water shortage contingency plan. Recycled water was added in the reporting requirements for water usage and figures prominently in the requirements for evaluation of alternative water supplies when future projections predict the need for additional water supplies. Each urban water purveyor must coordinate the preparation of the water shortage contingency plan with other urban water purveyors in the area, to the extent practicable. Each water supplier must also describe their water demand management measures that are being implemented, or scheduled for implementation.

In addition to the UWMP and its amendments, there are several other regulations that are related to the content of the UWMP. In summary, the key relevant regulations are:

- AB 1420: Requires implementation of demand management measures (DMMs)/best management practices (BMPs) and meeting the 20 percent reduction by 2020 targets (mandated by SBx7-7) to qualify for water management grants or loans.
- AB 1465: Requires water suppliers to describe opportunities related to recycled water use and stormwater recapture to offset potable water use.
- Amendments Senate Bill (SB) 610 (Costa, 2001), and SB 221 (Daucher, 2001), which became effective beginning January 1, 2002, require counties and cities to consider information relating to the availability of water to supply new large developments by mandating the preparation of further water supply planning (Daucher) and Water Supply Assessments (Costa).

- SB 1087: Requires water suppliers to report single family residential (SFR) and multifamily residential (MFR) projected water use for planned lower income units separately.
- Amendment SB 318 (Alpert, 2004) requires the UWMP to describe the opportunities for development of desalinated water, including but not limited to, ocean water, brackish water, and groundwater, as long-term supply.
- AB 105 (Wiggins, 2004) requires urban water suppliers to submit their UWMPs to the California State Library.
- SBx7-7: Requires development and use of new methodologies for reporting population growth estimates, base per capita use, and water conservation.

Sustainable Groundwater Management Act

The City is also required to comply with the Sustainable Groundwater Management Act (SGMA). Specifically, for General Plans: Section 65350.5 requires planning agencies to review prior to adopting new or amended general plan:

a. An adoption of, or update to, a groundwater sustainability plan or groundwater management plan pursuant to Part 2.74 (commencing with Section 10720) or Part 2.75 (commencing with Section 10750) of Division 6 of the Water Code or groundwater management court order, judgment or decree.

b. An adjudication of water rights.

c. An order or interim plan by the State Water Resources Control Board pursuant to Chapter 11 (commencing with Section 10735) of Part 2.74 of Division 6 of the Water Code.

SB 610 Water Supply Assessments

SB 610 requires any city or county to consider a water supply assessment prepared for that development to determine whether projected water supplies available to the proposed project are sufficient to meet the project's anticipated demand. The threshold requiring analysis is 500 equivalent residential units. Additionally, effective January 1, 2002, SB 221 prohibits a city or county from approving development agreements, parcel maps, or tentative tract maps for any subdivision with more than 500 units unless a sufficient water supply is, or will be, available for the subdivision prior to its completion. Individual development projects will be subject to these requirements as they are submitted.

Conclusion: As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to hydrology and water use. Individual future developments may also be subject to site-specific CEQA and other regulatory review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Impact 3.10-3: *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i. *result in substantial erosion or siltation on- or offsite;*

ii. *substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*

iii. *create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*

iv. *impede or redirect flood flows?*

Less Than Significant. New development in the Planning Area as a result of the proposed Focused GPU could introduce elevated levels of urban pollutants. Those pollutants could be carried in storm water runoff to drainage courses.

As identified in the 2008 EIR, most of the storm runoff collected in the City's drainage system is discharged to irrigation ditches operated by the Alta Irrigation District (District). Discharge limitations are established through mutual agreements between the City and District. The

standards and discharge criteria for NPDES Phase II programs are becoming more stringent and may necessitate more formalized agreements between the City and District to meet discharge standards. It is anticipated that the City and Alta Irrigation District will continue to maintain a viable working relationship.

To minimize the increase of erosion and runoff pollutants, the City of Dinuba regulates storm water discharges from Municipal Separate Sewer Systems (MS4s) and the Municipal Code contains specific requirements related to Best Management Practices (BMPs) and other approaches designed to minimize erosion and runoff during construction and operation of new development. Chapter 13 and 17 of the Municipal Code regulates drainage and storm water runoff by requiring preparation of drainage and erosion control plans as part of the building permit application process. This process is in accordance with guidelines established by the RWQCB and statewide storm water BMPs to avoid negative impacts to water quality.

The volume of urban pollutants produced, prevented from entering storm water runoff, filtered from storm water will be reduced through implementation of a number of policies in the Plan Update. The Safety Element, Section 8.6, Policy 8.44 stipulates how development may occur in natural drainage channels. The Open Space, Conservation, and Recreation Element, Section 3.2, Policy 3.10 protects areas of natural groundwater recharge from land uses and disposal methods which would degrade groundwater quality and promotes activities which combine stormwater control and water recharges. Policy 3.11 will expand programs that enhance groundwater recharge including the installation of detention/retention ponds in new growth areas. The Public Services and Facilities Element, Section 7.1, Policy 7.6 requires storm water runoff drainage structures to decrease erosion. Policies 7.11 and 7.12 describe how temporary drainage facilities (ponding basins) may be used if the major facilities are not available. Policy 7.14 describes alternative storm flow management options.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to drainage and impervious surfaces. Individual future developments may also be subject to site-specific CEQA and other regulatory review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Impact 3.10-4: *In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?*

Less Than Significant. As identified in the 2008 EIR, the General Plan Safety Element, Section 8.6 Flooding, Policies and Standards 8.41 specifies that the City shall implement FEMA regulations and design guidelines to address 100-year flood events. Development standards contained in Chapters 13 and 17 of the Dinuba Municipal Code also provide flood location criteria. Therefore, the Focused GPU should not result in a significant increase in exposure of the public to flood hazards defined by FEMA.

The Safety Element of the City's General Plan also includes the following policies: require adequate storm drainage facilities to prevent flooding within the community; conduct studies to evaluate the problem of the seasonal flooding; require flood-proofing measures for new development in the floodplain; in flood-hazard areas, all public utilities and facilities, such as road, sewage disposal, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage to the facilities; in flood-hazard areas, natural watercourses should be identified, and their flow capacities shall be preserved; and in flood-hazard areas, all public utilities and facilities, such as road, sewage disposal, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage to the facilities.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to flood hazards and risk of release of pollutants due to inundation. Individual future developments may also be subject to site-specific CEQA and other regulatory review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Impact 3.10-5: *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less Than Significant. The City of Dinuba is part of the KREGSA which prepared a GSP of which the City of Dinuba is a participant. The goals and policies of the City's Focused GPU do not conflict with or obstruct implementation of the GSP. Thus, the impact is less than significant.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

The scope for considering cumulative impacts to hydrology and water quality are the geographic areas covered by the City's General Plan as well as the areas covered by the KREGSA from which cities and other jurisdictions in the vicinity obtain their water supply. Construction of the individual development projects allowed under the land use designations of the General Plan has the potential to have construction-related water quality impacts, drainage impacts, and potential impacts to flooding, erosion, or siltation from the alteration of drainage patterns. While some individual impacts could occur in the region as individual projects are constructed, the goals, objectives and action plans in the General Plan, as well as State and federal regulations, will substantially reduce water quality and drainage-related impacts. Considering the protection granted by local, State, and federal agencies and their

permit and monitoring requirements discussed above, the overall cumulative impact to water quality and drainage would not be significant.

Dinuba obtains its potable water exclusively from groundwater extraction. Buildout of the General Plan will result in increase in demand for groundwater. Impacts of groundwater extraction are generally not localized within a project site or in the case of the proposed Focused GPU, within the Planning Area boundaries. Rather, such impacts are cumulative in nature as the boundaries of an affected groundwater basin are typically broader than that of the subject project being evaluated for its impacts on groundwater. The basin from which the City obtains its water is in a state of overdraft. Cumulative overdraft conditions are generally expected to worsen in significant part due to increased urban demand. Implementation of the noted policies, regulations, water reduction measures, and compliance with Groundwater Sustainability Plan (per SGMA) would likely off-set much, if not all of the City's impact on overdraft of groundwater resources. However, since groundwater impacts are quantified regionally, the City of Dinuba is only in a position to affect groundwater usage and recharge within its jurisdiction. Consequently, since there are other agencies and jurisdictions involved, the City cannot ensure that other agencies and jurisdictions will implement the required measures to obtain groundwater sustainability. Consequently, implementation of the proposed Focused GPU would result in a significant and unavoidable impact from depletion of groundwater resources at the cumulative level.

Therefore, the projects contribution to water supply impacts is considered ***significant and unavoidable and cumulatively considerable***.

3.11 Land Use and Planning

This section of the SEIR evaluates the potential environmental effects related to land use and planning associated with implementation of the proposed Project. No comments pertaining to this topic were received during the NOP public review period.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to land use and planning. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Physically divide and established community?	X	
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	X	

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to land use and planning associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have no significant impacts on land use and planning (Chapter Three, page 3-81 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026 General Plan was self-mitigating in that it contains policies that require developments to reduce impacts associated with land use and planning.

[1] Ch. 3.9 Land Use and Planning, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-81. Accessed May 2023.

Environmental Setting

Regional Setting

The City of Dinuba is located in northwestern Tulare County in the Southern San Joaquin Valley. Dinuba is located approximately 15 miles northwest of Visalia, the County seat, and 30 miles southeast of Fresno. The Planning Area is located entirely on the floor of the San Joaquin Valley, a nearly level area with almost no constraints to development. The only significant topographic features in the area are Travers Creek and the many other ditches and irrigation canals throughout the area, and the southern end of Smith Mountain, located just inside of, and beyond, the northeast part of the City's Planning Area. Dinuba's economy is based mainly on agriculture, but also has significant components of food manufacturing and distribution.

Project Area Setting

The proposed Project would occur at various locations throughout the City of Dinuba and the City's Planning Area. There are two focus areas, Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school. Focus Area 2 is located in the eastern part of the City along East El Monte Avenue. Land use changes are also proposed around the Downtown area. The proposed Focused GPU would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW. Refer to Chapter Two – Project Description for further information regarding the proposed land use designation changes.

Regulatory Setting

Federal Regulations

There are no federal regulations pertinent to local land use and planning.

State Regulations and Policies

The Cortese-Knox-Herztberg Local Government Reorganization Act

The Cortese-Knox-Herztberg Local Government Reorganization Act of 2000 (Government Code Section 56300 et seq.) governs the establishment and revision of local government boundaries. The Act was a comprehensive revision of the Cortese-Knox-Herztberg Local Government Reorganization Act of 1985. The Act is a policy of the state to encourage orderly growth and development that are essential to the social, fiscal, and economic well-being of the state. The intent of the Act is promote orderly development while balancing competing state interests of discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services. The Act had previously established the County Local Agency Formation Commission (LAFCO), which gave it authority to consider and approve city and special district annexation, dissolution, and formation.

California Land Conservation Act

The California Land Conservation Act, better known as the Williamson Act, was enacted by the State Legislature in 1965 to encourage the preservation of agricultural lands. Under the provisions of the act, landowners agreeing to keep their lands under agricultural production for a minimum of ten years receive property tax adjustments. Williamson Contracts limit the use of the properties to agricultural, open space, and other compatible use, Williamson Act lands are assessed based on their agricultural value, rather than their potential market value under nonagricultural uses.

California's 2017 Legislative Housing Package

The 2017 Housing Package provides new regulatory and financial resources to provide for housing opportunities throughout the State. Components include funding sources for new affordable housing and creation of streamlined processes to increase housing supply. The new legislation holds local jurisdictions accountable for addressing housing needs by increasing enforcement by the California Department of Housing and Community Development (HCD) and creates new opportunities to develop new affordable homes and preserve existing affordable homes.

Senate Bill 330

Senate Bill 330 "The Housing Crisis Act of 2019" is a statewide bill intended, in part, to limit a city's ability to adopt zoning that reduces residential density or to impose design standards that limit the housing units allowed. Any such zoning changes made by a city after January 1, 2020, in residential or mixed-use areas, would be preempted, unless another property within the

jurisdiction of a city is simultaneously "up-zoned" (increase in residential density) which results in an increase in density sufficient enough to offset any reduction in density.

Local Regulations and Policies

Tulare County LAFCO

Local Area Formation Commissions (LAFCOs) review proposals for the formation of new local governmental agencies and for changes in the organization of existing agencies. The objectives of the Tulare County LAFCO are to: encourage orderly formation of local governmental agencies, preserve agricultural land resources, and discourage urban sprawl.

Tulare County General Plan

California law requires that each county in the state develop and adopt a General Plan. The General Plan consists of a statement of development policies and text setting forth objectives, principles standards, and plan proposals. It is a comprehensive long-term plan for the physical development of the county. The City of Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008.

California Housing Element law requires every jurisdiction to prepare and adopt a housing element as part of a City's General Plan. State Housing Element requirements are framed in the California Government Code, Sections 65580 through 65589, Chapter 1143, Article 10.6. The law requires the State Department of Housing and Community Development (HCD) to administer the law by reviewing housing elements for compliance with State law and by reporting its written findings to the local jurisdiction. Although State law allows local governments to decide when to update their general plans, State Housing Element law mandates that housing elements be updated every eight years.

Thresholds of Significance

In accordance with Appendix G to the State CEQA Guidelines, the project would have a significant impact on land use as follows:

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

Impacts and Mitigation Measures

Impact 3.11-1: *Physically divide an established community?*

Less Than Significant. There are no established communities (other than the City of Dinuba) within the Planning Area. However, future development within the Planning Area could divide established rural land uses that are located in the outer areas of the Planning Area. Irregular rural patterns could constrain efficient development in the Planning Area and could cause lifestyle conflicts between the existing rural residents and the newly developed urban land uses. It is anticipated that as full buildout of the Focused GPU occurs within the rural areas, there could be continuing conflicts between existing and new land uses and could create a division of existing rural established communities. As part of the Focused GPU, the Land Use Element was updated and includes goals, objectives, and policies to reduce these land use conflicts and provide for future orderly development to reduce the potential to divide established communities. Refer to the land use policies in Impact Section 3.11-2 herein. Implementation of these policies would ensure that the impact remains less than significant.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Impact 3.11-2: *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Less Than Significant Impact. Full buildout of the Focused GPU would include development of infill and underutilized parcels within the existing City limits, and development within rural/agriculture areas located within the Planning Area. The Focused GPU included the creation of an updated Land Use Element (See Appendix B), the purpose of which is to describe present and planned land uses and their relationship to Dinuba's long-range goals for the future. The Land Use Element identifies the proposed general distribution, location, and extent of land uses such as residential, commercial, industrial, and public/quasi-public.

The Land Use Element consists of text and a map that outline the future land uses within the City and how these uses are integrated with the other General Plan Elements and policies. The Land Use Map is a particularly important feature of the Land Use Element since it shows the location and types of allowed development within the City and the general location of future growth. The Element also describes the intensity or density of development planned for the community.

The Land Use Element of the Dinuba General Plan represents the City's desire for long-range changes and enhancements of land uses. Finally, the goals, objectives and policies contained in this Element establish the framework for future land use planning and decision-making in Dinuba.

The updated Land Use Element is provided in full in Appendix B and the goals, objectives and policies are summarized below:

GOAL 1: Preserve and enhance Dinuba's unique character and achieve an optimal balance of residential, commercial, industrial, public, and open space land uses.

1.2 GROWTH MANAGEMENT

Objectives:

A. Sustain a growth rate within the General Plan Focus Areas to provide for the balanced evolution of the community and the sustainable assimilation of new residents.

B. Promote growth consistent with the City's ability to provide resources and services and with the State and City requirements regarding environmental protection, the economy, and open space.

Policies and Standards:

Policies 1.2.1 through 1.2.7.

1.3 COMMUNITY IDENTITY

Objectives

A. Strive to keep Dinuba separate and distinct from nearby communities.

B. Maintain and enhance Dinuba's physical diversity, visual qualities, and small-town characteristics.

C. Maintain the downtown core area (Tulare Street from "H" Street to "M" Street) as the City's geographic and social center.

Policies and Standards

Policies 1.3.1 through 1.3.6.

1.4 RESIDENTIAL LAND USE

Objectives

A. Designate and allow for the development of a wide range of residential housing types in the City to meet the needs of all of the City's citizens.

B. Promote stable high-quality residential neighborhoods.

C. Encourage new residential neighborhoods that have the desirable characteristics of traditional small-town neighborhoods.

Policies and Standards

Policies 1.4.1 through 1.4.18.

1.5 COMMERCIAL LAND USE

Objectives

A. Ensure the provision of adequate commercial shopping opportunities and office space locations to meet anticipated needs.

B. Enhance the viability of the downtown and preserve its role as the heart of the community.

C. Promote a mix of land uses in the downtown core area that enhance and diversify the downtown and contribute to a vibrant pedestrian environment.

D. Provide for the compatible integration of residential and commercial/office uses.

Policies and Standards

Policies 1.5.1 through 1.5.14.

1.6 INDUSTRIAL LAND USE

Objectives

A. Ensure the provision of adequate industrial zoned properties to meet the service and manufacturing needs of the community.

B. Provide new clean research and development, light industrial, and warehousing uses that provide quality head-of-household jobs for the community.

Policies and Standards

Policies 1.6.1 through 1.6.4.

1.7 PUBLIC AND INSTITUTIONAL LAND USE

Public Facilities Objective

Provide sites for adequate public facilities to serve projected growth.

Schools Objectives

A. The City shall coordinate the location of school sites in the community with the School District in an effort to assist the School District in providing school facilities at the optimum locations and in a timely manner.
B. Provide transportation and recreation opportunities near schools.
C. Promote schools as focal points for neighborhood areas and as planning elements for new growth areas.

Policies and Standards

Policies 1.7.1 through 1.7.8.

Development within the City's Planning Area would require consistency with the goals, objectives, and policies of the Focused GPU. Adherence to these goals, objectives and policies would ensure that potential land use conflicts remain less than significant.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to land use and planning. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, there will be less than significant impacts.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

Cumulative land use and planning impacts, such as the potential for conflicts with adjacent land uses and consistency with adopted plans and regulations, are typically site- and project-specific. New development and redevelopment projects under the City's General Plan would be designed to complement the character of existing areas and provide connectivity between existing development and new development within the City's Planning Area. As described in this section, the proposed Land Use Element and implementing policies address land use consistency issues. Subsequent development projects would be required to be consistent with all applicable policies, standards, and regulations, including those land use plans, policies, and regulations adopted to mitigate environmental effects by the City, as well as those adopted by agencies with jurisdiction over components of future development project. The Focused GPU is not anticipated to result in significant conflicts with land use plans, policies, or regulations that have jurisdiction over the project. The project's contribution to cumulative land use planning impacts is ***less than cumulatively considerable***.

3.12 Mineral Resources

This section of the SEIR identifies potential impacts of implementing the proposed Project on mineral resources. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to mineral resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?		X
b. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?		X

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to mineral resources associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have no impacts on mineral resources (Chapter Three, page 3-88 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026 General Plan is self-mitigating in that it contains policies that require developments to reduce impacts associated with mineral resources.

[1] Ch. 3.10 Mineral Resources, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-88. Accessed March 2023.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to mineral resources. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, there will be no impacts.

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

The scope for considering cumulative impacts to mineral resources is generally site-specific rather than cumulative in nature. As discussed above, there are no known mineral resources within the Project area and as such, Project implementation would not cumulatively impact any known mineral resource. While some cumulative impacts may occur in the region as individual projects are constructed, State and federal regulations, as well as local policy documents such as the City of Dinuba General Plan or EIR and County of Tulare General Plan or EIR will reduce impacts to mineral resources in the region. Therefore, the proposed Project's incremental contribution to cumulative mineral resource impacts would be ***less than cumulatively considerable***.

3.13 Noise

This section of the SEIR identifies potential impacts of implementing the proposed Project relative to generation of noise and vibration. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts from generation of noise and vibration. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X	
b. Generation of excessive groundborne vibration or groundborne noise levels?	X	
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	X	

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts from noise associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts from noise (Chapter Three, page 3-104 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026

[1] Ch. 3.11 - Noise, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-104. Accessed May 2023.

General Plan was self-mitigating in that it contains policies that require developments to reduce impacts associated with noise. These policies will continue to apply to the Focused GPU areas.

The City's General Plan guidelines establish a maximum "normally acceptable" exterior noise level of 60 dBA (A-weighted decibel) Ldn (Day-night average sound level) for new noise sensitive land uses including single family development and mobile homes, and 65 dBA Ldn for new multi-family residential uses and transient lodging such as motels and hotels. The maximum "normally acceptable" exterior noise level for hospitals, schools, libraries, churches, congregate care facilities, parks and playgrounds, office buildings, business and commercial uses is shown as 70 dBA Ldn, however the City has identified 65 dBA Ldn as the exterior limit to be maintained for noise sensitive uses without specific acoustic mitigation.[2]

The City's General Plan Policy 6.4 states that areas with *exterior* noise levels exceeding 65 dBA Ldn will be designated as noise impacted within the City of Dinuba. General Plan Policy 6.5 discourages development of noise sensitive land uses in noise impacted areas unless effective mitigation measures are incorporated into the specific design of such projects to reduce *exterior* noise levels to 65 dBA Ldn or less and 45 dBA Ldn or less within *interior* living spaces. General Plan Policy 6.6 limits noise levels at the project boundary to 65 dBA Ldn for industrial, commercial or other noise generating land uses (including roadways, railroads, and airports) when adjacent to planned or zoned noise sensitive land uses. General Plan Policy 6.9 states the preferred method of noise control used is thoughtful design; with use of artificial noise barriers a second choice. General Plan Policy 6.11 states that prior to approval of a proposed development in a noise impacted area, or the development of an industrial, commercial or other noise generating land use in or near an area containing existing or planned noise sensitive land uses, an acoustical analysis may be required.

Policy 6.12 in the Noise Element, which would require habitable buildings to be sited at least 100-feet from the centerline of the railroad tracks whenever feasible. General Plan Policy 6.13 encourages the Union Pacific railroad to maintain the existing track in good condition and minimize train horn sounding to the extent allowed by law. General Plan Policy 6.14 requires the development of habitable buildings within 100-feet from the centerline of the railroad track to provide a study demonstrating that ground-borne vibration issues associated with rail operations have been adequately addressed through building siting or construction techniques.

[2] Ch. 3.11 - Noise, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-101. Accessed May 2023.

Regarding construction noise, the General Plan Noise Element states in Policy 6.1 the hours of unlawful operation for any devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses shall be between 7:00 p.m. – 6:00 a.m. on weekdays and between 7:00 p.m. – 9:00 a.m. on weekends. Currently the Dinuba Municipal Code extends this quiet time to 7:00 a.m. on weekdays and permits construction between 7:00 a.m. - 10:00 p.m. on any day (Dinuba Municipal Code § 9.54.070 Exceptions). The Municipal Code will be amended to conform to the standards set forth in the General Plan as required by State law.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to noise and vibration. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

Cumulatively Considerable. The scope for considering cumulative impacts to noise is generally site-specific rather than cumulative in nature because each project site has different noise considerations that would be subject to review. Impacts from increased noise would exist only where there are sensitive noise receptors that would be adversely affected by exposure to increased noise. Future development within the spheres of influences of nearby jurisdictions could increase noise exposure of noise sensitive receptors to elevated noise levels. Construction of the individual development projects allowed under the land use designations of the City's Focused GPU may result in the generation of site-specific noise increases from stationary noise sources, and may contribute incrementally to noise from mobile sources. Additionally construction noise from individual development projects allowed under the City's General Plan will likely result in the generation of site-specific noise increases. However, implementation of

City General Plan policies as described herein will ensure that impacts remain less than significant. As such, the proposed project's incremental contribution to noise and vibration impacts would be ***less than cumulatively considerable***.

3.14 Population and Housing

This section of the SEIR identifies potential impacts of the proposed Project pertaining to population and housing. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of the Focused GPU, some areas of the City that were previously designated for non-residential purposes would now be designated for residential development as described in Chapter Two – Project Description. This could result in an increase in population within the City. Therefore, additional information is being provided herein regarding impacts to population and housing. The following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Would the project induce substantial unplanned population growth in an area, either directly or indirectly?	X	
b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	X	

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to population and housing associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on population and housing (Chapter Three, page 3-113 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR.

[1] Ch. 3.12 – Population & Housing, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-113. Accessed May 2023.

Environmental Setting

Dinuba's population has exhibited growth since 2000. The population in 2000 was 16,844[2], while the current population was 25,139 in 2021.[3] This represents an approximate increase of 49%. Estimates for 2022 shows the City has 7,170 housing units with an average of 3.60 people per household.[4] The City of Dinuba's primary industry is agriculture, but there is sufficient labor force in the area to support many other types of industries.

The proposed Project would occur at various locations throughout the City of Dinuba, CA and the City's Planning Area. The proposed Focused General Plan Update will focus on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary. There are two focus areas, Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school. Focus Area 2 is located in the eastern part of the City along East El Monte Avenue. Land use changes are also proposed around the Downtown area. The proposed Update would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

Regulatory Setting

Federal Regulations

US Department of Housing and Urban Development (HUD)

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes: utilize housing as a

[2] City of Dinuba General Plan Update Background Report, October 2006. Page 4-1.

[3] https://www.census.gov/quickfacts/fact/table/dinubacitycalifornia/PST045221. Accessed May 2023.

[4] Population and Housing Estimates for Cities, Counties, and the State, January 2021-2022, with 2020 Benchmark. May 2022. State of California, Department of Finance. https://dof.ca.gov/Forecasting/Demographics/Estimates/estimates-e5-2010-2021. Accessed May 2023.

platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business.[5]

State of California Regulations

California Department of Housing and Community Development (HCD)

HCD's mission is to "promote safe, affordable homes and vibrant, inclusive, sustainable communities for all Californians".[6] "In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, many new amendments to State Housing Law have been enacted.

State Housing Law also mandates that local governments identify existing and future housing needs in a Regional Housing Needs Assessment (RHNA).

Senate Bill 330

Senate Bill 330 "The Housing Crisis Act of 2019" is a statewide bill intended, in part, to limit a city's ability to adopt zoning that reduces residential density or to impose design standards that limit the housing units allowed. Any such zoning changes made by a city after January 1, 2020, in residential or mixed-use areas, would be preempted, unless another property within the jurisdiction of a city is simultaneously "up-zoned" (increase in residential density) which results in an increase in density sufficient enough to offset any reduction in density.

California Relocation Assistance Act

The State of California adopted the California Relocation Assistance Act (*California Government Code* §7260 et seq.) in 1970. This State law, which follows the federal Uniform Relocation Assistance and Real Property Acquisition Act, requires public agencies to provide procedural protections and benefits when they displace businesses, homeowners, and tenants in the process of implementing public programs and projects. This State law calls for fair, uniform, and equitable treatment of all affected persons through the provision of relocation benefits and assistance to minimize the hardship of displacement on the affected persons.

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[5] U.S. Department of Housing and Urban Development, Mission https://www.hud.gov/about/mission. Accessed May 2023.

[6] California Department of Housing and Community Development, Mission, https://www.hcd.ca.gov/about-hcd. Accessed May 2023.

Local Regulations

City of Dinuba Housing Element

California Housing Element law requires every jurisdiction to prepare and adopt a housing element as part of a City's General Plan.

State Housing Element requirements are framed in the California Government Code, Sections 65580 through 65589, Chapter 1143, Article 10.6. The law requires the State Department of Housing and Community Development (HCD) to administer the law by reviewing housing elements for compliance with State law and by reporting its written findings to the local jurisdiction. Although State law allows local governments to decide when to update their general plans, State Housing Element law mandates that housing elements be updated every eight years. The City's Housing Element was adopted in April of 2017, and contains information on housing needs, land inventory, constraints, and a program of action.

Thresholds of Significance

In accordance with the CEQA Guidelines, a project impact would be considered significant if the project would:

- Induce substantial unplanned population growth in an area, either directly or indirectly
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere

Impacts and Mitigation Measures

Impact 3.14-1: *Induce substantial unplanned population growth in an area, either directly or indirectly?*

Less Than Significant Impact. CEQA Guidelines Section 15126.2(d) requires that a CEQA document discuss the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

New jobs in Dinuba and the surrounding areas would be created by development of commercial, industrial and other employment generated uses (based on buildout of the City's

Focused GPU). This in turn would attract people to live in the Dinuba area (population growth), which would result in the need for additional residential housing. The proposed Focused GPU Land Use Map (Figure 2-2) illustrates where potential residential, commercial and industrial growth might occur. For purposes of evaluating the environmental impact of population growth under CEQA, the question becomes whether or not the proposed land use changes as part of the Focused GPU will induce population beyond what the City has or will plan for and/or can accommodate at full buildout.

As previously noted, the proposed Focused GPU would result in a net increase of 286.5 acres of land designated for Residential, and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

According to the US Census Bureau, the City had a population of 25,139 in 2021.[7] The City's previous General Plan had projected the City would have a population of 29,348 in 2020 (and a population of 38,813 in 2030)[8]. Thus, the City's 2021 population (25,139) was below the projected 2020 population (29,348) of the City's General Plan by approximately 4,209 residents. The proposed Focused GPU would result in a net increase of 286.5 acres of land designated for residential development. This could result in additional population growth within the City. However, given the previous population projections from the General Plan (38,813 residents by 2030), the City could still grow by an additional 13,674 residents by 2030 (38,813 – 25,139 = 13,674). To reach that population, the City would need to grow by over 2 percent each year. However, according to the City's adopted 2020 Urban Water Management Plan, "Population growth is anticipated to be about 1.85 percent annually based on historic growth rates."[9]

Therefore, based on the proposed land use designation changes associated with the Focused GPU, it is determined that the proposed project (build-out of the Focused GPU) will not induce population growth beyond that which can be served by the City. The environmental impacts of the potential development of commercial, industrial, and residential lands as a result of the land

[7] https://www.census.gov/quickfacts/fact/table/dinubacitycalifornia/PST045221. Accessed May 2023.

[8] Dinuba 2006 – 2026 General Plan EIR, page 3-106.

[9] City of Dinuba Urban Water Management Plan (2020)., page 1-3.

use designation changes under the Focused GPU, are evaluated within this SEIR in other sections (e.g. air quality, traffic, noise, water use, biological impacts, etc.).

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to population and housing. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the proposed Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Impact 3.14-2: *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Less Than Significant Impact.

The implementation of the Focused GPU would create no significant impacts related to the displacement of existing housing or population. The majority of development permitted by the Focused GPU would either occur in infill locations, on undeveloped parcels, or on parcels that can be subdivided rather than through large scale redevelopment of already developed land and buildings. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

Less Than Cumulatively Considerable. Cumulative population and housing are typically site- and project-specific. As discussed above, the Project would not induce population growth beyond what was anticipated by the City and there are no houses on-site that would be displaced with Project implementation. Thus, the Project's contribution to cumulative population and housing impacts is ***less than cumulatively considerable***.

3.15 Public Services

This section of the SEIR identifies potential impacts of implementing the proposed Project on public services. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to aesthetic resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: • Fire protection? • Police protection? • Schools? • Parks? • Other public facilities?		X

The proposed Project would occur at various locations throughout the City of Dinuba, CA and the City's Planning Area. The proposed Focused General Plan Update will focus on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary. There

are two focus areas, Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school. Focus Area 2 is located in the eastern part of the City along East El Monte Avenue. Land use changes are also proposed around the Downtown area. The proposed Update would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to public services associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on public services (Chapter Three, pages 3-113 through 3-125 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR. However, the General Plan contains policies that require a review of public services review on a project-by-project basis.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to public services, including facilities impact fees for increase in use of public services. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

[1] Ch. 3.13 Public Services, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-113. Accessed April 2023.

Cumulative Impacts

The scope for considering cumulative impacts to public services is the land area covered by the City's General Plan, including areas within the Planning Area. As described above, buildout of the Focused GPU would result in less than significant impacts. Future development will be required to mitigate its impacts to these services by payment of fees or equivalent in-lieu as determined by the City. As future development occurs within the General Plan area, the City will review projects on a case-by-case basis to determine potential future impacts on public services. Compliance with the City's General Plan policies and procedures, as well as payment of public service mitigation fees (or in-lieu equivalent) will ensure that future developments do not exceed the City's ability to provide public services. As such, cumulative impacts to public services would be ***less than cumulatively considerable.***

3.16 Recreation

This section of the SEIR examines recreational resources in the proposed Project vicinity and potential impacts the Project may have on access to parks and other recreational resources. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to recreational resources. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		X

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to recreational resources associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on deterioration, expansion, or construction of recreational resources (Chapter Three, pages 3-125 through 3-127 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026 General

[1] Ch. 3.14 Recreation, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-125. Accessed April 2023.

Plan was self-mitigating in that it contained policies that require developments to reduce impacts associated with recreational facilities.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to recreationalal resources. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

The scope for considering cumulative impacts to recreational facilities is generally area-specific rather than cumulative in nature because each project site has different recreational considerations that would be subject to review. The service area for the City's recreational services as well as the geographic areas covered by the City of Dinuba General Plan / EIR and the Tulare County General Plan / EIR are considered the cumulative analysis area. Cumulative growth that would occur over the life of the City and County General Plans will result in increased demand for public services, including parks and recreational services. As the demand for recreation increases, there will likely be a need to increase the amount of parks and recreational facilities in order to maintain acceptable performance standards.

As the population increases in the area, individual projects will be subject to similar requirements to either construct recreational facilities or pay development fees to help fund construction of new facilities. The City and County General Plans include policies to meet adopted and acceptable recreational services standards and to ensure future development pays its fair share

for impacts to recreational services. Compliance with either the City and County General Plans pertaining to recreational facilities would be required for all future projects, which would ensure that these projects would not significantly affect recreation or contribute to a cumulatively significant impact to such resources in the area. Implementation of the proposed Project would have a less than significant cumulative impact relative to this environmental topic. As such, cumulative impacts to recreation would be ***less than cumulatively considerable***.

3.17 Transportation

This section of the SEIR identifies potential impacts of the Focused General Plan Update pertaining to transportation and traffic. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to transportation. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	X	
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	X	
c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X	
d. Would the project result in inadequate emergency access?	X	

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to transportation associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have significant and unavoidable impacts to transportation (Chapter Three, page 3-141 of the 2008 EIR).[1] The 2008 EIR included Mitigation Measure #3.15.1 to address

[1] Ch. 3.15 - Transportation, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-140. Accessed May 2023.

transportation impacts, however, even with mitigation, the impact was found to be significant and unavoidable.

Environmental Setting

The proposed Project would occur at various locations throughout the City of Dinuba, CA and the City's Planning Area. The proposed Focused General Plan Update will focus on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary. There are two focus areas, Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school. Focus Area 2 is located in the eastern part of the City along East El Monte Avenue. Land use changes are also proposed around the Downtown area. The proposed Update would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

Local Circulation System

State Highway and Freeways

Vehicular circulation in Dinuba consists of a network of city streets and roads. Streets and roads are classified by functional classification including freeways, arterials, collectors, and local roads. A freeway is defined as a divided highway with full control of access and two or more lanes for the exclusive use of traffic in each direction. Freeways provide for uninterrupted flow of traffic. There are no signalized or stop-controlled at-grade intersections and direct access to and from adjacent property is not permitted. Access to and from a freeway is limited to ramp locations.

According to the 2022 General Plan Circulation Element Existing Conditions Background Report, there are no State Highways in Dinuba. The closest regional roadway is State Route 201 located approximately 1 mile south of Dinuba. This east-west facility provides access to both State Route 99 and State Route 63.[2]

[2] City of Dinuba General Plan Circulation Element Existing Conditions Background Report (July 2022) Page 6.

Street Classifications

Streets in Dinuba are divided into three classifications: arterials, collectors, and local streets, as described below.

- **Arterial streets** provide the principal network for citywide travel by all modes of travel, including walking, bicycling, motor vehicle and transit, and provide regional connections. They connect areas of major activity and connect with important county roads and state highways, and distribute traffic serving residential, commercial, and industrial areas. The Circulation Element further divides the arterials into three sub-types based on context and travel volume: boulevards, mixed-use arterials, and community arterials.
- **Commercial Main Streets** are key parts of the City's principal network for all modes of travel that emphasize pedestrian and transit access to properties in Downtown Dinuba. On-street diagonal parking for motor vehicles is typically provided, while primary access to most buildings is to/from the adjacent sidewalk.
- **Collector streets** provide connections for all modes of travel within and between residential areas and activity centers. They serve travel between arterial and local streets, within and between neighborhoods and major activity centers, and provide direct access to abutting properties.
- **Local streets** provide for direct access to abutting properties and for localized travel within residential, commercial, and industrial areas.

Regulatory Setting

Federal

Federal Highway Administration

The Federal Highway Administration (FHWA) is a major agency of the United States Department of Transportation. In partnership with State and local agencies, the FHWA carries out federal highway programs to meet the nation's transportation needs. The FHWA administers and oversees federal highway programs to ensure that federal funds are used efficiently.

Americans with Disabilities Act of 1990

Titles I, II, III, IV, and V of the ADA have been codified in Title 42 of the United States Code, beginning at Section 12101. Title III prohibits discrimination on the basis of disability in "places of public accommodation" (businesses and nonprofit agencies that serve the public) and

"commercial facilities" (other businesses). The regulation includes Standards for Accessible Design, which establish minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility.

Federal Transit Administration

The Federal Transit Administration (FTA) is an authority that provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys, and ferries. The FTA is funded by Title 49 of the United States Code, which states the FTA's interest in fostering the development and revitalization of public transportation.

State

Assembly Bill 32 (Global Warming Act of 2006) and Senate Bill 375

Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (Act), requires California to reduce its greenhouse gas (GHG) emissions to levels presented in the year 1990 by 2020. In response, the California Air Resources Board (CARB) is responsible for creating guidelines for this Act. In 2008, CARB adopted its proposed Scoping Plan, which included the approval of Senate Bill (SB) 375 as a means of achieving regional transportation-related GHG targets. SB 375 provides guidance on how curbing emissions from cars and light trucks helps the State comply with AB 32.

Established through CARB, SB 375 lists four major components and requirements: (1) it requires regional GHG emissions targets; (2) it requires creating a Sustainable Communities Strategy (SCS) that provides a plan for meeting the regional targets; (3) it requires that regional housing elements and transportation plans be synchronized on 8-year schedules; and (4) it requires transportation and air pollutant emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC).

California Air Resources Board

As previously described, as part of SB 375 compliance, CARB was required to set targets for GHG reductions for each Metropolitan Planning Organization (MPO) within California. CARB provides targets and thresholds for MPOs and assists with regional efforts to achieve the GHG emission reductions contained in each MPO's SCS. It should be noted that CARB does not provide a threshold for reducing Vehicle Miles Traveled (VMT); however, reducing VMT is a strategy for achieving CARB GHG reduction targets.

Assembly Bill 1358 (Complete Streets)

The California Complete Streets Act (Act) requires general plans updated after January 30, 2011, to include Complete Streets policies so that roadways are designed to safely accommodate all users, including bicyclists, pedestrians, transit riders, children, the elderly, and persons with disabilities, as well as motorists. The goal of this Act is to encourage cities to rethink policies that emphasize automobile circulation and prioritize motor vehicle improvements, and come up with creative solutions that emphasize all modes of transportation. Complete Streets roadways allow for more transportation options, more non-single-occupancy vehicles, and less traffic congestion. Additionally, increased transit ridership, walking, and biking can reduce air pollution while improving the overall travel experience for road users.

While there is no standard for a Complete Streets design, it generally includes one or more of the following features: bicycle lanes, wide shoulders, well-designed and well-placed crosswalks, crossing islands in appropriate mid-block locations, bus pullouts or special bus lanes, audible and accessible pedestrian signals, sidewalk bulb-outs, center medians, street trees, planter strips, and groundcover.

Senate Bill (SB) 743

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and codified a process that changed transportation impact analysis as part of CEQA compliance. SB 743 directs the California Office of Planning and Research (OPR) to administer new CEQA guidance for jurisdictions that removes automobile vehicle delay and LOS or other similar measures of vehicular capacity or traffic congestions from CEQA transportation analysis. Rather, it requires the analysis of vehicle miles traveled (VMT) or other measures that "promote the reduction of greenhouse gas emissions, the development of multi-modal transportation networks, and a diversity of land uses," to be used as a basis for determining significant impacts to circulation in California. The goal of SB 743 is to appropriately balance the needs of congestion management with statewide goals related to reducing GHG emissions, encourage infill development, and promote public health through active transportation.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities are no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that "[a] lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."

Local

Regional Transportation Plan

The Regional Transportation Plan is a long-range plan that every Metropolitan Planning Organization (MPO) is required to complete. Tulare County's latest 2022 RTP is meant to provide a long-range, fiscally constrained guide for the future of Tulare County's Transportation system. The long-range plan extends to the year 2046 in its scope.[3] The plan accomplishes its goals by forecasting future growth, identifying regional priorities, and planning for infrastructure improvements.

A closely related federal requirement is the Congestion Management Process (CMP) which provides information on transportation-system performance and alternatives to relieve congestion and improve mobility of people and goods. Under those regulations, the Tulare County region exceeds the urbanized area population threshold to be designated a Transportation Management Area (TMA). TCAG is therefore required to maintain a CMP for the region. Because the Tulare County region is in non-attainment of air quality (ozone) standards there is the additional requirement of incorporating in the CMP a process to analyze any project with the potential to significantly increase capacity for single-occupancy vehicle (SOV) travel before that project can be programmed with federal funds (23 CFR 450.320). The CMP is coordinated with the development of the RTP/SCS.[4]

[3] Executive Summary, 2022 Tulare County Regional Transportation Plan. https://tularecog.org/tcag/planning/rtp/rtp-2022/chapter-a-executive-summary/. Accessed May 2023.

[4] Ibid.

Thresholds of Significance

In accordance with the CEQA Guidelines, a project impact would be considered significant if the project would:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Result in inadequate emergency access?

Impacts and Mitigation Measures

Impact 3.17-1: *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? OR*

Impact 3.17-2: *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Significant and Unavoidable. The Focused GPU included the creation of an updated Circulation Element (See Appendix C). The Circulation Element contains Dinuba's citywide transportation plan. It describes and illustrates the existing and future circulation system within Dinuba and its designated Planning Area. The Circulation Element provides the necessary framework to guide the growth and development of Dinuba's transportation-related infrastructure and integrates land use and transportation planning by ensuring that all existing and future developments have adequate access and circulation via multiple modes of travel including transit, walking and bicycling. The Circulation Element is summarized herein as follows:

<u>Circulation Plan</u>

The Circulation Plan describes the City of Dinuba's planned Complete Street network, including street and bikeway classifications, and street design guidelines relevant to long-term buildout of the City's planned street network. The City is committed to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets through a comprehensive, integrated transportation network that serves all categories of users, including but not limited to pedestrians, bicyclists, persons with disabilities, motorists, movers of

commercial goods, users and operators of public transportation, emergency vehicles, seniors, children, youth, and families. Where feasible, the City supports the reallocation of space to better serve all users.

Street Classifications

Streets in Dinuba are divided into three classifications: arterials, collectors, and local streets, as previously described on Page 3.17-3.

Roundabouts

Roundabouts are a type of intersection that enhance safety, reduce vehicle speeds and conflicting movements, and have lower maintenance costs compared to signalized intersections that require electricity. The City installed a roundabout at the intersection of Alta Avenue/Nebraska Avenue in 2022, and the intersection of Alta Avenue/Kamm Avenue will be converted from a signalized intersection to a roundabout by 2024. The Circulation Plan recommends additional roundabouts to enhance safety where feasible, including proposed roundabouts at the following intersections that serve as key "gateways" to Dinuba:

- West El Monte Way / Road 56
- East El Monte Way / Road 92
- South Alta Avenue / State Route 201-Road 400 (south of Dinuba; potential joint project with Tulare County)

Figure 3.17-1 illustrates the circulation plan and street classification for each segment. Table 3.17-1 provides recommended guidelines for each City street classification and sub-type.

Figure 3.17-1: Circulation Plan

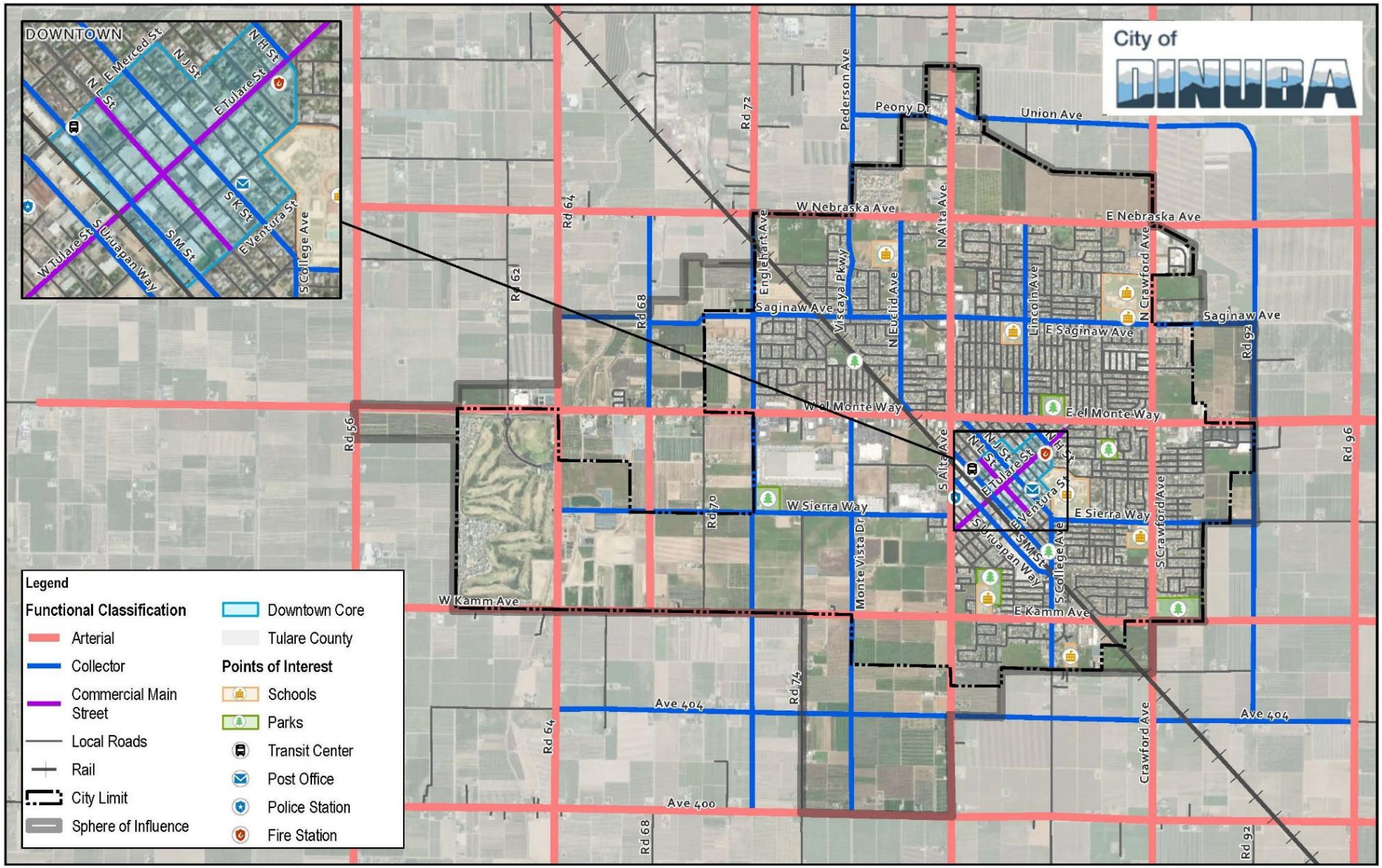


Table 3.17-1: Recommended Complete Street Design Guidelines by Functional Classification and Sub-type

Street Classification (Sub-type)	Right-of-Way Width	Motor Vehicle Lanes	Motor Vehicle Lane Width	Bicycle Lane Width	On-street Parking Width	Median or Left-turn Width	Curb-to-Curb Width (note 5)	Crossing Distance with Bulbouts	Curbside Landscape Strip	Sidewalk Width	Average Daily Motor Vehicle Traffic
Arterial (Boulevard)	100′ to 120′	4	10′ to 11′ (note 1)	8′ to 10′ (note 4)	None	10′ to 14′	66′ to 76′	66′ to 76′	5′ to 9′ (note 8)	6′ to 10′	Greater than 25,000
Arterial (Mixed Use Arterial)	100′ to 120′	4	10′ to 11′ (note 1)	5′	7′ plus 3′ buffer with bike lane	10′ to 14′	80′ to 86′′	60′ to 66′	5′ to 9′ (note 8)	6′ to 10′	Greater than 18,000
Arterial (Community Arterial)	90′ to 100′	2 + center left-turn lane	10′ to 11′ (note 1)	5′	7′ plus 3′ buffer with bike lane	10′to 14′	60′to 66′	40′ to 46′	5′ to 9′ (note 8)	6′ to 10′	13,000 to 21,000
Main Street	70′ to 90′	2	10′, or 12′ shared lane (note 2)	5′, or 12′ shared lane (note 2)	16′ diagonal, or 7′ parallel plus 3′ buffer with bike lane	Not required (note 6)	50′ to 62′	24′ to 30′	None	11′ to 15′ with tree planters	Less than 13,000
Collector	70′ to 80′	2	10′, or 14′ shared lane (note 2)	5′, or 14′ shared lane (note 2)	7′ plus 3′ buffer with bike lane	Not required (note 6)	48′ to 50′	28′ to 30′	7′	6′	Less than 13,000
Local	60′	2 (note 3)	10′	Not applicable	7′	Not applicable	34′ or 27′ (note 7)	20′	5′ to 7′	6′	Less than 5,000

TABLE NOTES:

1. STANDARD MOTOR VEHICLE LANE WIDTH OF 10 FEET, OR 11 FEET WHERE SIGNIFICANT TRUCK OR BUS TRAFFIC IS ANTICIPATED.
2. SHARED AUTOMOBILE/BICYCLE TRAVEL LANE WIDTH OF 14 FEET (COLLECTORS) OR 12 FEET (COMMERCIAL MAIN STREETS) IF SHARROW MARKINGS ARE PROVIDED.
3. TRAVEL LANES ON LOCAL STREETS ARE TYPICALLY UNMARKED WITH ALLOW SHARED MOTOR VEHICLE AND BICYCLE TRAVEL.
4. 8 TO 10 FOOT TOTAL WIDTH TO PROVIDE PROTECTED BICYCLE LANES (CLASS 4 SEPARATED BIKEWAY) INCLUDING BUFFER WIDTH OF 3 TO 5 FEET.
5. CURB-TO-CURB WIDTHS WITHOUT PEDESTRIAN BULBOUTS INCLUDE ON-STREET PARKING WIDTHS.
6. LEFT-TURN LANES MAY BE REQUIRED APPROACHING SPECIFIC INTERSECTIONS, WHERE NEEDED.
7. LOCAL STREET WITH OF 27 FEET MAY BE PERMITTED WITH PARKING LIMITED TO ONE SIDE, OR WHERE ON-STREET PARKING OCCUPANCY WOULD BE LOW.
8. WHERE EXISTING STREET SEGMENTS ARE RETROFITTED: CURBSIDE LANDSCAPE STRIP MAY BE REPLACED BY INTERMITTENT BULBOUTS IN PARKING ZONE.

Bikeway Network

There are four classifications of bikeway facilities in California, as defined by the California Department of Transportation (Caltrans):

Multi-Use Paths (Class I Bikeways). A path physically separated from motor vehicle traffic by an open space or barrier, used by bicyclists, pedestrians, joggers, skaters, and other non-motorized travelers. They can provide recreational opportunities and also serve as direct connection to key destinations.

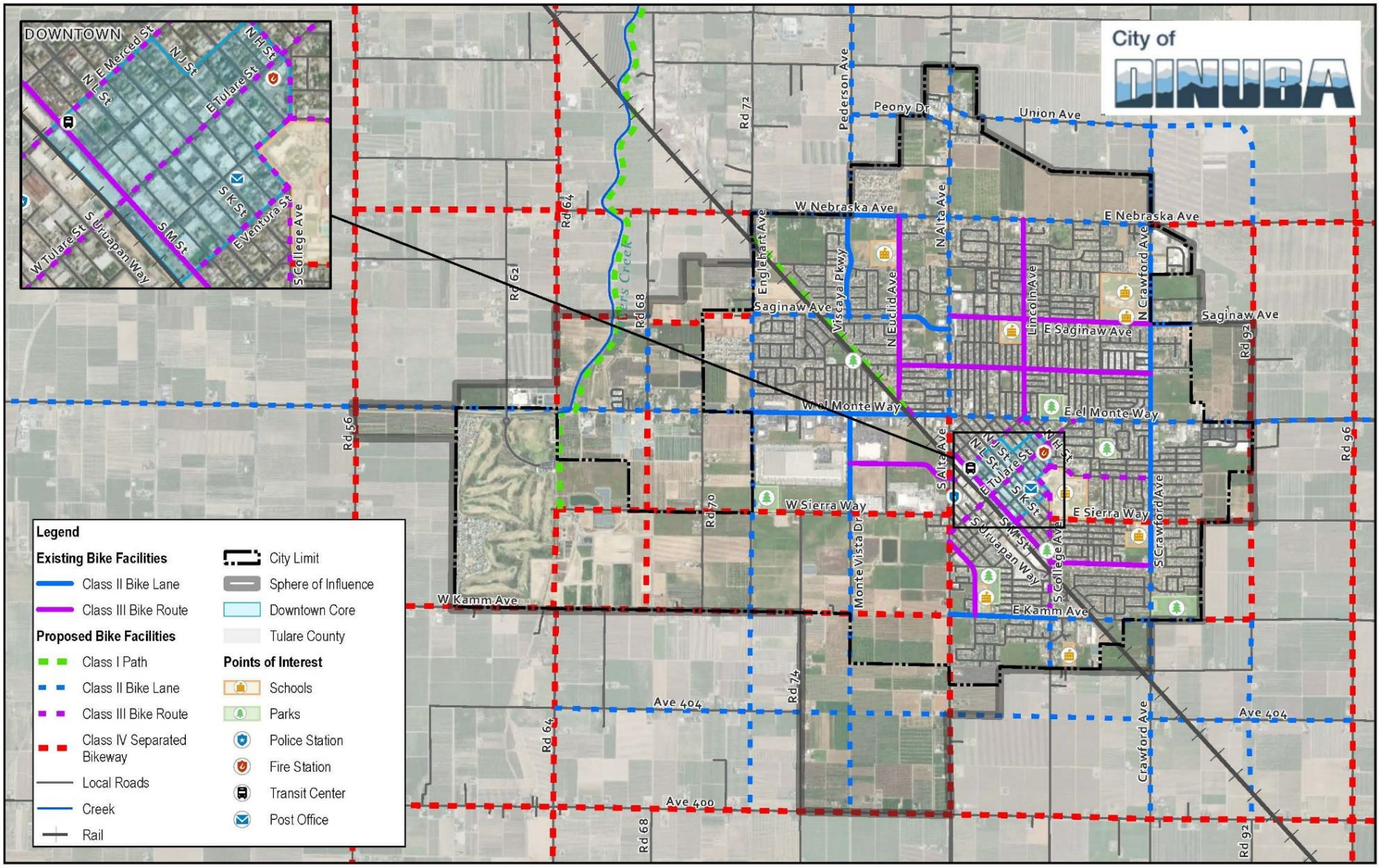
Bicycle Lanes (Class II Bikeways). A portion of a roadway that has been set aside by striping and pavement markings for the preferential or exclusive use of bicyclists. Bicycle lanes are intended to promote an orderly flow of bicycle and vehicle traffic. This type of facility is established by using the appropriate striping, legends, and signs.

Bicycle Routes (Class III Bikeways). Class III bicycle routes are facilities where bicyclists share travel lanes with motor vehicle traffic. Bike routes must be of benefit to the bicyclist and offer a higher degree of service than adjacent streets. Class III bikeways are often located on residential streets.

Separated Bikeway (Class IV Bikeways). A Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and adjacent vehicle traffic. The physical separation may include flexible posts, grade separation, inflexible physical barriers or on-street parking. Separated bikeways generally operate in the same direction as vehicle traffic on the same side of the roadway, while two-way separated bikeways can also be used in some cases.

Figure 3.17-2 illustrates the planned bikeway network, incorporating both prior bikeway network plans and proposed facilities identified as part of the Circulation Element update, including a proposed Class 1 path along Travers Creek that could ultimately connect with the City of Dinuba's bike path system. In addition, a potential Class 1 path is shown along the railroad corridor extending from Englehart Avenue on the northwest to North Euclid Avenue on the southeast.

Figure 3.17-2: Bikeway Network Plan



Pedestrian Priority Improvement Network

The Circulation Element identified priority pedestrian improvements to reduce gaps in the City of Dinuba's pedestrian network. Figure 3.17-3 illustrates the recommended pedestrian priority network. Improvements should be consistent with the street classifications and recommended street design recommended in the circulation plan on the preceding pages. Recommendations for site-specific improvements were provided in the *Dinuba Pedestrian and Bicycle Circulation Study* (2019). The pedestrian priority corridors are listed below:

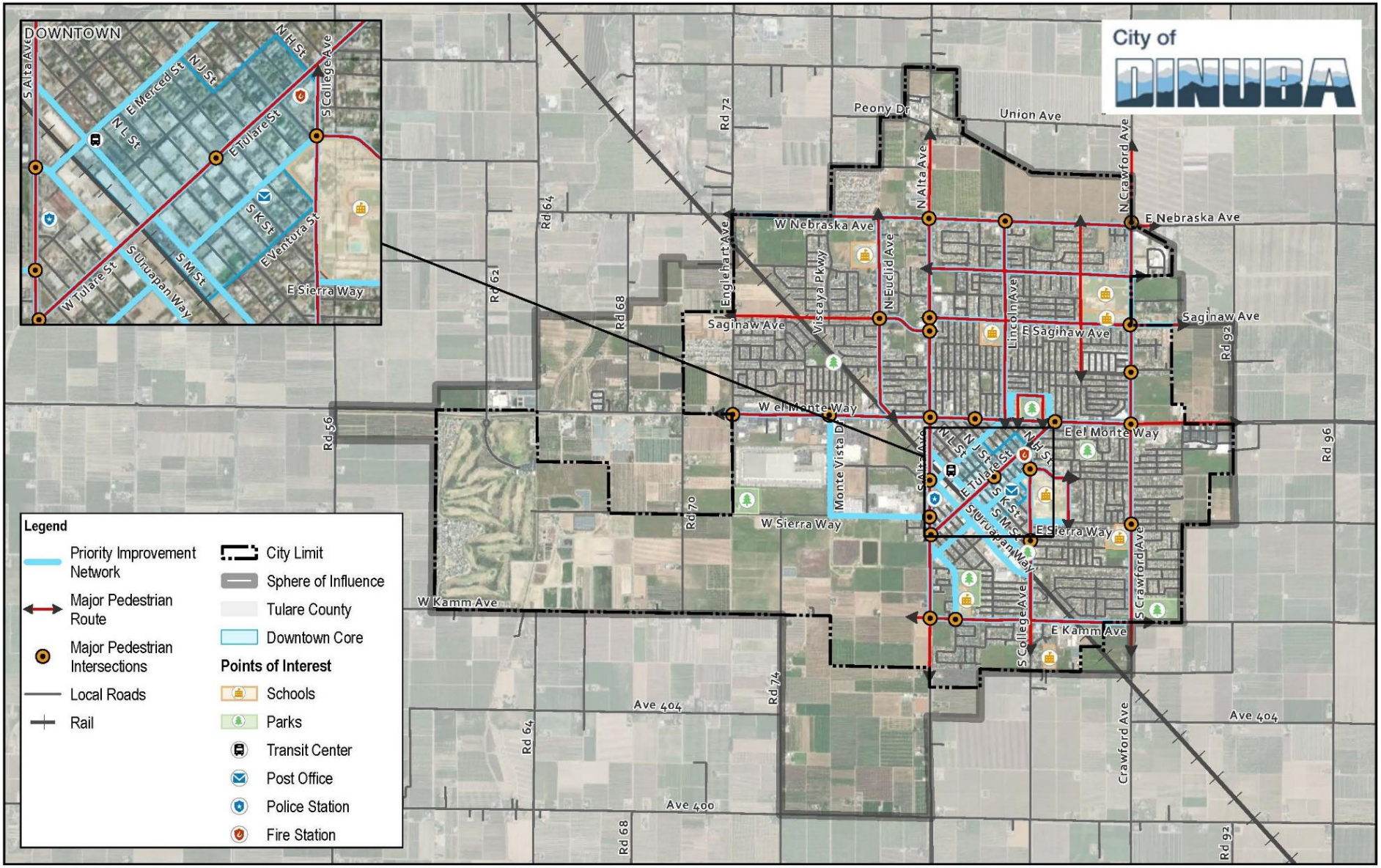
- El Monte Way
- Alta Avenue
- Crawford Avenue
- Nebraska Avenue
- Kamm Avenue
- Tulare Street
- Merced Street
- Kern Street
- M Street
- Uruapan Drive
- College Avenue
- Lincoln Avenue
- Euclid Avenue

Priority intersections were identified throughout the City, including key intersections on most of the pedestrian priority corridors.

Downtown improvements

Pedestrian priority corridors are well-represented within downtown, including Tulare, Merced, Kern and M Streets, as well as Uruapan Drive and College Avenue. Consistent with the Complete Streets design guidelines for various street types provided in the Circulation Element: such improvements should include bulbouts to reduce crossing distances whenever feasible. In addition, access to downtown from adjacent neighborhoods would be improved by recommended pedestrian improvements at priority intersections bordering the downtown area on El Monte Way, Alta Avenue and Kamm Avenue. Improvements to alleys are also encouraged to serve pedestrian circulation via paseos within the downtown area.

Figure 3.17-3: Pedestrian Priority Improvement Network



Goals, Objectives and Policies

The updated Circulation Element provided goals, objectives and policies as identified below. The objectives identify desired end states to help achieve the City's goals for a fully integrated local mobility network that provides for safe and convenient circulation, including complete streets, using a variety of transportation modes, and reduces VMT. Each objective is accompanied by policies that guide decision making by defining the City's desired courses of action.

GOALS

1. A fully integrated local mobility network that provides for safe and convenient circulation using a variety of transportation modes, including complete streets that meet the needs of all users of streets.
2. Vehicle miles traveled (VMT) are below regional averages for Tulare County.

2.5.1 COMPLETE STREETS

OBJECTIVES

A. A citywide network of Complete Streets that meets the needs of all users of streets, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors.

POLICIES AND STANDARDS

2.5.1-1 Design streets holistically, using a Complete Streets approach. Update and maintain street design standards consistent with the goals of the National Association of City Transportation Officials (NACTO) Urban Street Design Guide that optimize multi-modal mobility. Where feasible, support the reallocation of space to better serve all users.

2.5.1-2 Strive to complete the planned build-out street network as illustrated on the Circulation Plan map, and ensure that the accompanying design standards, programs, and procedures include Complete Streets implementation as a main focus. Street improvements shall be in conformance with the Circulation Plan contained in the General Plan Circulation Element including the Circulation Plan map.

2.5.1-3 Sidewalks shall be required in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist. Encourage

the retrofitting of downtown streets and alleys to include bulbouts and paseos whenever feasible.

2.5.1-4 Develop the planned citywide bikeway network, including bicycle lanes or separated bikeways on most arterial and collector streets. The bicycle/pedestrian path system should also encompass existing or future railroad rights-of-way and water courses such as Traver Creek, by providing paths between 8 and 12 feet wide and off the roadway, with landscaping, lighting, mileage markers and directional signage and benches.

2.5.1-5 Strive to ensure that intersections operate at minimum Level of Service (LOS) "C" based on peak-hour intersection delay on arterial and collector streets, except where achieving the desired LOS standard would conflict with multi-modal goals or lead to increased VMT. LOS D shall be deemed acceptable for those road segments and intersections which have been identified as already operating at that level. LOS standards should not apply to Commercial Main Streets.

2.5.1-6 The street network should provide a quick and efficient route for emergency vehicles, including police, fire and other vehicles, when responding to calls for service. The length of single-entry access routes shall be restricted.

2.5.2 PUBLIC TRANSIT

OBJECTIVES

A. Public transit service that provides adequate mobility for residents to reach jobs, schools and services, including public transit connections with other nearby cities and locations.

POLICIES AND STANDARDS

2.5.2-1 Cooperate with the Tulare Council of Governments (TCAG) in providing transit service and planning to meet the social and economic needs of all segments of the community.

2.5.2-2 Provide reasonable accommodations for comfort and convenience for riders at major transit destinations so people can utilize the transit system safely and comfortably. The City shall determine such needs based on site plan review procedure and other planning implementation methods.

2.5.2-3 Arterial streets should be designed to allow transit vehicles to pull out of traffic at stops.

2.5.2-4 Encourage transit alternatives to meet the basic transportation needs of the young, the elderly, the handicapped, and individuals without access to an automobile.

2.5.2-5 Large developments shall be encouraged to incorporate transit passenger facilities, bicycle racks, lockers, shower facilities, as well as on-site services (eating, mail, banking, etc.) as ways to reduce vehicle trips.

2.5.3 TRAFFIC SAFETY

OBJECTIVES

A. A safe transportation system that eliminates traffic-related fatalities and reduces non-fatal injury collisions, and provides safe travel for all modes including bicyclists, motorists, pedestrians, and transit uses.

POLICIES AND STANDARDS

2.5.3-1 Support efforts to eliminate traffic fatalities and serious injuries attributable to collisions on City streets including street design that reduces motor vehicle speeds, provides enhanced bikeways and pedestrian paths, and the implementation of safety countermeasures.

2.5.3-2 Maximize the use of site planning techniques to improve traffic safety.

2.5.3-3 Support the installation of roundabouts to enhance safety at key intersections where feasible, including proposed roundabouts at the intersection of El Monte Way with Road 56 and Road 92; and the intersections of Alta Avenue with Nebraska Avenue (completed 2022), Kamm Avenue (scheduled for completion in 2024), and Road 200.

2.5.4 VEHICLE MILES TRAVELED & TRAFFIC REDUCTION

OBJECTIVES

A. A transportation system and land use pattern that reduces vehicle miles traveled (VMT), maximizes the efficiency of the existing street system and minimizes traffic congestion.

POLICIES AND STANDARDS

2.5.4-1 Prioritize infill and mixed-use development, and encourage new development in close proximity to existing employment, housing, schools, commercial centers, and other services and amenities.

2.5.4-2 Encourage employers, including government agencies, to allow telecommuting and flex time and to promote staggered shifts to reduce peak-hour trips.

2.5.4-3 Encourage the development of strategies for maximizing the efficiency of the existing street system.

2.5.5 RAIL SERVICE

OBJECTIVES

A. Continued provision of freight rail service to Dinuba.

POLICIES AND STANDARDS

2.5.5-1 Support efforts to preserve the viability of the rail corridor, by discouraging uses or activities to encroach if they would reduce the efficiency of the rail system.

2.5.6 MULTI-MODAL PARKING

OBJECTIVES

A. Parking provisions for automobiles and bicycles provide efficient access to properties, encourage multi-modal travel and support economic development goals.

POLICIES AND STANDARDS

2.5.6-1 Promote a parking program that meets the needs of each land use type.

2.5.6-2 Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to developments that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged wherever possible.

2.5.6-3 Require the provision of bicycle parking for most new commercial and multi-family development.

2.5.6-4 Support the installation of bicycle parking racks at public and private places of assembly such as parks, schools, office buildings, churches, and retail commercial developments.

2.5.7 TRUCK ROUTES

OBJECTIVES

A. Safe and efficient truck routes into and within the community.

POLICIES AND STANDARDS

2.5.7-1 Truck traffic shall be permitted on the designated arterials and collector streets only; as identified in the Circulation Element Truck Route Map (see Figure 2.5 of the Circulation Element), except where trucks must use local streets to directly access properties.

2.5.7-2 Encourage development of a truck terminal and parking facilities within the industrial park.

Implementation of Circulation Element policies will ensure that new development projects address their project-level impacts to the City's transportation system and that the City's goals for a fully integrated local mobility network that provides for safe and convenient circulation are achieved. This includes implementation of Complete Streets; using a variety of transportation modes; and reductions in VMT. As new development is proposed, the City will require one or more of the following actions: i) Add these projects to those programmed for funding through a development impact fee program, as applicable; ii) Continue to require participation by new development in providing fair-share funding and/or constructing new facilities; and/or iii) Continue to seek and obtain other regional and state funding to ensure that sufficient funds are available to construct roadway improvements.

Intrinsic to the concept of Complete Streets is the preferred metric of VMT for evaluating new development projects and city plans. VMT measures the amount of travel by motor vehicles to and from residences, jobs and other destinations. With a compact land use pattern and a

transportation system that provides improvements for all modes of transportation, the efficiency of the existing street system is increased and correspondingly traffic congestion is minimized.

Rates of VMT are typically the lowest in compact, walkable mixed-use areas. Higher rates of VMT tend to occur in suburban or rural areas with low population densities and longer distances to activity centers. Therefore, efforts to reduce VMT often focus on encouraging infill development. Similarly, SB 743 aims to encourage infill development and a diversity of land uses instead of sprawl, and to promote multi-modal transportation networks that provide efficient access to destinations and improve public health through active transportation. As identified above, the Circulation Element includes objectives and policies that directly relate to VMT. These policies will be applicable to future development in the Planning Area.

As development occurs as proposed under the current Focused GPU, each development will be subject to the requirements and policies of the City's General Plan and Circulation Element as they pertain to transportation. Individual future developments may also be subject to site-specific CEQA and other regulatory review, as determined by the City.

However, improvements identified in the updated Circulation Element and in Mitigation Measure #3.15.1 (from the 2008 EIR) are planned, but not guaranteed, due to funding and other considerations, such as unknown timing of future development. Therefore, the impact associated with the Focused GPU's potential to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system, or conflict with CEQA Guidelines section 15064.3, is significant and unavoidable. The 2008 EIR also determined that the General Plan would have a significant and unavoidable impact on transportation.

Mitigation Measures:

2008 EIR Mitigation Measures

Mitigation Measure #3.15.1: Table 3.15.1-3* indicates the recommended number of travel lanes for each of the road segments analyzed to keep traffic levels-of-service at the City's preferred level-of-service "C". The mitigation measures recommended will permit the City to manage its traffic volumes at Level "C" service.

"Table 3.15.1-3*: Cumulative 2030 Recommended Number of Lanes"

Road	Cumulative 2030
Direction and Segment	Lanes
Nebraska Avenue	
West of Alta Ave.	4
East of Alta Ave.	4
El Monte Way	
Road 56 to Monte Vista Dr.	4
Alta Ave. to Crawford Ave.	6
Kamm Avenue	
West of Alta Ave.	4
East of Alta Ave.	4
Alta Avenue NB	
North of Nebraska Ave.	4
Nebraska Ave. to SR 201	6
Crawford Avenue NB	
North of El Monte Way	4
South of El Monte Way	4

* *Table numbering in this instance is from the 2008 EIR.*

New Mitigation Measures

None.

Impact 3.17-3: *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?OR*

Impact 3.17-4: *Result in inadequate emergency access?*

Less Than Significant Impact. Implementation of the Focused GPU would increase the amount of vehicle traffic, as well as bicycles, pedestrians, and buses, using the circulation system. However, new and upgraded roadways will be designed according to applicable federal, state, and local design standards. As a result, implementation of the Focused GPU would result in a less-than-significant impact related to hazards due to roadway design features or incompatible uses.

In addition, roads and infrastructure improvements would occur to accommodate the new growth. Future projects are not anticipated to remove or impede emergency access. Through consistency and adherence to the proposed Focused GPU goals, objectives and policies implementation of the Focused GPU would have a less than significant impact with regard to this issue.

Cumulative Impacts

The scope for considering cumulative impacts to transportation are the geographic areas covered by the City's General Plan and the Tulare County General Plan. Construction of the individual development projects allowed under the land use designations of the General Plan has the potential to significantly increase impacts to the City's transportation system. Applicable Circulation Element policies will ensure that new development projects address their project-level impacts and that the City's goals for a fully integrated local mobility network that provides for safe and convenient circulation are achieved. However, improvements identified in the updated Circulation Element and in Mitigation Measure #3.15.1 (from the 2008 EIR) are planned, but not guaranteed due to funding and other considerations, such as unknown timing of future development. Therefore, the impact associated with the Focused GPU's potential to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system, or with CEQA Guidelines section 15064.3 is considered significant, unavoidable and cumulatively considerable. This is the same cumulative impact finding as the 2008 EIR.

3.18 Tribal Cultural Resources

This section of the SEIR evaluates the potential impacts to Tribal Cultural Resources (TCRs) associated with implementation of the Dinuba Focused General Plan Update. The City of Dinuba notified applicable Tribes to request consultation on the Project, pursuant to Assembly Bill 52 and Senate Bill 18 as described herein. The Native American Heritage Commission (NAHC) provided a comment letter that outlined the rules and regulations associated with the tribal consultation process.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to Tribal Cultural Resources. The original Dinuba General Plan EIR did not evaluate Tribal Cultural Resources, as the section was introduced into the CEQA Appendix G Checklist after the preparation of the 2008 EIR. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1j(k) or ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria det forth in subdivision (c) of Public Resources	X	

	Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		

Environmental Setting

Natural Environment

The proposed Project would occur at various locations throughout the City of Dinuba, CA and the City's Planning Area. The proposed Focused General Plan Update will focus on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary. There are two focus areas, Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school. Focus Area 2 is located in the eastern part of the City along East El Monte Avenue. Land use changes are also proposed around the Downtown area. The proposed Update would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

The primary surface waters in the vicinity of Dinuba include the Kings River, the Friant-Kern Canal, and the East Branch of the Alta Canal. The Kings River corridor was an important Native American habitation and resource-gathering area, both prehistorically and historically. Several tribes fished for salmon, gathered acorns and other food and fiber resources, held ceremonies, and collected basketry materials along this stretch of the river.

The San Joaquin River is the prominent hydrologic feature that drains the southern half of the Great Valley into San Francisco Bay. The sharp peaks of the Sierra Nevada effectively block moisture moving eastward from the coast, resulting in a higher level of precipitation on the western slopes. Smaller east-west–trending rivers, like the Kings River drain the Sierra Nevada range before converging on the San Joaquin River. The Kings River and its smaller tributaries would have provided habitat for an abundance of food resources such as aquatic plants, fish, beaver, and other animals hunted prehistorically and historically.

Ethnographic Resources

The Plan Area lies within the historic territory of the Yokuts people. Members of the Penutian language family that held all of the Central Valley, San Francisco Bay, and the Pacific Coast from Marin County to Point Sur, the Yokuts were a distinct language grouping in California. The Yokuts held the valley floor from the Tehachapis to Stockton, where they were bordered on the north by the Plains Miwok and on the west by the Saclan (Bay Miwok) and Costanoan, also members of the Penutian family. The Miwok of the foothill linguistic division held the Sierra foothills along the eastern territorial boundary to the Fresno River (Barrett and Gifford 1933). From the Fresno River, south, to the Tehachapis, the Sierra Nevada was the home of members of the Shoshonean linguistic group, with southern territorial limits along the Tehachapis also controlled by Shoshonean people.[1]

In prehistoric times the Petachie, Gashowu, Wakichi and Kechayi of the Yokuts occupied the valley floor on the floodplains and creeks and rivers. Salmon spreaking, acorn gathering and other hunting and gathering activities were conducted throughout the area by various tribes.

The Spanish missions established in the coastal areas in the 1700's served as an early influence for the Valley Indians. In 1833 an epidemic, possibly Malaria, infected the local Indian population and Indian life was further influenced by miners arriving in 1848. Native Americans in the area were involved as laborers in various railroad projects from 1891 through the early 1930's.

Regulatory Setting

Assembly Bill (AB) 52

AB 52, which was approved in September 2014 and became effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if requested by the tribe. A provision of the bill, chaptered in CEQA Section 21086.21, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are:

[1] City of Dinuba General Plan Update Background Report. October 2006. Page 8-6.

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:

    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or

    b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Section 21074 as follows:

a. A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and

b. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

According to AB 52, it is the responsibility of the tribes to formally request of a lead agency that they be notified of projects in the lead agency's jurisdiction so that they may request consultation related to TCRs. The City of Dinuba conducted their required tribal outreach related to the proposed Project in December 2022.

Methodology

In accordance with AB 52 and SB 18, the City of Dinuba sent out letters to tribes identified by the Native American Heritage Commission for the Planning Area. These consist of the following:

- Big Sandy Rancheria of Western Mono Indians
- Wuksache Indian Tribe / Eshom Valley Band
- North Fork Mono Tribe
- Santa Rosa Rancheria Tachi Yokut Tribe
- Tule River Indian Tribe

Native American Heritage Commission

PRC Section 5097.91 established the NAHC, the duties of which include inventorying places of religious or social significance to Native Americans and identifying known graves and cemeteries of Native Americans on private lands. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

Senate Bill (SB) 18

SB 18 (Statutes of 2004, Chapter 905), which went into effect January 1, 2005, requires local governments (city and county) to consult with Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process. The intent is to "provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places" (Governor's Office of Planning and Research, 2005).

The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level, land use designations are made by a local government. The consultation requirements of SB 18 apply to general plan or specific plan processes proposed on or after March 1, 2005.

According to the Tribal Consultation Guidelines: Supplement to General Plan Guidelines (Governor's Office of Planning and Research, 2005), the following are the contact and notification responsibilities of local governments:

- Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the NAHC) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government's jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (Government Code Section 65352.3).
- Prior to the adoption or substantial amendment of a general plan or specific plan, a local government must refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the city or county's jurisdiction. The referral must allow a 45-day comment period (Government Code Section 65352). Notice must be sent regardless of whether prior consultation has taken place. Such notice does not initiate a new consultation process.
- Local government must send a notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (Government Code Section 65092).

Thresholds of Significance

The thresholds of significance for this section are established by the CEQA Checklist Item.

- Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

    iii. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1j(k) or

    iv. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria det forth in

subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Impacts and Mitigation Measures

Impact 3.18-1: *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant. As previously discussed, the City of Dinuba sent out letters to the applicable Tribes notifying them of the proposed Project. According to AB 52, the tribes had 90 days from the receipt of the letter to request consultation with the City of Dinuba. None of the Tribes requested consultation.

As previously discussed in Chapter 3.5 – Cultural Resources, with respect to archaeological resources and human remains that may be present in areas where there would be some ground disturbance, mitigation measures set forth in the section would be implemented to ensure that should resources be encountered, they would be protected from damage. Therefore, while no TCRs are expected to be affected by the proposed project, the mitigation measures set forth in Chapter 3.5 - Cultural Resources, would further ensure that any resources encountered would not be adversely affected.

Based on the above, the proposed project is not expected to result in a substantial adverse change in the significance of TCRs, and this impact is considered ***less than significant***.

Mitigation Measures: None are required.

Cumulative Impacts

Less Than Cumulatively Considerable. The scope for considering cumulative impacts to tribal cultural resources are the geographic areas covered by the Focused General Plan Update as well as the areas designated by the Native American Heritage Commission as having potential to impact TCRs as a result of the Project. As discussed above, the Planning Area is not known to contain any TRCs; however, mitigation is included to reduce any potential impacts to Tribal Resources. As such, cumulative impacts are considered ***less than cumulatively considerable***.

3.19 Utilities and Service Systems

This section of the SEIR examines visual resources in the proposed Project vicinity and potential impacts the Project may have on utilities and service systems. No NOP comment letters were received pertaining to this topic.

Determination of Adequacy of 2008 EIR

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to utilities and service systems. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 EIR Analysis Sufficient?
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		X
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		X
c. 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?		X
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?		X
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?		X

The proposed Project would occur at various locations throughout the City of Dinuba, CA and the City's Planning Area. The proposed Focused General Plan Update will focus on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary. There are two focus areas, Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school. Focus Area 2 is located in the eastern part of the City along East El Monte Avenue. Land use changes are also proposed around the Downtown area. The proposed Update would result in a net increase of 286.5 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 45.6 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

The original Dinuba General Plan Draft and Final EIR (2008 EIR), was certified by the City in October 2008. The 2008 EIR evaluated potential impacts to utilities and service systems associated with buildout of the City's 2006 – 2026 General Plan. The 2008 EIR determined that the 2006 – 2026 General Plan would have less than significant impacts on utilities and service systems (Chapter Three, page 3-50 of the 2008 EIR).[1] There were no mitigation measures included in the 2008 EIR, however, the 2006 – 2026 General Plan was self-mitigating in that it contains policies that require developments to reduce impacts associated with utilities and service systems.

As described in Section 3.14 (Population & Housing), the potential growth resulting from the Focused GPU is within the growth assumptions of the City's planning documents, including the City's General Plan and Urban Water Management Plan. When future development occurs as proposed under the Focused GPU, each development will be subject to the requirements and policies of the City's General Plan as they pertain to utilities and service systems, including payment of facilities impact fees for increase in use of utilities and service systems. Individual future developments may also be subject to site-specific CEQA review, as determined by the City. It should be noted that the Focused GPU does not change the amount of land currently within the City's Planning Area Boundary. Rather, it is proposing certain land use designation changes to existing acreage. As such, the environmental impacts are determined to be similar to what was analyzed in the 2008 EIR. Therefore, the impact remains less than significant.

[1] Ch. 3.8 Hydrology and Water Quality, City of Dinuba General Plan Update 2006-2026 Draft Environmental Impact Report. Pg 3-150. Accessed May 2023.

Mitigation Measures:

2008 EIR Mitigation Measures

None.

New Mitigation Measures

None.

Cumulative Impacts

The scope for considering cumulative impacts to public services is the land area covered by the City's General Plan, including areas within the Planning Area. As described above, buildout of the Focused GPU would result in less than significant impacts to utilities and service systems. Future development will be required to mitigate its impacts to these services by payment of fees or equivalent in-lieu as determined by the City. As future development occurs within the General Plan area, the City will review projects on a case-by-case basis to determine potential future impacts on utilities and service systems. Compliance with the City's General Plan policies and procedures, as well as payment of impact fees (or in-lieu equivalent) will ensure that future developments do not exceed the City's ability to provide these services. As such, cumulative impacts to public services would be ***less than cumulatively considerable.***

3.20 Wildfire

This section of the DEIR addresses the potential for the proposed Project to exacerbate wildfire risks. Additionally, the potential impacts related to exposure to wildfire, including smoke and subsequent flooding and runoff, are assessed in this section. No NOP comment letters were received pertaining to this topic.

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City Planning Area boundaries. As a result of these proposed land use changes, additional information is being provided herein regarding impacts to energy resources. The original 2008 Dinuba General Plan EIR did not evaluate impacts associated with wildfires, as the section was introduced into the CEQA Appendix G Checklist after the adoption of the 2008 EIR. Therefore, the following determinations are made:

Topic	Further Analysis Required?	2008 FEIR Analysis Sufficient?
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	X	
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	X	
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	X	
d. Expose people or structures to significant risks, including downslope instability, or drainage changes?	X	

Environmental Setting

A wildfire is an uncontrolled fire in an area of combustible vegetation that is generally extensive in size. Wildfires differ from other fires in that they take place outdoors in areas of grassland, woodlands, brush land, scrubland, peatland, and other wooded areas that act as a source of fuel, or combustible material. Buildings may become involved if a wildfire spreads to adjacent communities. The primary factors that increase an area's susceptibility to wildfire include topography, fuel (vegetation type), and weather.[1] These factors, as they exist and occur relative to the Project area are described below.

- **Topography**. According to the U.S Forest Service, fires burn faster uphill than downhill because the fuels above the fire are brought into closer contact with upward moving flames. The steeper the slope, the faster the fire burns. Additionally, steep slopes may hinder firefighting efforts. Following severe wildfires, sloping land is also more susceptible to landslide or flooding from increased runoff during substantial precipitation events. The proposed Project area is located on the Valley floor, approximately 12 miles north of the City of Visalia and topography in the area is nearly flat.

- **Fuel.** Fuel is any combustible material. Wildland fuels are live and/or dead plant material. These vary from one area of the country to another within the ecosystem; however, they are grouped into four major types based on the primary fuel that carries the fire. These are grasses, shrubs, timber litter and logging slash. Timber litter and logging slash are exclusively associated with forested areas, while grasses and shrubs are found in most ecosystems. There are no forestry resources in the Project area, therefore, timber litter and logging slash are not factors as wildland fuels.

- **Weather.** Wind, temperature, and relative humidity are the most influential weather elements in fire behavior and susceptibility. Fire moves more quickly under hot, dry, and windy conditions. Wind may also blow burning embers ahead of a fire, causing its spread. Drought conditions also lead to extended periods of excessively dry vegetation, increasing the fuel load and ignition potential. The climate of the Dinuba area is described as Mediterranean, which is typified by hot, dry summers and mild winters. According to the General Plan Background Report, as of 2006, average monthly temperatures include a high of 99.0° F and a low of 62.0° F in July and a high of 55.0° F and a low of 37.0° F in

[1] U.S. Forest Service. Fire Management Study Unit. https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsm9_028958.pdf. Page 3. Accessed April 2023.

January. It is not uncommon for maximum temperatures to exceed 100 degrees during the summer months; nor for temperatures to drop below freezing in the winter. The highest temperature ever recorded in Dinuba was 115° F in July of 1931. The lowest temperature of record was 18° F in January of 1937. Average rainfall measured at Dinuba is 12.27 inches per year. Approximately 90 percent of all rainfall in Dinuba occurs between November and April.[2] May through September are the driest parts of the year and coincide with what has traditionally been considered the fire season in California. However, increasingly persistent drought and climatic changes in California have resulted in drier winters and fires during the autumn, winter, and spring months are becoming more common. Winds are predominantly up-valley (from the north) in all seasons, but more so in the summer and spring months. Winds in the fall and winter are generally lighter and more variable in direction but generally blow towards the south and southeast.[3]

Wildfire Hazards

In California, responsibility for wildfire prevention and suppression is shared by federal, state, and local agencies. Federal agencies are responsible for federal lands in Federal Responsibility Areas. The State of California has determined that some non-federal lands in unincorporated areas with watershed value are of statewide interest and have classified those lands as State Responsibility Areas (SRA), which are managed by CAL FIRE. All incorporated areas and other unincorporated lands are classified as Local Responsibility Areas (LRA). While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather and other relevant factors (Public Resources Code [PRC] 4201-4204 and California Government Code 51175-89). As described above, the primary factors that increase an area's susceptibility to fire hazards include slope, vegetation type and condition, and atmospheric conditions. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones (FHSZ). CAL FIRE maps three zones on SRA: 1) Moderate Fire Hazard Severity Zones; 2) High Fire Hazard Severity Zones; and 3) Very High Fire Hazard Severity Zones. Only the Very High FHSZ are mapped on for LRA. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. Under state regulations, areas within very high fire hazard risk zones must comply with specific building and vegetation management requirements intended to reduce property damage and loss

[2] Climate and Air Quality, City of Dinuba General Plan Update Background Report. page 9-18.

[3] Ibid, page 9-23.

of life within these areas. According to LRA mapping, no land within the City of Dinuba is designated as a Fire Hazard Severity Zone. Additionally, the nearest SRA mapped land is on the foothills east of the City of Orosi (designated as Moderate FHSZ to High FHSZ), approximately 7 miles to the east of the site at its nearest point.[4]

Regulatory Setting

Federal Regulations

The Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 requires a State mitigation plan as a condition of disaster assistance. There are two different levels of State disaster plans: "Standard" and "Enhanced." States that develop an approved Enhanced State Plan can increase the amount of funding available through the Hazard Mitigation Grant Program. The Act has also established new requirements for local mitigation plans.

National Fire Plan

The National Fire Plan was developed under Executive Order 11246 in August 2000, following a historic wildland fire season. Its intent is to establish plans for active response to severe wildland fires and their impacts to communities while ensuring sufficient firefighting capacity. The plan addresses firefighting, rehabilitation, hazardous fuels reduction, community assistance, and accountability.

State Regulations and Policies

The California Fire Plan

The Strategic Fire Plan for California is the State's road map for reducing the risk of wildfire. The most recent version of the Plan was finalized in August 2018 and directs each CAL FIRE Unit to prepare a locally specific Fire Management Plan. In compliance with the California Fire Plan, individual CAL FIRE units are required to develop Fire Management Plans for their areas of responsibility. These documents assess the fire situation within each of the 21 CAL FIRE units and six contract counties. The plans include stakeholder contributions and priorities and identify

[4] FHSZ Viewer, Office of the State Fire Marshal, CAL FIRE. https://egis.fire.ca.gov/FHSZ/ Accessed April 2023.

strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire problem.[5]

In January 2021, the California Governor's Forest Management Task Force issued the Wildfire and Forest Resilience Action Plan, a comprehensive action plan to reduce wildfire risk for vulnerable communities, improve the health of forests and wildlands and accelerate action to combat climate change. The Plan sets a broadly supported strategy to increase the pace and scale of forest and wildland management to meet the state's target of completing projects on 500,000 acres annually by 2025 and expanding the use of prescribed fire, particularly on state-owned lands. The plan calls for achieving these goals largely through regional strategies tailored to the environmental conditions, risks, and priorities in each area. The plan also centers on building a large network of fuel breaks around vulnerable communities, expanding home hardening, defensible space, and preparedness planning to create wildfire-adapted communities, and sustaining the economic vitality of rural forested areas.[6]

California Office of Emergency Services

The California Office of Emergency Services (OES) prepares the State of California Multi-Hazard Mitigation Plan (SHMP). The SHMP identifies hazard risks and includes a vulnerability analysis and a hazard mitigation strategy. The SHMP is federally required under the Disaster Mitigation Act of 2000 in order for the State to receive Federal funding. The Disaster Mitigation Act of 2000 requires a State mitigation plan as a condition of disaster assistance.

California Fire Code

The 2016 Fire Code establishes the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety, and general welfare for the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. The provisions of this code apply to some construction, alteration, movement enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of buildings or structures or any appurtenances connected or attached to such building structures throughout California. The 2016 Fire Code has been updated to the

[5] California Department of Forestry and Fire Protection. 2018 Strategic Fire Plan for California. https://osfm.fire.ca.gov/media/5590/2018-strategic-fire-plan-approved-08_22_18.pdf. Accessed April 2023.

[6] California's Wildfire and Forest Resilience Action Plan, Governor's Forest Management Task Force. https://wildfiretaskforce.org/wp-content/uploads/2022/04/californiawildfireandforestresilienceactionplan.pdf. Accessed April 2023.

2019 Fire Code and will go into effect January 1, 2020. The code update is fully integrated and based on the 2018 International Fire Code.

Local Regulations

City of Dinuba and Tulare County Fire Departments

The City of Dinuba Fire Department provides fire protection services to a 3.5 square-mile area that includes all areas within City limits. Also, through a mutual aid agreement with the Tulare County Fire Department/California Division of Forestry (County-CDF), the Dinuba Fire Department responds automatically (i.e., without County-CDF request) to calls for service immediately outside City limits. In addition, the two fire departments (City and County-CDF), along with the fire departments of the cities of Kings and Tulare Counties, maintain mutual aid agreements whereby secondary fire service response would be provided upon request.[7]

Thresholds of Significance

In accordance with Appendix G to the State CEQA Guidelines, the project would have a significant impact on land use as follows:

- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:
    - Substantially impair an adopted emergency response plan or emergency evacuation plan?
    - Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
    - Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

[7] Ch 7 – Public Facilities and Services, City of Dinuba General Plan Update Background Report, page 1-75.

- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Impacts and Mitigation Measures

Impact 3.20-1: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: Substantially impair an adopted emergency response plan or emergency evacuation plan? OR Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? OR Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? OR Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Less Than Significant. The original Dinuba General Plan Draft and Final EIR was certified by the City in October 2008. The 2008 EIR did not evaluate potential impacts to wildfires independently as the section was introduced into the CEQA Appendix G Checklist after the adoption of the EIR.

As described in Chapter Two – Project Description, the City is proposing various land use designation changes in different areas of the City. These changes will occur within existing City planning area boundaries. According to LRA mapping, no land within the City of Dinuba is designated as a Fire Hazard Severity Zone. Additionally, the nearest SRA mapped land is on the foothills east of the City of Orosi (designated as Moderate FHSZ to High FHSZ), approximately 7 miles to the east of the site at its nearest point.[8] The City lies on the Valley floor and is surrounded by active agriculture, in various stages of production. Impacts associated with implementation of the General Plan and reasonably foreseeable development expected to occur under full GPU buildout would be less than significant related to wildfires given the distance of the Dinuba SOI from the State Responsibility Area and the State's Very High Fire Hazards Severity Zone and the intervening land uses between them.

[8] FHSZ Viewer, Office of the State Fire Marshal, CAL FIRE. https://egis.fire.ca.gov/FHSZ/ Accessed April 2023.

In addition, development under the General Plan would require consistency with the goals, objectives and action plans of the General Plan. Adherence to these goals, objectives and actions plans of the General Plan (listed below) would ensure that potential impacts from wildfires remain less than significant.

City of Dinuba General Plan – Section 8.0 Safety Element

8.1 The City of Dinuba will maintain an on-going active program designed to eliminate unfit, unhealthy, dangerous, structurally unsafe and fire hazardous housing units which are in such condition as to be reasonably beyond repair or rehabilitation. All departments or agencies having knowledge of such units or the vacancy of such units should notify the appropriate or concerned agencies.

8.6 The City of Dinuba, through the land use planning process and Development Department programs, shall require structures such as nursing homes, housing for the elderly, and other housing for the mentally and physically infirm to locate within reasonable distance (less than one mile) from fire stations and other emergency service providers.

8.8 Encourage the installation of a system of heat and/or smoke detection devices and encourage a sprinkler system and other fire suppression equipment including fire hoses and water storage tanks or fire hydrants for all structures that exceed 5,000 square feet in floor area for the following facilities:

a. Critical facilities (public buildings).

b. Permanent industrial facilities employing ten or more people on a year-round basis.

c. Housing for the elderly, children and mentally infirm.

d. Nursing homes and hospitals.

e. Structures where large amounts of chemicals or fuels are known to be stored and are considered to be significantly dangerous by the Fire Chief.

f. Any structure as required by the Fire Chief or other legislation.

8.10 Encourage fire alarm systems, as referred to in this Element, to be tied directly and automatically to the Tulare County Fire alarm receiving center. This would apply to private companies that wish to have better protection as well as public buildings and other structures where the Fire Chief and/or the Building Official deem it necessary to have such protection.

8.11 Encourage fire and law enforcement departments to periodically conduct joint training exercises with the goal of developing the best possible coordinated action in fire suppression and crowd control.

8.14 Work to reduce the possibilities of fire, flood and seismic disasters so that the objectives of the Insurance Services Office can be adequately met.

8.15 The City of Dinuba shall continue to coordinate a public education program in order to foster public awareness of fire hazards with the intention of reducing injury and loss of life, damage to property and degradation of the natural environment, particularly in conjunction with the public school system and "critical facility" personnel.

8.16 Carry out regular education programs through the public and private schools, the libraries, police and fire departments, news media, civic organizations, and through various related City departments.

8.20 The City of Dinuba shall require weed abatement programs in order to promote fire safety.

8.22 The City will continue to collect and keep fire data in a form that combines the following:

a. Number of fires by activity and area.

b. Number of users in the activity.

c. Number of fires by ignition index in State responsibility areas.

8.23 Damages and costs per fire should be computed and complied by burn index and activity.

8.24 It is recommended that the City Fire Chief maintain statistical information in a form that can be geographically indexed for cost-benefit analysis by the City Council.

8.25 As part of the planning process, consideration shall be given to potential fire hazard. The Fire Chief may make recommendations regarding risk of hazard associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.

8.28 The City of Dinuba will encourage the enlistment of the aid of courts, prosecuting attorneys, and the general public to make present laws more effective in dealing with the problems of illegal use of fire and fire causing practices.

8.34 Development proposals shall take into consideration required fire standards, particularly in regard to critical facilities.

8.36 The City's Fire services response goal shall be five minutes from "tone-out" to arrival on scene.

8.38 It is the policy of the City to maintain adequate street width and connectivity in the circulation system to enable prompt response and emergency access. Street widths shall conform to the State fire code which requires 20-feet of clear travel way on public roads or fire lanes. Development shall also conform with the following connectivity guidelines:

a. Access to arterials, collectors or minor collectors should be provided at least every 500 feet.

b. Provide at least 250 street intersections per square mile to ensure a grid network of connectivity. Pedestrian cul-de-sac connections to public streets shall be counted as intersections if accessible by emergency vehicles.

Implementation of these policies will further ensure that impacts remain ***less than significant.***

Mitigation Measures: None are required.

Cumulative Impacts

Less Than Cumulatively Considerable. The cumulative impact area is the City's Planning Area and areas immediately surrounding the City. As discussed above, the topography in the Planning Area is nearly flat with the nearest State Responsibility Area approximately seven miles east of the Project area at its nearest point. The City lies on the Valley floor and is surrounded by active agriculture, in various stages of production, which precludes likelihood of wildfires within the Planning Area. Cumulative impacts related to wildfires is ***less than cumulatively considerable***.

Chapter 4

ALTERNATIVES

PROJECT ALTERNATIVES

4.1 Introduction

CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed Project that could feasibly attain most of the objectives of the proposed Project. The Guidelines further require that the discussion focus on alternatives capable of eliminating significant adverse impacts of the project or reducing them to a less-than significant level, even if the alternative would not fully attain the project objectives or would be more costly. According to CEQA Guidelines, the range of alternatives required in an EIR is governed by the "rule of reason" that requires an EIR to evaluate only those alternatives necessary to permit a reasoned choice. An EIR need not consider alternatives that have effects that cannot be reasonably ascertained and/or are remote and speculative.

The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

CEQA Guidelines §15126.6(e) identifies the requirements for the "No Project" alternative. The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (see Section 15125).

Alternative locations can also be evaluated if there are feasible locations available. Each alternative is evaluated against the Project objectives and criteria established by the Lead Agency.

4.2 Project Objectives

A broad set of guiding objectives of the Focused General Plan Update carried over from the previous General Plan Update are as follows:

The objective of the Focused General Plan Update is to provide direction for future development within the City over the next 20+ years. The Focused General Plan Update will allow the City to comply with State general plan law, which requires a jurisdiction to periodically update its general plan to reflect current and projected development conditions. Specific Project objectives include the following:

1. Achievement of the General Plan goals and objectives, as noted in each element thereof.
2. Provide for moderate, planned growth, which is in conformance with community objectives.
3. Maintain a compact and contiguous form of development.
4. Develop a set of internally consistent development policies, and eliminate any inconsistencies between existing planning policies and regulations.
5. Provide for employment opportunities and a diverse local economy.
6. Provide for high quality City services and delivery that is responsive to the citizens

4.3 Alternatives Considered in this SEIR

The City's previous 2008 General Plan EIR provided an analysis of Project Alternatives (refer to pages 4-1 through 4-11 of the 2008 EIR) which are carried over to this SEIR. The Alternatives are summarized as follows:

- **No Project Alternative:** Under this Alternative, the General Plan Update would not be adopted and the City would continue to develop under its existing General Plan.
- **Reduced Project Area Alternative:** Under this Alternative, the General Plan elements and policies would be updated, however, growth would be restricted to a smaller area. This alternative was considered feasible because the City could grow at a slower pace than expected.
- **Concentrated Growth Alternative:** Under this Alternative, the total amount of new development would be similar to that allowed under the General Plan Update, but

residential densities would be increased in and around existing developed areas, leaving more land designated as greenbelt, agriculture or urban reserve.

Alternatives Rejected

According to the CEQA Guidelines, two primary provisions are necessary for an adequate alternative site analysis – feasibility and location. The SEIR should consider alternate project locations if a significant project impact could be avoided or substantially lessened by moving the project to an alternate site. An alternative site for the proposed Project would not be feasible because the Project consists of the update of the City of Dinuba's General Plan. The Project is, by definition, located in and around the City of Dinuba. Since the Project consists of a plan update for a specific area, an alternative location for this Project is not feasible. A discussion of an infeasible alternative site would not meet the "rule of reason" under CEQA and this alternative was eliminated from further consideration in this SEIR.

Analysis of Alternatives

No Project Alternative

CEQA Section 15126.6(e) requires the discussion of the No Project Alternative "to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." The No Project scenario in this case consists of not adopting the Focused General Plan Update while continuing to utilize the City's existing General Plan. Under this alternative, all land use designation or policy changes will not occur and development will continue to be governed by the existing General Plan.

Environmental Considerations

Since the Focused General Plan Update does not change the amount of land within the City's Planning Area (it only results in changes to existing land use designations), the affected parcels could still theoretically be developed based on their existing land use designations. Therefore, it is likely that environmental impacts would be similar to the proposed Project because development could potentially occur either way (with or without the Focused General Plan Update). If the Update is not adopted, the existing underlying land use designations would continue to apply and development could theoretically proceed (assuming individual project-by-project review by the City). Refer to Table 4-1 for a generalized comparative assessment of potential environmental impacts of the No-Project Alternative as compared to the proposed

Project. The No-Project Alternative could meet some, but not all of the objectives of the proposed Project that were discussed earlier in this chapter.

Reduced Project Area Alternative

The Reduced Project Area Alternative would update the General Plan elements but would restrict growth to a smaller area. This Alternative was considered feasible because the City could grow at a slower pace than expected. Agricultural resources would still be converted to urban uses but at a slower rate. Alternative transportation options would be developed and traffic circulation improvements would be in concert with restricted growth. However, reduced developer fees (due to restricted growth) may delay the implementation of those improvements.

Environmental Considerations

Since the Focused General Plan Update does not change the amount of land within the City's Planning Area (it only results in changes to existing land use designations), the affected parcels could still theoretically be developed based on their existing land use designations. However, under this Alternative, a smaller (potential) development area would result in fewer impacts to areas that could theoretically otherwise be developed under the proposed Project.

Therefore, it is likely that environmental impacts would be less than the proposed Project because of a reduced project area. Refer to Table 4-1 for a generalized comparative assessment of potential environmental impacts of the Reduced Project Area Alternative as compared to the proposed Project. The Reduced Project Area Alternative could meet some, but not all of the objectives of the proposed Project that were discussed earlier in this chapter.

Concentrated Growth Alternative

Under this alternative, the total amount of new development would be similar to that allowed under the General Plan Update but residential densities would be increased in and around existing developed areas, leaving more land designated as greenbelt, agriculture or urban reserve.

Environmental Considerations

Since this Alternative would concentrate residential growth around existing developed areas, there would likely be less impacts to agricultural lands and vacant/undeveloped lands around

the outer areas of the City's Planning Area. However, concentrating growth within the City could compound traffic and transportation issues.

Therefore, it is likely that environmental impacts would be less than the proposed Project because of the concentrated residential growth and the reduced impacts to agriculture. Refer to Table 4-1 for a generalized comparative assessment of potential environmental impacts of the Reduced Project Area Alternative as compared to the proposed Project. The Concentrated Growth Alternative could meet some, but not all of the objectives of the proposed Project that were discussed earlier in this chapter.

4.4 Summary of Potential Impacts of Alternatives

Table 4-1 is a generalized comparative assessment of potential environmental impacts of the Alternatives as compared to the proposed Project. This is a similar finding to the City's 2008 General Plan EIR.

Table 4-1
Alternatives Potential Impact Analysis

Environmental Issues	No Project / Existing Designations	Reduced Project Area	Concentrated Growth
Aesthetics	Similar	Reduced	Reduced
Agriculture / Forest Resources	Similar	Reduced	Reduced
Air Quality	Similar	Reduced	Similar
Biological Resources	Similar	Reduced	Reduced
Cultural Resources	Similar	Reduced	Reduced
Energy	Similar	Reduced	Similar
Geology and Soils	Similar	Reduced	Reduced
Greenhouse Gas Emissions	Similar	Reduced	Similar
Hazards and Hazardous Materials	Similar	Reduced	Similar

Environmental Issues	No Project / Existing Designations	Reduced Project Area	Concentrated Growth
Hydrology and Water Quality	Similar	Reduced	Similar
Land Use / Planning	Similar	Reduced	Increased
Mineral Resources	Similar	Reduced	Reduced
Noise	Similar	Reduced	Similar
Population / Housing	Similar	Reduced	Similar
Public Services	Similar	Reduced	Similar
Recreation	Similar	Reduced	Similar
Transportation and Traffic	Similar	Similar	Increased
Tribal Cultural Resources	Similar	Reduced	Reduced
Utilities and Service Systems	Similar	Reduced	Similar
Wildfire	Similar	Reduced	Reduced
Impact Reduction	No	Yes	Yes

Environmentally Superior Alternative

Based on a review of the alternatives evaluated in this chapter, the Reduced Project Area Alternative would result in the fewest impacts on the environment. However, the Reduced Project Alternative would not fully meet the City's objectives, as identified in this chapter (specifically, Objectives 1, 2 and 4). This Alternative would also require amendments to the City's existing General Plan in order to reduce the amount of land available for development.

Summary and Determination

Only the Reduced Project Area and Concentrated Growth Alternatives could potentially result in fewer impacts than the proposed Project's impacts. These alternatives however, would not meet the objectives of the proposed Project. After this full, substantial, and deliberate analysis, the proposed Project remains the preferred alternative.

Chapter 5

OTHER CEQA CONSIDERATIONS

CEQA CONSIDERATIONS

5.1 Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires than at EIR evaluate the growth-inducing impacts of a proposed action. A growth-inducing impacts is defined by the CEQA Guidelines as:

> *The way in which a proposed project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth… it is not assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.*

Based on the State CEQA Guidelines, growth inducement is any growth that exceeds planned growth of an area and results in new development that would not have taken place without implementation of the Proejct. A project can have direct and/or indirect growth inducement potential. Direct growth inducement would result if a project, for example, involved construction of new housing. A project would have indirect growth inducement potential if it established substantial new permanent employment opportunities or if it would involve a construction effort with substantial short-term employment opportunities wthat would indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, a project would indirectly induce growth if it would remove an obstacle to additionagrowth and development, such as removing a constraint on a required public service. A project tproviding an increased water supply in an area where water service historically limited growth could be considered growth-inducing.

The State Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. These indirect impacts or secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of agricultural and open space land to developed uses.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service. The discussion of growth inducing impacts in this chapter is in addition to the analysis and

evaluation contained in Chapters 3 of this EIR. A general plan update is by nature a growth-inducing project to the extent that a general plan update is designed to accommodate new economic and/or population growth anticipated by the City. The proposed Focused GPU is growth inducing in that it includes new land use designations within the City's Planning Area boundary. New economic development and new housing development would occur in response to the City's anticipation that its population will continue to grow.

The growth inducement that would be enabled by the proposed project would lead to significant direct and significant indirect effects on the environment, including having **significant and unavoidable growth-inducing impacts.** These are described in Section 3.0, Environmental Setting, Analysis and Mitigation Measures. Many of the significant impacts of the project would be avoided or lessened with the implementation of proposed General Plan policies, including policies related to growth management, and by implementation of mitigation measures. Hence, by design, the proposed project reduces the most of the impacts of the growth it would induce. Those impacts that cannot be reduced to a less than significant level are described below in Section 5.3, Significant and Unavoidable Impacts.

5.2 Significant Irreversible Environmental Changes

CEQA requires that EIRs prepared for the adoption of a plan, policy, or ordinance of a public agency must include a discussion of significant irreversible environmental changes as a result of project implementation. State CEQA Guidelines Section 15126.2(c) describes irreversible environmental changes as:

> *"Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

Consumption of nonrenewable resources refers to the loss of physical features within the natural environment, including the conversion of open space, sensitive habitats, and nonrenewable energy use. The proposed Focused GPU includes a variety of Goals, Objectives and Policies, which would preserve open space areas and other natural resources in the region including local waterways and, as a result, will minimize the potential for impacts to the nonrenewable resources, including biological resources, open spaces, and waterways.

Non-renewable and slowly renewable resources such as electricity, natural gas, propane, gasoline, diesel, oil, sand, gravel, asphalt and concrete, steel, copper, lead and water would be consumed during the construction and operation of development allowed under the General Plan.

Future development and infrastructure projects consistent with the proposed project will physically change the environment in terms of aesthetics, air emission, noise, traffic, open space, and natural resources as discussed in Chapters 3.1 through 3.20. While these physical changes may not necessarily be individually significant, these physical changes are irreversible after development occurs. Therefore, the proposed Focused GPU would allow irreversible changes within the City that would involve permanent commitment of resources, including land and energy.

In summary, implementation of the proposed project would result in a commitment of land uses designated for the foreseeable future. Land use and development consistent with the General Plan would result in irretrievable commitments by introducing development onto sites that are presently undeveloped. The conversion of undeveloped lands including open space areas to urban uses would result in an irretrievable loss of open space land, and potential wildlife habitat. Additionally, development will physically change the environment in terms of aesthetics, air emission, noise, traffic, and open space. These physical changes are irreversible after development occurs. Therefore, the proposed General Plan would result in changes in land use within the Planning Area that would commit future generations to these uses.

The General Plan includes an extensive policy framework that is designed to address land use and environmental issues to the greatest extent feasible, while allowing growth and economic development for the City. However, even with the policies that will serve to reduce potential significant impacts, the proposed General Plan will result in significant irreversible changes. This impact is considered a **significant and unavoidable** impact under CEQA.

5.3 Significant and Unavoidable Impacts

A significant adverse unavoidable environmental impact is a significant adverse impact that cannot be reduced to a less than significant level through the implementation of mitigation measures. CEQA Guidelines Section 15093 requires that a lead agency make findings of overriding considerations for unavoidable significant adverse environmental impacts before approving a project.

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance.

As described in Chapter Three, it was determined that all impacts were either less than significant, or could be mitigated to a less than significant level with the exception of the following impacts:

- Agriculture - loss of farmland (Project and cumulative level)
- Air Quality – exceed criteria pollutant thresholds (Project and cumulative level)
- Greenhouse Gas Emissions – exceed GHG thresholds (Project and cumulative level)
- Hydrology – water supply (Cumulative level)
- Transportation – conflict with Plan (Project and Cumulative level)

5.4 Substantial Adverse Effects on Fish, Wildlife, and Plant Species

As described throughout the analysis in the SEIR, the proposed Focused GPU would not result in any significant impacts that would substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal to the environment. As described in greater detail in Section 3.4 (Biological Resources) any potentially significant impacts related to plant and animal species would be reduced to a less than significant level through mitigation measures and policies provided in the City's General Plan as well as through adherence to state and federal regulations. Therefore, this is considered a **less than significant** impact.

5.5 Substantial Adverse Effects on Human Beings

As described throughout the analysis of this SEIR, the proposed Focused GPU reduces environmental effects including effects that directly and indirectly impact humans through implementation of Goals, Objectives and Policies provided in the City's General Plan. However, several environmental impacts would still be considered significant and unavoidable (listed above in Section 5.3). These impacts could cause substantial adverse effects on humans and the way humans interact with their environment. Therefore, this is considered a **significant and unavoidable** impact.

PREPARERS

6.1 List of Preparers

Crawford & Bowen Planning, Inc. (EIR Consultants)

- Travis Crawford, AICP, Principal Environmental Planner
- Emily Bowen, LEED AP, Principal Environmental Planner
- Deepesh Tourani, Associate Environmental Planner

RRM Design Group

Land Use Element

GHD

Circulation Element

APPENDICES

Appendix A

NOP & Comment Letters

Notice of Preparation of a Draft Subsequent Environmental Impact Report

Date: February 02, 2023

To: Responsible Agencies, Interested Parties and Organizations

Subject: Notice of Preparation of a Subsequent Environmental Impact Report for the City of Dinuba Focused General Plan Update (State Clearinghouse #2006091107)

Lead Agency: City of Dinuba

Contact: Karl Schoettler, City Planner
City of Dinuba
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Notice is Hereby Given: The City of Dinuba (City) is the Lead Agency on the below-described Focused General Plan Update (Project) and has prepared a Notice of Preparation (NOP) of a Subsequent Environmental Impact Report (Subsequent EIR), pursuant to the California Environmental Quality Act (CEQA). The NOP is intended to disclose environmental information and to solicit the views of the public, interested parties, and/or agencies as to the scope and content of the environmental information which is germane to you or your agency's statutory responsibilities in connection with the proposed project. Specifically, the City is requesting that commenters provide comments on the NOP, identify additional environmental topics (and/or special studies) that they believe need to be explored in the forthcoming Subsequent EIR, and to identify other relevant environmental issues related to the scope and content of the forthcoming Subsequent EIR.

Project Title: City of Dinuba Focused General Plan Update

Project Background: The City of Dinuba last updated its General Plan in 2008 and certified the corresponding *City of Dinuba General Plan Update 2006-2026 Environmental Impact Report* (State Clearinghouse #2006091107) on October 1, 2008. In 2021, the City of Dinuba began the process of preparing a Focused General Plan Update to the City's Land Use and Circulation Elements of the General Plan. The main objectives of the Focused General Plan Update are to:

- Provide new residential areas around the area of the proposed high school at the corner of Kamm and Alta Avenues.
- Review policies that encourage more mixed-uses (commercial and residential) in the downtown core and other commercial areas of the community.
- Pursue recommended zoning changes to allow a combination of residential and commercial areas in the East El Monte Way area.
- Prepare an Environmental Justice section that includes new goals, policies, and programs that promote equitable environmental health for all communities.

To guide the development of the Focused General Plan Update, the City's consultants conducted a survey through an on-line questionnaire, and engaged in stakeholder interviews with members of the

community. This input was used to determine proposed land use changes at various locations throughout the City and within specific focus areas. These proposed land use changes are described in the subsection titled "Project Description" herein. The proposed Focused General Plan Update is subject to CEQA. This NOP is the first step in the CEQA process to evaluate the Focused General Plan Update.

Project Location: The proposed Project would occur at various locations throughout the City of Dinuba, CA as shown in Figure 1 – Location of Land Use Designation Changes (Citywide). In addition, there are two focus areas. Focus Area 1 is located in the southwest part of the City's Sphere of Influence around the proposed new high school (See Figure 2 – Detail of Focus Area 1). Focus Area 2 is located in the eastern part of the City along East El Monte Avenue (See Figure 3 – Detail of Focus Area 2). The proposed land use changes around the Downtown area are shown in Figure 4 – Detail of Downtown Area).

Project Description: The City of Dinuba is proposing a Focused General Plan Update with various land use designation changes in multiple areas of the City including the southwest part of the City's Sphere of Influence around the proposed new High School, in the Downtown area, and several other locations such as the East El Monte Area. The focus of the General Plan Update will be on the Land Use and Circulation Elements, with other elements reviewed and updated as necessary.

A summary of the proposed land use designation changes is provided in Table 1. It should be noted that the proposed Focused General Plan Update does not change the amount of land currently within the City's Planning Area Boundary. Rather, the Project is proposing certain land use designation changes to existing acreage. Based on the proposed changes shown in Table 1, the Project would result in a net increase of 304.8 acres of land designated for Residential and 151.8 acres of land designated for Urban Reserve. The Project would result in a net decrease of 125.8 acres of land designated for Commercial, 80.2 acres of land designated Professional Office, 249.5 acres of land designated for Light Industrial, 71.5 acres of land designated for Public/Semi-Public, and 1.9 acres of land designated for Road ROW.

Table 1: Summary of Proposed Land Use Changes (Citywide)

Land Use	Acres Existing	Acres Proposed	Acres CHANGE
UR – Urban Reserve	0.0	151.8	**+151.8**
LR – Residential Low	75.9	40.2	**(-35.7)**
MLR – Residential Medium Low	56.3	40.2	**(-16.1)**
MR – Residential Medium	214.8	512.0	**+297.2**
MHR – Residential Medium High	42.9	92.4	**+49.5**
HR – Residential High	0.0	9.9	**+9.9**
Subtotal Residential:	**389.9**	**846.5**	
GC – Commercial General	52.2	11.4	**(-40.8)**
CC – Commercial Community	54.4	47.6	**(-6.8)**
NC – Commercial Neighborhood	0.0	2.0	**+2.0**
PO – Professional Office	80.8	0.6	**(-80.2)**
LI – Light Industrial	600.6	351.1	**(-249.5)**
P – Public/Semi – Public	258.0	186.5	**(-71.5)**
PB – Park/Ponding Basin	25.3	17.4	**(-7.9)**
Road ROW (as shown on map)	35.4	33.5	**(-1.9)**
Subtotal Non-Residential:	**1,106.7**	**650.1**	
Citywide Total:	**1,496.6**	**1,496.6**	

Scope of the Subsequent Environmental Impact Report: The City is preparing a Subsequent EIR for the proposed Project. Pursuant to CEQA Guidelines Section 15162, a Subsequent EIR is required when there are changes to a project or new information becomes available after certification of the previous EIR. In this case, the City adopted their General Plan EIR in October 2008. Due to the proposed General Plan Land Use and Circulation Element changes described herein, certain sections of the previous General Plan EIR (State Clearinghouse #2006091107) will require updating and/or additional evaluation under CEQA. As such, a Subsequent EIR will be prepared pursuant to Section 15162.

The Subsequent EIR will address the following CEQA Guidelines Appendix G topics: Aesthetics, Agriculture/Forest Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gases, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities/Service Systems and Wildfire. It is anticipated that due to the relatively minor amount of land use changes (as compared to what was analyzed in the existing General Plan EIR), the Subsequent EIR will focus mainly on the topics of Transportation and Land Use, however all CEQA Appendix G topics will be covered. The Subsequent EIR will also review Project alternatives as well as cumulative impacts.

Document Availability and Public Review Timeline: Due to the time limits mandated by State law, your response to the NOP must be sent *no later than 30 days* after receipt of this notice. The review period for the NOP will be from February 02, 2023 to March 06, 2023. Electronic copies of the NOP can be accessed on the City's website at: https://dinuba.org/services/business-services/general-plan-zoning. A copy of the NOP can also be obtained by email via the email address below.

Public Scoping Meeting: In addition to the opportunity to submit written comments, one digital/online public scoping meeting will be held by the City to inform interested parties about the proposed Project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the Subsequent EIR. This meeting will be held at 6:00 p.m. on March 1, 2023, via a Zoom online meeting. The web address for the online meeting is: https://us02web.zoom.us/j/83761084654?pwd=Y2pXNWp2MjdReWZOWEFXOFdLMlF3dz09

Submitting Comments: Comments and suggestions as to the appropriate scope of analysis of the Subsequent EIR are invited from all interested parties. Written comments or questions concerning the NOP for the proposed Project should be directed to the City's Project Planner at the following address by 5:00 p.m. on March 06, 2023. Please include the commenter's full name and address. Please submit comments to:

Karl Schoettler, City Planner
City of Dinuba
405 E. El Monte Way
Dinuba, CA 93618
(559) 591-5924
karl@weplancities.com

Figure 1 - Location of Land Use Designation Changes (Citywide)

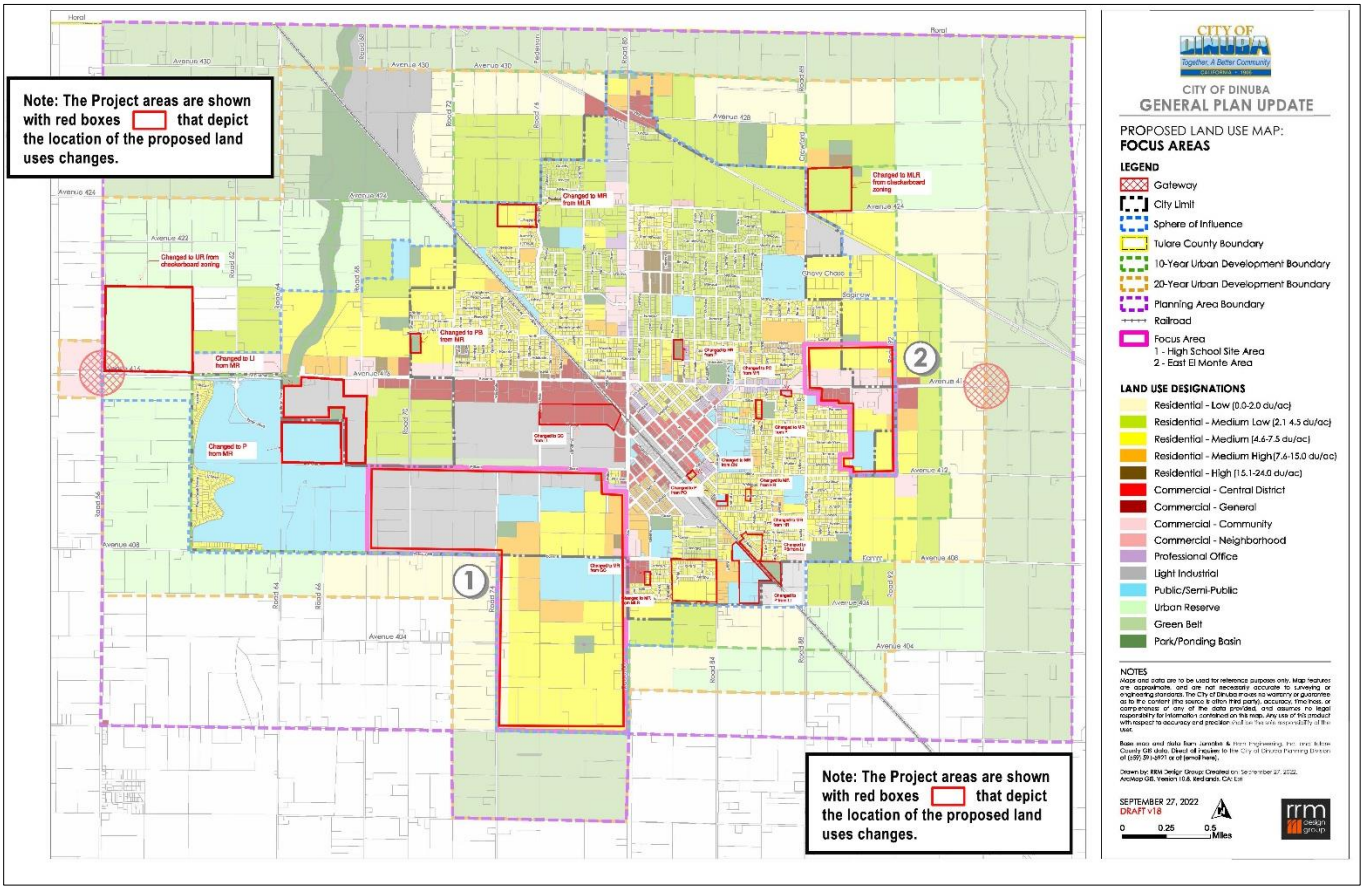


Figure 2 - Detail of Focus Area 1

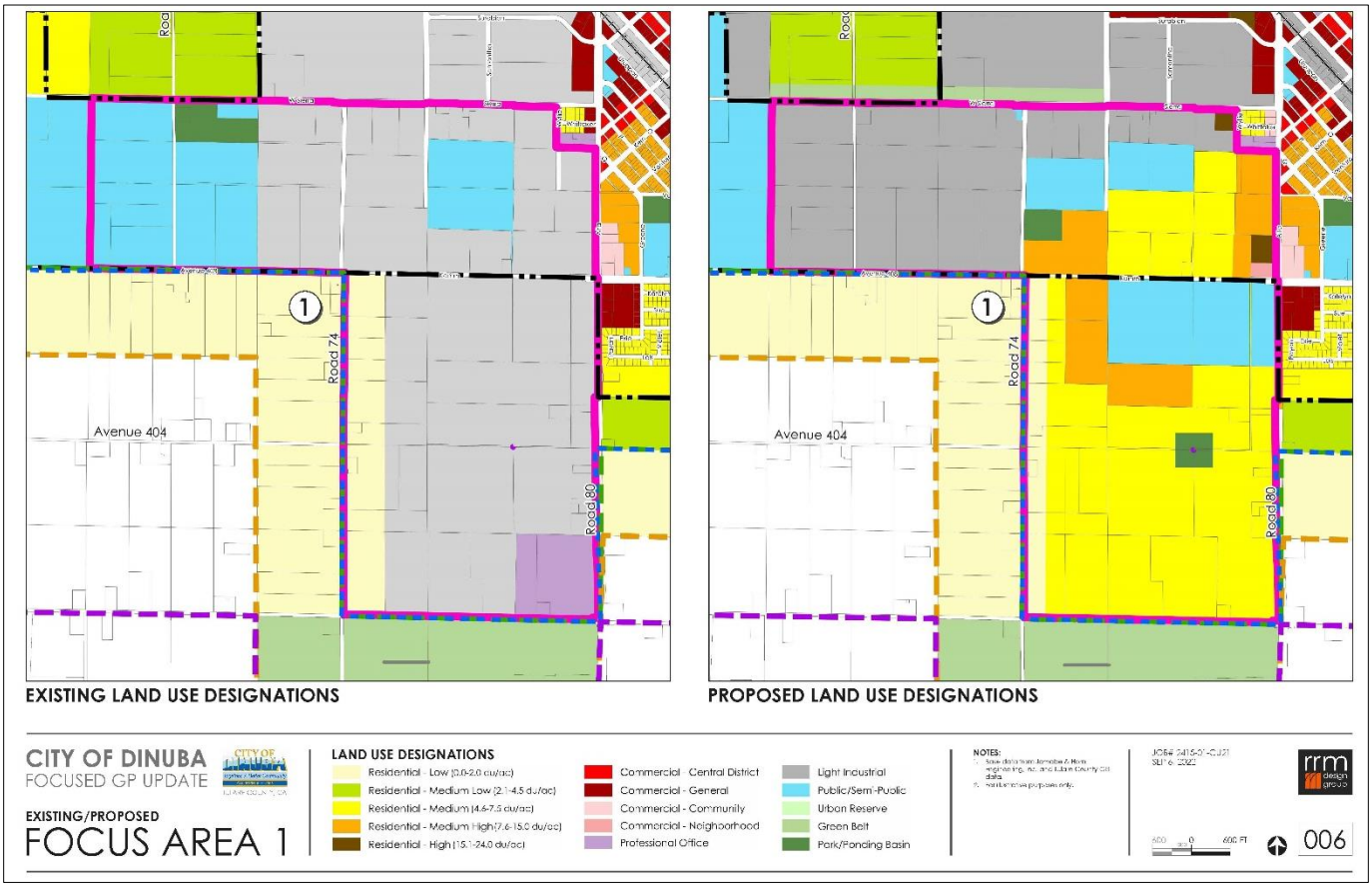


Figure 3 - Detail of Focus Area 2

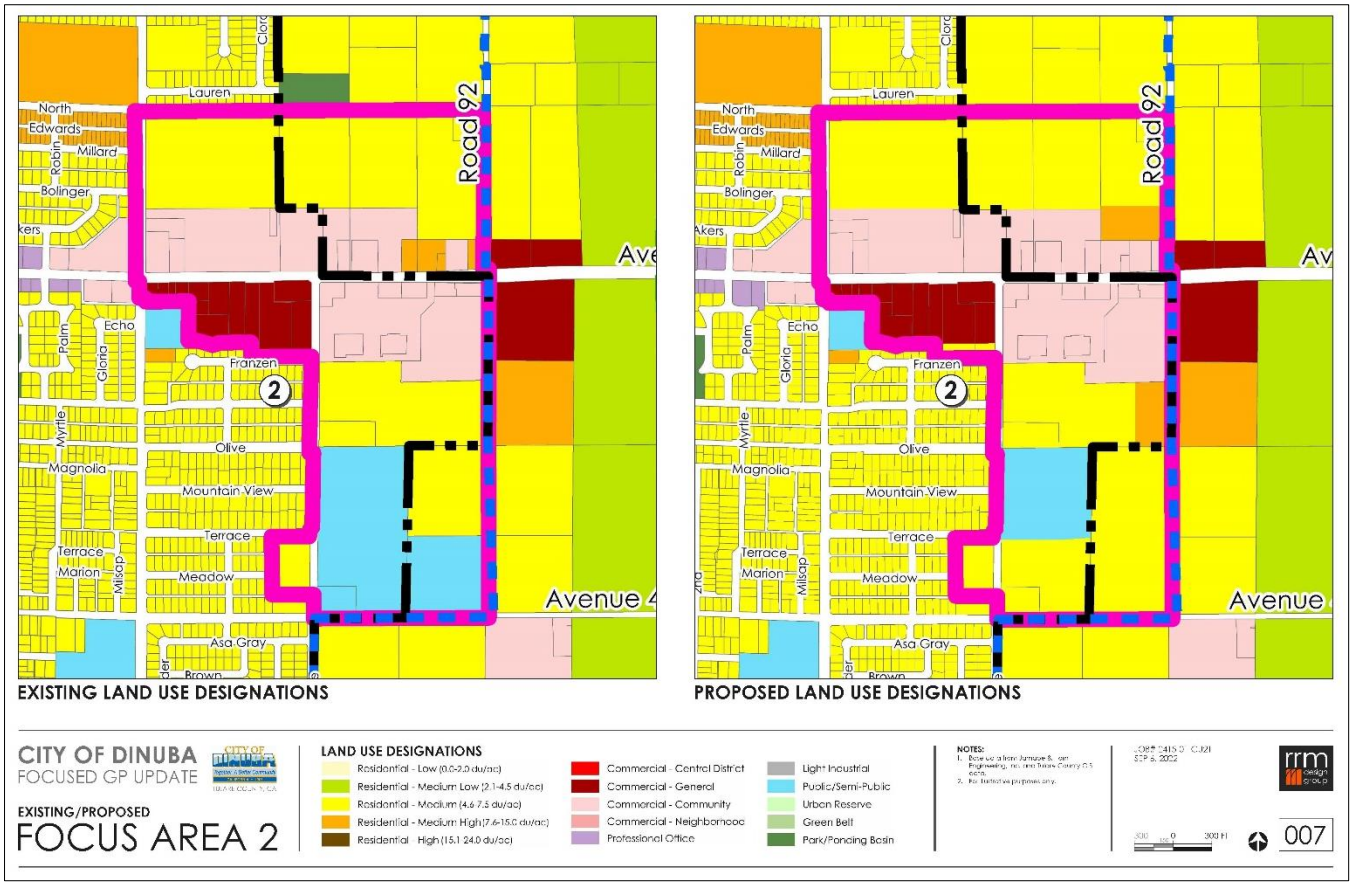
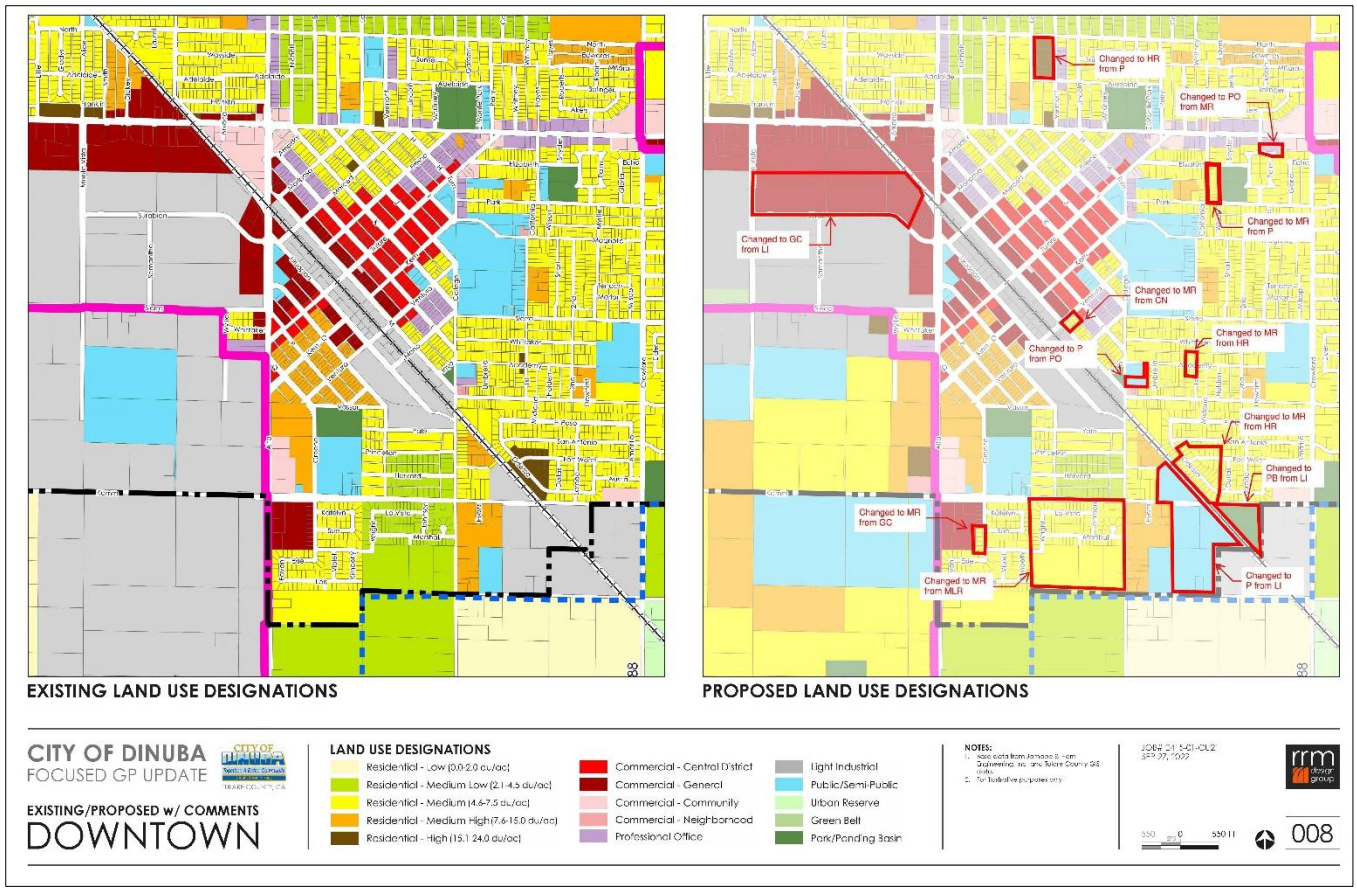


Figure 4 - Detail of Downtown Area



NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

February 8, 2023

Karl Schoettler, City Planner
City of Dinuba
405 E. El Monte Way
Dinuba, CA 93618

Re: 2006091107, Dinuba Focused General Plan Subsequent EIR Project, Tulare County

Dear Mr. Schoettler:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

a. A brief description of the project.

b. The lead agency contact information.

c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).

d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

a. Alternatives to the project.

b. Recommended mitigation measures.

c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

a. Type of environmental review necessary.

b. Significance of the tribal cultural resources.

c. Significance of the project's impacts on tribal cultural resources.

d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Cameron.Vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

February 21, 2023

Mr. Karl Schoettler
City Planner
City of Dinuba
405 E. El Monte Way
Dinuba, CA 93618
Karl@weplancities.com

NOTICE OF PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE DINUBA FOCUSED GENERAL PLAN – DATED FEBRUARY 2, 2023 (STATE CLEARINGHOUSE NUMBER: 2006091107)

Dear Mr. Schoettler:

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation of a Subsequent Environmental Impact Report (SEIR) for the Dinuba Focused General Plan (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the SEIR:

1. CEQA documents frequently reference the listing compiled in accordance with California Government Code Section 65962.5, commonly known as the Cortese List. Not all sites impacted by hazardous waste or hazardous substances will be found on the Cortese List. DTSC recommends that the Hazards and Hazardous Materials section of the SEIR address actions to be taken for any sites impacted by hazardous waste or hazardous substances within the Project area, not just those found on the Cortese List. DTSC recommends consulting with other agencies that may provide oversight to hazardous waste

facilities or sites impacted with hazardous substances in order to determine a comprehensive listing of all sites impacted by hazardous waste or substances within the Project area. DTSC hazardous waste facilities and sites with known or suspected contamination issues can be found on DTSC's EnviroStor data management system. The EnviroStor Map feature can be used to locate hazardous waste facilities and sites with known or suspected contamination issues for a county, city, or a specific address. A search within EnviroStor indicates that numerous hazardous waste facilities and sites with known or suspected contamination issues are present within the Project's region.

2. A State of California environmental regulatory agency such as DTSC, a Regional Water Quality Control Board (RWQCB), or a local agency that meets the requirements of Health and Safety Code section 101480 should provide regulatory concurrence that Project sites are safe for construction and the proposed use.

3. The SEIR should acknowledge the potential for historic or future activities on or near Project sites to result in the release of hazardous wastes/substances on Project sites. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The SEIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

4. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project described in the SEIR.

5. If buildings or other structures are to be demolished on any sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-

mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers*.

6. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 *Information Advisory Clean Imported Fill Material*.

7. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the SEIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*.

DTSC appreciates the opportunity to comment on the Project. Should you need any assistance with an environmental investigation, please visit DTSC's Site Mitigation and Restoration Program page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at DTSC's Brownfield website.

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

Gavin McCreary, M.S.
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

March 30, 2023

Karl Schoettler
City of Dinuda
Planning Department
405 E. Monte Way
Dinuba, CA 93618

Project: Notice of Preparation of a Subsequent Environmental Impact Report for the City of Dinuba Focused General Plan Update

District CEQA Reference No: 20230117

Dear Mr. Schoettler:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) of a Subsequent Environmental Impact Report (EIR) from the City of Dinuba (City) for the Focused General Plan Update (GPU). Per the NOP, the project is a general plan update consisting of various land use designation changes in multiple areas of the City, for example, including the southwest part of the City's sphere of influence around the proposed new High School and the Downtown area (Project). The Project area covers various locations throughout the City of Dinuba, with two focused areas located in the southwest part of the City around the proposed new High School and in the eastern part of the City along East El Monte Avenue.

The Project is a plan level project and, while project-specific data may not be available until specific approvals are being granted, the proposed EIR should include a discussion of policies, which when implemented, will reduce or mitigate impacts on air quality at the individual project level.

The District offers the following comments regarding the Project:

1) Land Use Planning

Nearly all development projects within the San Joaquin Valley Air Basin, from general plan updates to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation

Samir Sheikh
Executive Director/Air Pollution Control Officer

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4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
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Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
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needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the proposed EIR incorporate strategies that reduce VMTs and require the cleanest available Heavy Heavy-Duty (HHD) trucks and vehicles, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at:
https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

In addition, the District recommends that the proposed EIR incorporate strategies that will advance implementation of the best practices listed in Tables 5 and 6 of California Air Resource Board's (CARB's) Freight Handbook Concept Paper, to the extent feasible. This document compiles best practices designed to address air pollution impacts as "practices" which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities. The concept paper is available at:
https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf

2) Project Siting

The GPU is the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). It would be beneficial for the GPU to include siting-related goals, policies, and objectives should include measures and concepts outlined in the following resources:

- CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources

- CARB's Freight Handbook Concept Paper: This document compiles best practices designed to address air pollution impacts, which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities, and can be found at: https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf

3) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM2.5) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM10, PM2.5 standards.

As such, the District recommends that the proposed EIR stipulate that future development projects within the GPU identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf. The District recommends that future projects be mitigated to the extent feasible, and that future projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.

The District understands that the GPU is a program-level project where future individual project-specific data may not be available at this time. As such, the proposed EIR should include a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level.

Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the GPU should include requirement that future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

3b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

3c) Project Trip Length for HHD Truck Travel

The City's GPU should include policies that require an environmental review for future warehouse/distribution related development projects. Their environmental review should adequately characterize and justify an appropriate trip length distance for off-site HHD truck travel to and from the project site. Based on the following factors: 1) the project consists of a warehouse/distribution center that is expected to generate a high volume of HHD truck trips, and 2) HHD trucks generally travel further distances for distribution. The District recommends their environmental review include a discussion characterizing an appropriate trip length distance for HHD truck travel, and reflect such appropriate distance supported by project-specific factors.

3d) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

4) Health Risk Screening/Assessment

The GPU should incorporate a requirement for future development projects to evaluate the risk associated with the projects on sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and

mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):
A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:
http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:
Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources

5) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects with emissions that exceed 100 pounds per day of any pollutant.

An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: www.valleyair.org/ceqa.

6) Voluntary Emission Reduction Agreement

Future development projects could have a significant impact on air quality. The District recommends the proposed EIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that are determined to exceed the District's CEQA significance thresholds.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

7) Allowed Uses Not Requiring Project-Specific Discretionary Approval

In some cases, for future development projects, the City may determine that a project be approved as an allowed use not requiring a project-specific discretionary approval from the City. The District recommends the proposed EIR include language supported by policy requiring such projects to prepare a technical assessment in consultation with the District, and recommending that a VERA be considered for development projects determined to result in a significant impact on air quality. For example, this requirement would apply to large development projects (e.g., large residential project, large distribution center, large warehouse, etc.) that would have the potential to significantly impact air quality and is determined by the City to be allowed by use, not requiring a project specific discretionary approval from the City.

8) Industrial/Warehouse Emission Reduction Strategies

The District recommends the City consider the feasibility of incorporating emission reduction strategies that can reduce potential harmful health impacts, such as those listed below:

- Ensure solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors
- Ensure all landscaping be drought tolerant
- Orient loading docks away from sensitive receptors unless physically impossible
- Locate loading docks a minimum of 300 feet away from the property line of sensitive receptor unless dock is exclusively used for electric trucks
- Incorporate signage and “pavement markings” to clearly identify on-site circulation patterns to minimize unnecessary on-site vehicle travel
- Locate truck entries on streets of a higher commercial classification
- Ensure all building roofs are solar-ready
- Ensure all portions of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78
- Ensure rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Ensure power sources at loading docks for all refrigerated trucks have “plugin” capacity, which will eliminate prolonged idling while loading and unloading goods
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and industrial maintenance coatings
- Designate an area during construction to charge electric powered construction vehicles and equipment, if temporary power is available
- Prohibit the use of non-emergency diesel-powered generators during construction
- Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project

9) Truck Routing

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors.
For future development projects, for example commercial and industrial, the District

recommends the City evaluate HHD truck routing patterns , with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

10) Cleanest Available Heavy-Duty Trucks

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District's CARB-approved 2018 PM2.5 Plan includes significant new reductions from HHD trucks, including emissions reductions by 2023 through the implementation of CARB's Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 standard of 0.2 g-NOx/bhp-hr by 2023. Additionally, to meet federal air quality attainment standards, the District's Plan relies on a significant and immediate transition of HHD fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by CARB.

For future development projects, for example commercial and industrial, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure*: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero (0.02 g/bhp-hr NOx) technologies.

- *Recommended Measure*: All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

11) Reduce Idling of Heavy-Duty Trucks

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

For future development projects, for example commercial and industrial, they have the ability to result in HHD truck trips, the District recommends the City include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling,

especially near sensitive receptors. In addition for future warehouse projects, the District recommends the City consider the feasibility of implementing a more stringent 3-minute idling restriction and requiring appropriate signage and enforcement of idling restrictions.

12) Electric On-Site Off-Road and On-Road Equipment

For future commercial and industrial development projects that may have the potential to result in increased use of off-road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials), the District recommends that the proposed EIR include requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

13) Under-fired Charbroilers

Future development projects have the potential for restaurants developments with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the proposed EIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: http://valleyair.org/grants/rctp.htm

14) Vegetative Barriers and Urban Greening

For future development projects, and at strategic locations throughout the Project area, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

15) Clean Lawn and Garden Equipment in the Community

Gas-powered 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.

16) On-Site Solar Deployment

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 City consider incorporating solar power systems as an emission reduction strategy for future development projects.

17) Electric Vehicle Chargers

To support and accelerate the installation of electric vehicle charging equipment and development of required 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 the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

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

18) Nuisance Odors

While offensive odors rarely cause any physical harm, they can be unpleasant, leading to considerable distress among the public and often resulting in citizen complaints.

The City should consider all available pertinent information to determine if future development projects could have a significant impact related to nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration the proposed business or industry type and its potential to create odors, as well as proximity to off-site receptors that potentially would be exposed to objectionable odors. The intensity of an odor source's operations and its proximity to receptors influences the potential significance of malodorous emissions. Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

According to the District Guidance for Assessing and Mitigating air Quality Impacts (GAMAQI), a significant odor impact is defined as more than one confirmed complaint per year averaged over a three-year period, or three unconfirmed complaints per year averaged over a three-year period. An unconfirmed complaint means that either the odor or air contaminant release could not be detected, or the source of the odor could not be determined.

As the future development projects that will fall within the GPU do not yet exist the City should and stipulate odor mitigation measures in the proposed EIR as conditions of approval for those business and industry types. An example would be for a project proponent whose project is determined to have a potentially significant odor impact to draft and implement an odor management plan as a mitigation measure in the proposed EIR.

19) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II

(Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

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 future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

19a) 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 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects 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 construction, the project proponents should submit to the District an application for an ATC.

Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 shall be provided to the City before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.

19b) District Rule 9510 - Indirect Source Review (ISR)

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission

reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Accordingly, future development projects may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. It is preferable for the applicant to submit an AIA application as early as possible in the public agency's approval process so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.
The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

District staff is available to provide assistance with determining if a development project is subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

19c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

19d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: http://www.valleyair.org/busind/comply/asbestosbultn.htm.

19e) District Rule 4601 (Architectural Coatings)

Future development projects may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with

District Rule 4601 requirements can be found online at:
http://www.valleyair.org/rules/currntrules/r4601.pdf

19f) 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.*

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

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

19g) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:
http://valleyair.org/rule4901/

19h) Other District Rules and Regulations

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

20) Additional Air Quality Evaluation and Discussion to Include in the proposed EIR

a. A discussion of the methodology, model assumptions, inputs and results used in characterizing the Project's impact on air quality. To comply with CEQA requirements for full disclosure, the District recommends that the modeling outputs be provided as appendices to the proposed EIR. The District further recommends that the District be provided with an electronic copy of all input and output files for all modeling.

b. A discussion of the components and phases of the Project and the associated air emissions projections, including ongoing emissions from each previous phase.

c. A discussion of whether the Project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf

21) Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf

If you have any questions or require further information, please contact Michael Corder by e-mail at Michael.Corder@valleyair.org or by phone at (559) 230-5818.

Sincerely,

Brian Clements
Director of Permit Services

For: Mark Montelongo
Program Manager

Appendix B

Land Use Element

CITY OF DINUBA

FOCUSED GENERAL PLAN UPDATE

LAND USE ELEMENT

Public Hearing Draft – May 2023

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Chapter 1.0 Land Use Element

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1.0 LAND USE ELEMENT

1.1 INTRODUCTION

The Land Use Element is a guide to future land use within Dinuba and affects many of the issues addressed in the other General Plan Elements. The Land Use Element identifies the type and location of future land uses within the City. The specific land uses and their location within the community in turn affect the remaining General Plan Elements. For example, the location and type of land uses outlined in the Land Use Element affect the circulation system that is identified in the Circulation Element, and the land uses identified in the Land Use Element also reflect the community's goals for its future form and character, as outlined in the Urban Design Element. In addition to land uses, the Land Use Element also addresses how growth will occur, with special attention given to public services and facilities and economic development.

PURPOSE OF THE LAND USE ELEMENT

As a city, state law requires that Dinuba prepare and adopt a General Plan as a tool to manage growth and development. The Land Use Element is one of the seven mandatory elements of the General Plan.

The purpose of the Land Use Element is to describe present and planned land uses and their relationship to the community's long-range goals for the future. The Land Use Element identifies the proposed general distribution, location, and extent of land uses such as residential, commercial, industrial, and public/quasi-public.

The Element consists of text and a map that outline the future land uses within the City and how these uses are integrated with the other General Plan Elements and policies. The Land Use Map is a particularly important feature of the Element since it shows the location and types of allowed development within the City and the general location of future growth. The Element also describes the intensity or density of development planned for the community.

The Land Use Element of the Dinuba General Plan represents the City's desire for long-range changes and enhancements of land uses. Finally, the goals, objectives, and policies contained in this Element establish the framework for future land use planning and decision making in Dinuba.

SCOPE AND CONTENT OF THE LAND USE ELEMENT

The Land Use Element complies with the requirements of the General Plan Land Use Element mandated in Government Code §65302(a). The Element is comprised of five sections: the Introduction; Purpose of the Land Use Element; Scope and Content of the Land Use Element; Goals, Objectives, and Policies and Standards; and Land Use Map.

In the Goals, Objectives, and Policies section, major land use issues are identified and related goals and policies are established to address these issues. The goals, which are overall statements of community desires, are comprised of broad statements of purpose and direction. Policies serve as guides for reviewing development proposals, planning facilities to accommodate anticipated growth, and

accomplishing community economic development strategies. To achieve the goals, objectives, and policies, a logical, organized land use pattern is established with standards for future community development. The Land Use Map graphically identifies the planned land uses within Dinuba.

GOAL 1:

Preserve and enhance Dinuba's unique character and achieve an optimal balance of residential, commercial, industrial, public, and open space land uses.

View toward downtown

1.2 GROWTH MANAGEMENT

OBJECTIVES

A. Sustain a growth rate within the General Plan Focus Areas to provide for the balanced evolution of the community and the sustainable assimilation of new residents.

B. Promote growth consistent with the City's ability to provide resources and services and with the State and City requirements regarding environmental protection, the economy, and open space.

Cityscape showing new residential development areas

Dinuba strives to maintain an attractive environment, economic prosperity, and a community that is safe and provides healthy lifestyles. The City has carefully planned for diverse residential and commercial growth, understanding the need for balanced resources and sustainable growth over time. The updated Land Use Element includes two new focus areas where the majority of planned commercial and residential growth is concentrated. Specific information about these focus areas and guidance for their development is included in Section 1.7, General Plan Focus Areas.

Responsible growth management provides a proactive approach to land use policy and, in addition to zoning and project review, advances a more holistic approach to the City's continued development. Timing, quantity, and spatial distribution of regional development are considered and incorporated through various objectives, policies, and standards. These elements ensure the long-range viability of road infrastructure, preservation of environmental resources, and the creation of socially cohesive neighborhoods that align with the residents' values.

Regarding development of these General Plan Focus Areas, incorporating growth management strategies plays an important role in ensuring well-planned, sustainable, and equitable new developments. Appropriate growth management policies to achieve a greater degree of community sustainability are

listed below. These policies shall be considered when the City acts on land use, circulation, and infrastructure decisions regarding development within the Focus Areas.

POLICIES:

1.2.1 Achieve a balance between the amount of growth and the ability to provide transportation, energy, water and waste disposal, public safety, education, public health, and other services needed by City residents.

1.2.2 Ensure that public and private investment are consistent with the City's traditional and historical community identity.

1.2.3 Provide a diverse variety of housing choices and types by promoting mixed land use where appropriate.

1.2.4 Maintain a population growth rate that can be sustained by available resources and services.

1.2.5 Incorporate features in new projects to minimize air quality impacts due to development activities.

1.2.6 Ensure proposed residential development projects include phased development that meets the City's desired population growth rates and/or requirements.

1.2.7 Assimilate new residential and non-residential uses while minimizing the disruption to existing neighborhoods and the existing community's social fabric and safety.

Overall City growth and urban boundary objectives, policies, and standards can be found in Chapter 4.0, Urban Boundary Element, of this General Plan Policies Statement.

1.3 COMMUNITY IDENTITY

OBJECTIVES

A. Strive to keep Dinuba separate and distinct from nearby communities.

B. Maintain and enhance Dinuba's physical diversity, visual qualities, and small-town characteristics.

C. Maintain the downtown core area (Tulare Street from "H" Street to "M" Street) as the City's geographic and social center.

Old Dinuba Water Tower – East Tulare Street

POLICIES AND STANDARDS

1.3.1 Develop design review standards for structures, landscaping, and related development to facilitate compatibility with surrounding uses and the overall character of the community.

1.3.2 Gateways to Dinuba and the downtown core area shall be designated and identified by well-designed, landscaped entrances to enhance access corridors. Land uses in the vicinity of Gateways should be of high-quality design which reflects favorably on the image of the community.

1.3.3 Within the downtown area, emphasize pedestrian amenities such as bulb-outs and pedestrian crossings and include landscaped open space areas or plazas, street furniture, lighting, and signage.

1.3.4 Develop a City-wide street tree and landscape master plan to delineate neighborhoods, and Master Plan and Specific Plan areas.

1.3.5 Develop scenic entryways (gateways) and roadway corridors into the City through special setback and landscape standards, entry signage, open space and park development, and/or land use designations. These corridors shall also have enhanced landscape standards. Gateways and entryways to be considered should include:

Gateways:
North: Alta Avenue/Avenue 430
South: Alta Avenue/Avenue 400 Alignment
East: El Monte Way/Road 96
West: El Monte Way/Road 54 Alignment

1.3.6 The City shall coordinate with Tulare County, Fresno County, and the City of Reedley to develop a Specific Plan for the area south of the Fresno County line. The purpose of this Specific Plan is to identify and implement policies which will maintain a significant buffer zone between Dinuba and the City of Reedley, while allowing the affected property owners to realize a return on their investment. This will be accomplished through the purchase of agricultural or open space easements, in addition to Land Use and Zoning regulations.

1.4 RESIDENTIAL LAND USE

OBJECTIVE

A. Designate and allow for the development of a wide range of residential housing types in the City to meet the needs of all of the City's citizens.

POLICIES AND STANDARDS

1.4.1 Establish the following residential density designations:

a. Low Density Residential (0 - 2 dwelling units/gross acre). The low density residential designation is intended for estate residential development characterized by larger single-family residential lots one-half acre in size or larger. The average density for this designation is 1-2 dwelling units per acre. All low density residential development shall be served by City sewer and water services. This land use shall be used on the Community's permanent edges such as roadways, waterways, or other physical feature types of standards where a full range of urban services may not be available, and to areas where lower densities are required to conform with public safety or environmental constraints. Densities in excess of 1.5 dwelling units per acre shall have full urban improvements, shall not have farm animals, and shall require a Conditional Use Permit.

New Single-Family Homes

b. Medium-Low Density Residential (2.1 - 4.5 units/gross acre). The medium-low density residential land use category provides for a land use pattern characterized by single-family residential development with lot sizes larger than those within medium density. The usual development pattern found in such areas is a typical subdivision development with lot sizes generally between 8,500-12,500 square feet. This land use is most appropriately used when "Estate Residential" developments are desired and where the overall density of an area should be limited because of public facility or safety constraints.

c. Medium Density Residential (4.6 – 7.5 units/gross acre). The medium density residential category provides for a land use pattern of predominantly single-family development as permitted in the R-1 district. This designation also provides for innovative designs which utilize clustering and other creative unit layouts common in planned development projects. Lot sizes generally range from 4,500 – 7,000 square feet. To address demand for smaller single-family lot sizes, the City should establish a new R-1-5 zoning category to allow minimum lot sizes of 5,000 square feet. Developments in excess of 7.0 units per acre should be encouraged for infill parcels, in Specific Plan or Master Plan areas, and where it will address unmet housing needs.

d. Medium-High Density Residential (7.6 - 15.0 units/gross acre). This land use category provides for a land use pattern characterized predominantly by small scale multiple-family residential developments. The typical residential pattern includes duplexes and

larger scale, high-amenity apartments. Areas designated medium-high density residential are to be integrated throughout the community adjacent to transportation, community services, and commercial developments. New development projects shall conform to the Residential Design Guidelines.

e. High Density Residential (15.1 - 24.0 units/gross acre). The high density residential land use category provides for the highest residential densities permitted in the City. It is intended that this category utilize innovative site planning, provide on-site recreational amenities, and be located near major community facilities, business centers, and streets of at least collector capacity. High density residential developments shall use high quality architectural design features, intensified landscaping, adequate open space, adequate parking, and adequate on-site recreational facilities.

1.4.2 Each residential category indicates a range of density deemed reasonable and desirable for areas within the City. The maximum density indicated defines the number of units per gross acre within a given area. Residential development must provide at least the minimum number of units per gross acre indicated in the General Plan. This requirement is intended to encourage the location of certain residential product types and densities consistent with adjacent land uses, access, public services, environmental concerns, and Housing Element objectives.

1.4.3 The City shall use the planned unit development and density bonus ordinances to provide density increases in accordance with State Law.

1.4.4 Manufactured and modular housing developments shall be permitted subject to design regulations and existing ordinances.

1.4.5 Second floor housing is allowed in the Central Commercial designation as part of a mixed-use project. Ground floor spaces should be set aside for retail and restaurant uses to appeal to pedestrians and activate the downtown core.

OBJECTIVES

A. Promote stable high-quality residential neighborhoods.

B. Encourage new residential neighborhoods that have the desirable characteristics of traditional small-town neighborhoods.

POLICIES AND STANDARDS

1.4.6 New residential development abutting an arterial or collector will be encouraged to use a berm/swale with landscaping instead of a masonry wall between the landscaping strip, sidewalk, and maintenance district setback. A masonry wall may be used behind the berm/swale or the berm/swale may go half-way up the masonry wall. This will limit the view of the wall from the street and still provide privacy to residents.

1.4.7 The General Plan map has identified areas where the majority of new growth will occur. Prior to approval of any development applications within these areas, the following actions should take place:

a. The City may master plan each new growth area containing at least 20 acres, which will guide future development. The Master Plan should, at minimum, identify land uses and densities, road layout, public facilities requirements, and possible school locations. The Master Plan should also contain design guidelines for all land use types within the Plan area.

b. The precise location of streets, utilities, and development area boundaries will be finalized with subdivision maps and project development plans. Minor adjustments may be made by the City Planner to the designated residential zoning boundaries to reflect subdivision maps as they are approved based on a finding that the adjustment is consistent with the adopted Master Plan and intent of the General Plan.

1.4.8 Multifamily residential developments with more than 25 units should have direct access to a collector or arterial street and, where feasible, be located near commercial and community services.

1.4.9 Development standards for the interface between multifamily residential and single-family residential shall be as follows:

a. Outdoor recreational areas, game courts, pools, and solid waste collection areas on multifamily properties shall be oriented away from adjacent properties planned for single-family residential.

b. Multifamily parking areas, garages, other structures, and access drives shall be separated from adjacent properties planned for single-family residential with a 10-foot landscaped setback containing deciduous and evergreen trees.

c. Exterior area lighting for multifamily residential parking, carports, garages, access drives, and other recreation areas, shall be shielded to prevent line of sight visibility of the light source from abutting property planned for single-family residential.

d. Multifamily buildings greater than 30 feet in height should be set back a minimum of 25 feet from an abutting property planned for single-family residential.

1.4.10 Where new residential development is proposed that adjoins existing commercial or industrial development, the residential developer shall be required to provide an architectural transition. This transition may include such provisions as building setbacks, landscaping, and masonry wall requirements to benefit future residents.

1.4.11 In order to encourage infill development and improved residential design quality of future development projects, flexible design guidelines and standards shall be developed which meet the intent of the General Plan.

1.4.12 Multifamily developments shall use dense landscaping along public rights-of-way to provide screening and privacy. Block walls adjacent to the public right-of-way shall be discouraged unless they are found to be necessary for public health and safety.

1.4.13 Neighborhoods should be designed with an emphasis placed on high-quality construction and innovative architecture to provide a “sense of place” and preserve the City’s small-town character while offering a choice of residential densities and costs that meets the varying needs of residents. To implement this policy, the City will adopt new residential design guidelines.

1.4.14 New single-family houses, duplexes, and townhouses will be encouraged to include useable front porches in their design.

1.4.15 Garages for new single-family houses, duplexes, and townhouses should be subordinate in visual importance to the house itself, especially the entry. This should be achieved by encouraging the location of garages toward the back of properties, encouraging detached garages, requiring garages to be set back from the front edge of the house and encouraging the orientation of garage doors 90 degrees from the street.

1.4.16 Neighborhoods should be physically connected to one another via a series of Minor Collector roadways and pedestrian paths, and all residents should be within a short walk or drive of retail and other services. New development shall coordinate with the irrigation districts regarding the usage of district facility corridors as walking/bicycle paths available for public use.

1.4.17 Parkways will be encouraged on all residential streets with a sufficient width to allow for street trees to be planted between the curb and the sidewalk.

1.4.18 Commercial uses are encouraged at the periphery of neighborhoods to integrate with residential uses and should be designed to be as accessible and appealing to pedestrians as possible, in order to encourage walking and biking.

1.5 COMMERCIAL LAND USE

OBJECTIVES

A. Ensure the provision of adequate commercial shopping opportunities and office space locations to meet anticipated needs.

B. Enhance the viability of the downtown area and preserve its role as the heart of the community.

C. Promote a mix of land uses in the downtown core area that enhance and diversify the downtown and contribute to a vibrant pedestrian environment.

D. Provide for the compatible integration of residential and commercial/office uses.

POLICIES AND STANDARDS

1.5.1 Establish the following commercial density designations:

a. Neighborhood Commercial. The neighborhood commercial land use designation provides for a 1–5-acre cluster of commercial establishments serving the everyday convenience goods and personal service needs of a defined neighborhood. The service radius of a neighborhood commercial use is generally 1/2 mile.

b. Community Commercial. The community commercial land use designation provides for a 10-acre or larger cluster of commercial establishments serving needs similar to the neighborhood commercial centers, but also includes grocery, drug, general merchandise, variety, and specialty stores. The community commercial center generally serves a market area of 1-2 miles. Such facilities should be located in each residential quadrant of the community to minimize cross-town traffic.

c. Central Commercial. This designation provides the City with a mixed-use activity center oriented towards the downtown area.

d. General Commercial. This designation provides for commercial areas with a wide range of retail and service activities along major traffic corridors, such as El Monte and Alta.

e. Office Commercial. This designation provides for office development which includes medical, dental, law, or other professional offices. Commercial uses contemplated as part of this category include business support services and support restaurant and medical services. High density residential uses are also allowed in the office commercial designation subject to a Conditional Use Permit.

1.5.2 Neighborhood and Community Commercial sites should be located at or near the intersection of collector and/or arterial streets. Such developments should also be directly accessible from adjacent residential developments to encourage walking and biking.

1.5.3 Community Commercial uses should be located along major traffic ways in consolidated centers that utilize common access and parking. Where feasible, pedestrian links to residential areas are encouraged.

1.5.4 The Central Commercial designation should be used in the downtown area in order to attract and accommodate growth which includes commercial, financial, office, entertainment, governmental, and residential uses.

a. Rehabilitation of existing structures and the development of new buildings to accommodate mixed uses and create a vibrant and economically robust downtown in the Central Commercial district are encouraged.

b. Ground floor spaces fronting primary streets should be reserved for retail and service businesses that benefit from and encourage pedestrian traffic.

c. Residential and office facilities are encouraged on the upper floors in the Central Commercial district.

d. Live/work units, in which the unit is both a place to live and a place of business, are allowed in the Central Commercial designation as long as the place of residence is in a separate room from the place of business.

e. Explore the creation of a civic square in the downtown core to add vitality to the area and provide a gathering space.

Dinuba Vocational Center

Downtown business with mural

1.5.5 The City will encourage the development of mixed-use developments throughout the Downtown core area (Tulare Street from “H” Street to “M” Street), with residential and commercial uses in the same building. Ground floor spaces with frontages on Tulare Avenue should have retail and service uses that contribute to an active pedestrian-oriented street environment, such as retail stores, restaurants, and cafes.

1.5.6 The City will encourage the eventual phasing out of existing industrial uses and other uses surrounding the downtown that generally are not compatible with or supportive of a downtown commercial core area and their replacement with appropriate commercial, mixed use, and high-quality higher density residential uses.

1.5.7 The City shall promote a pedestrian-friendly downtown environment through strategies including, but not limited to, the following:

a. The City shall plan and manage the downtown commercial area to include safe, pleasant, and interesting places for walking and enjoying the downtown environment. Development in the downtown area should provide pedestrian-oriented facilities and amenities including, but not limited to, those described below.

b. There shall be adequate pedestrian space along the public right-of-way for walking, using assistive devices, sitting, and other approved uses deemed appropriate such as outdoor dining.

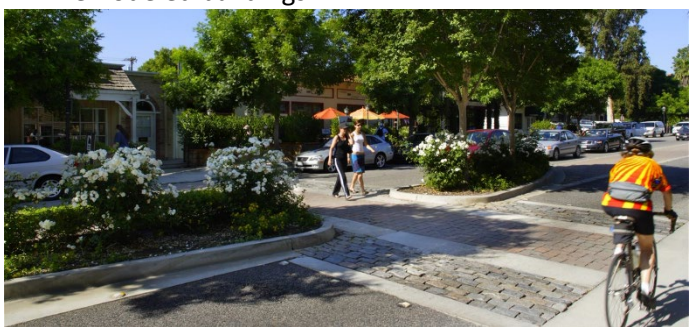
c. There should be a nearly continuous tree canopy along sidewalks, and planters should provide additional foliage and flowers near public gathering areas.

d. Development should provide areas and amenities along pedestrian paths for the enjoyment and comfort of pedestrians, including public art, seating areas, small plazas, and mini parks.

Sidewalk with bench seating

e. Traffic calming and pedestrian safety should be enhanced, where appropriate, through such features as high-visibility crosswalks, road tables, pavement changes, and bulb-outs.

f. Mid-block alleyways and walkways shall be well-lit and integrated with new and remodeled buildings.



Articulated crosswalk with landscaped median & street trees

Bulb-out of sidewalk with street trees

1.5.8 The General Commercial designation should be applied along arterial streets to provide commercial support for nearby Community and Central Commercial uses as well as industrial areas. General Commercial includes freestanding uses which do not fit well in unified centers as well as service and highway commercial uses.

1.5.9 Commercial Office land use designations allow construction of new office centers, the redevelopment of existing areas to office use, and the conversion of older homes to offices. Where homes are converted to offices, the area should be a logical extension of existing or planned office/commercial uses, and the lot should be of adequate size to accommodate parking in the rear of the structure or outside of the front yard landscape setback. Office uses should be in and adjacent to the downtown area and near the former hospital site and other major medical facilities. Small scale office uses should be permitted in the Community, Neighborhood, and General Commercial districts. Development shall be compatible with adjoining residential neighborhoods.

1.5.10 Commercial and office site planning shall be compatible with the surrounding neighborhood, signage, and landscaping.

1.5.11 New commercial development of five acres or larger shall provide a minimum of 1% of the gross acreage to public space. Such space shall be developed as park/open space, art/sculpture, fountains, or other such amenities. All public spaces shall contain seating.

1.5.12 Development standards for the interface between commercial or office uses and residential uses shall be as follows:

a. A landscaped setback of at least ten feet wide should be planted and maintained along the property line between commercial and office uses and residential properties that have a common property line.

b. All commercial loading and storage areas shall be screened from view of adjoining residential property by a combination of landscape planting and a six-foot high masonry wall. Loading areas shall be enclosed and be located to minimize noise impacts to adjacent residential properties. All storage shall be within an enclosed structure.

c. Roof-mounted and detached mechanical equipment shall be acoustically baffled to prevent noise from the equipment from exceeding 55 dB(A) measured at the nearest residential property line.

1.5.13 In order to encourage the integration of neighborhood and community commercial uses into neighborhoods, designs should de-emphasize the usage of walls as buffers where they create barriers to pedestrian access. Continuous block walls shall be discouraged, and offsets and openings shall be encouraged. Other types of uses, such as open space, may be utilized as buffers.

1.5.14 The City is committed to excellence in the design of new commercial and industrial development projects. To that end, the City shall prepare flexible design guidelines and standards which meet the intent of the General Plan and clarify expectations for design quality in future development projects.

1.6 INDUSTRIAL LAND USE

OBJECTIVES

A. Ensure the provision of adequate industrial zoned properties to meet the service and manufacturing needs of the community.

B. Provide new clean research and development, light industrial, and warehousing uses that provide quality head-of-household jobs for the community.

Existing warehousing facility

POLICIES AND STANDARDS

1.6.1 The industrial land use designation supports a mix of auto-oriented commercial and light industrial uses, including research and development, warehousing, and small-scale incubator industries, as well as community-serving commercial uses that are generally compatible with adjacent non-industrial uses.

1.6.2 The City shall require access to industrial areas through collector and arterial streets to avoid customer and truck traffic being directed through residential areas.

1.6.3 Industrial and uses are designed to operate entirely within enclosed structures, which pose limited potential for environmental impacts on neighboring uses with respect to noise, hazardous materials, odors, dust, light, glare, traffic, air emissions, and hours of operation.

1.6.4 Light industrial uses and public uses bordering residential sites shall incorporate site and building design features that minimize impacts to future residents. This should include, but is not limited to, the following:

a. A minimum of a 20-foot landscaped setback along the adjacent property line.

b. A landscaping palette that provides a mix of taller trees, intermediate height shrubs, and groundcovers to provide an attractive visual barrier.

c. As appropriate, include a 6-8-foot wall or fence along the shared property line that attenuates sound transmittal. The wall/fence should be well articulated with banding or trim elements to minimize the scale and massing.

d. Placing loading docks and other noise-generating building elements so that they are not directly facing the shared property line.

1.7 PUBLIC AND INSTITUTIONAL LAND USE

PUBLIC FACILITIES OBJECTIVE

Provide sites for adequate public facilities to serve projected growth.

POLICIES AND STANDARDS

1.7.1 Update the water, wastewater, and storm drainage master plans, and any other Specific Plan or Master Plan related to infrastructure development, on a periodic basis.

1.7.2 Annually monitor the need for law enforcement, fire, and other emergency services personnel as the City grows.

1.7.3 Continue to plan and provide efficient public safety and leisure/cultural facilities and services for the community.

Dinuba Fire Department at night

1.7.4 In considering development proposals which have the potential to affect school capacity, the City shall refer such proposals to the School District for review and comment to ensure that adequate school facilities are implemented to serve the proposed developments. Developers should mitigate impacts to schools in accordance with School District plans.

SCHOOLS OBJECTIVES

A. The City shall coordinate the location of school sites in the community with the School District in an effort to assist the School District in providing school facilities at the optimum locations and in a timely manner.

B. Provide transportation and recreation opportunities near schools.

C. Promote schools as focal points for neighborhood areas and as planning elements for new growth areas.

POLICIES AND STANDARDS

1.7.5 Coordinate school location and site design with the School District according to the following guidelines to ensure that adequate facilities are available.

Elementary Schools

Description: Facilities for 500 to 750 students in grades transitional kindergarten (TK) through grade 6.

Location: Interior residential areas at a collector/local intersection. Additional street frontage is desired for transition area to adjacent residences. Abuts neighborhood park with adjacent development backing or siding onto school. Maximize pedestrian and bicycle access and on/off circulation.

Service Area: ½-mile radius to serve a population of 5,000 to 8,000.

Site Area: 10 to 20 acres.

Facilities: Approximately 20 classrooms, administration building, library, multi-purpose building (lunches, recreation, and community meetings), multi-purpose recreation/open space with hard-court play areas and equipment, off-street parking, turnouts for parents dropping off children, bus loading/unloading area, and bicycle storage area. Security fencing separates buildings from play areas. Public use of play areas is encouraged.

Middle Schools

Description: Facilities for 850 to 1,000 students in grades 7 and 8.

Location: Residential areas with central location for surrounding elementary schools at collector/collector or collector/local intersections. Additional local street frontage desired for transition to adjacent residential areas. Maximize pedestrian and bicycle access and on/off-site circulation.

Service Area: 25 to 30 acres.

Facilities: Approximately 45 classrooms and labs; administrative center, library/media center; multi-use buildings (cafeteria, band, chorus, shops, labs); athletic facilities for football, baseball, track; off-street parking; bus loading/unloading area; and bicycle storage area. Security fencing separates buildings from athletic fields. Public use of athletic fields is encouraged.

Dinuba High School Marching Band

High Schools

Description: Facilities for 2,200 to 3,000 students in grades 9 through 12.

Location: Arterial-collector intersection with additional frontage on two other streets. Prefer same collector area as middle school.

Service Area: 50 to 60 acres.

Facilities: Approximately 100 classrooms and labs; library/media center; administration building; gym; cafeteria; standard outdoor athletic facilities; off-street parking, bus loading/unloading; and bicycle storage area. Security fencing separates buildings from athletic fields/facilities. Public use of athletic areas is encouraged.

1.7.6 Discourage and restrict commercial development that conflicts with school facilities.

1.7.7 Restrict development of High-Density Residential complexes abutting school sites.

1.7.8 The School District shall coordinate its school location, facility construction, and phasing with the City's development guidelines contained in the General Plan and the City's Capital Improvement Program to ensure that school facilities are located in areas where there are planned and programmed streets, sewerage, storm drainage systems, and other necessary infrastructure. Specific future school facility plans include the following:

a. The School District has vacant properties located in the four quadrants of the City of Dinuba for future school development. The District will consider selling the southeast 20-acre property as Washington Junior High will become an elementary school in the future.

b. The School District also owns the 40,000 square-foot Vocational Center which will become the future district office. It will house district office staff as well as Reedley College student classes. The old district office will become a Parent Resource Center.

c. During the fall of 2024, Dinuba High School will relocate to a new approximately 76-acre site at the southwest corner of Kamm Avenue and Alta Avenue which will house 2,300 students. The old high school will become the new junior high in the fall of 2025. The old junior high school will become a new elementary school in the fall of 2026.

d. The School District will also be integrating preschool classrooms and programs as early as the fall of 2024 in various locations throughout the district. The District has never had a systemic preschool program.

1.8 GENERAL PLAN FOCUS AREAS

INTRODUCTION

The City has identified, from previous land use and economic development studies, two primary geographical areas within the General Plan Planning Area where the current composition of land uses and development character does not correspond to long-range plans for the City's ultimate buildout. This section sets forth general provisions for development, distribution, and intensity of land uses within these two Focus Areas, and also presents opportunities to achieve a desired mix of development through tailored and innovative land use and development approaches. This is accomplished through clear policy and development guidance to ensure high-quality future development reflecting General Plan objectives, including the compatibility of activities within the Focus Areas and the reduction of negative effects on neighboring, often established, areas.

The policies in this section provide site-specific guidance regarding the development and redevelopment of uses within the Focus Areas. These City expansion areas generally have limited existing physical development within their boundaries but are adjacent to and near existing development. Consistent with Residential Land Use Policy 1.4.7, the City may master plan each new growth area containing at least 20 acres to guide future development. The Master Plan would identify land uses and densities, road layouts, and public facilities requirements, as well as contain design guidelines for all land use types within the Plan area. The City shall require property owners to prepare development plans with land uses consistent with this Section, as well as multi-modal transportation and infrastructure facilities consistent with any approved Master Plan.

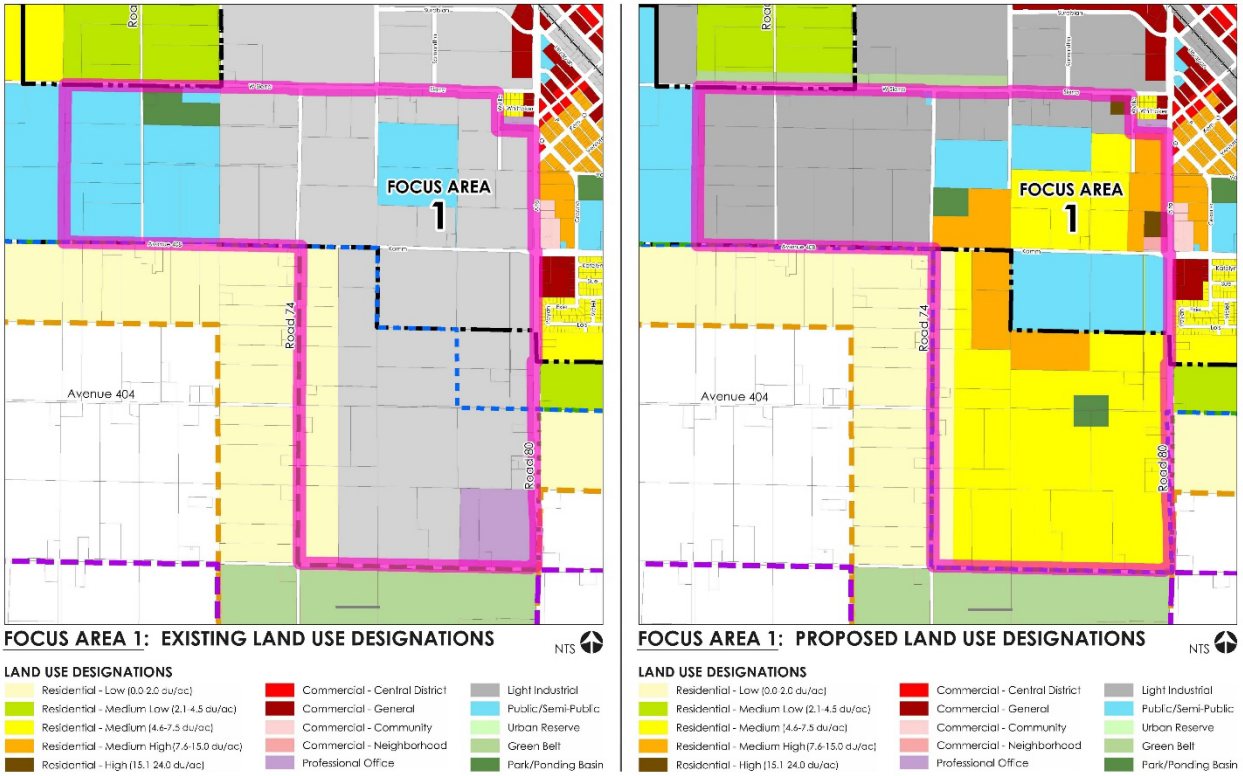
1.8.1 FOCUS AREA 1 (HIGH SCHOOL AREA)

LOCATION AND BACKGROUND

Focus Area 1 consists of approximately 925 acres southwest of nearby Downtown Dinuba, currently with primarily agricultural uses along with several interspersed single-family residences (See Figure 1.8-1: Focus Area 1). The area is generally bounded (clockwise from the northern boundary) by Sierra Way, Alta Avenue (Road 80), Avenue 400, a north-south boundary ½ mile west of Alta Avenue (no existing roadway), Kamm Avenue, and a north-south boundary ¼ mile west of Road 70. An existing residential subdivision at the corner of Sierra Way and Alta Avenue is excluded from the Focus Area.

The 2008 General Plan primarily designated this area for industrial development. However, with the development of the high school, the City Council directed the land use in this area to be predominately residential to provide a more compatible land use transition.

Figure 1.8-1: Focus Area 1



PURPOSE

The proposed new Dinuba High School is at the heart of the Focus Area and consists of an approximately 76-acre site at the southwest corner of Kamm Avenue and Alta Avenue. This Focus Area will be the City's largest new residential growth area with about 500 acres of the approximately 925 total acres in residential land use categories. Future development in this area should incorporate and consider the following land uses:

RESIDENTIAL - Focus Area 1 will accommodate primarily medium and medium-high density residential neighborhoods that are highly walkable, promote non-vehicular travel to nearby destinations, provide affordable housing options, and provide residents with attractive amenities such as parks and trails. The proposed high school campus will add a significant educational and recreational component to the community and will provide a citywide destination. Higher residential densities shall exist in the areas in closer proximity to Downtown and the high school, as well as in areas along Alta Avenue. At full build-out, it is expected that the residential population of Focus Area 1 would be approximately 3,000 people based on the realistic capacity (70%) of the maximum residential densities specified in the City's General Plan and the Dinuba Zoning Ordinance.

NON-RESIDENTIAL - Other desired uses in Focus Area 1 include some light industrial uses within the western and northern portions compatible with adjacent residential areas. These light industrial areas offer a buffer and transition from the City's wastewater treatment facility to the west. A commercial node

at the intersection of Alta Avenue and Kamm Avenue provides residents with convenient access to retail and other amenities. Mixed-use development should also be considered for the commercial node.

The high school will be a key activator and destination; when fully completed, it will consist of a variety of buildings and sports facilities supporting a projected school population of 3,000 students and 200 employees. There is also a site to the west and north of the high school that is set aside for a future planned middle school. By designating areas adjacent to the school with higher residential densities, future development will provide safe and convenient access to the school for a larger nearby population.

Table 1.8.1: Focus Area 1 Land Use and Residential Units

Land Use	**Acres** (Proposed)	**Density** (Zoning)	**Realistic Unit Capacity** (70% of max)	**% of Area**
FOCUS AREA 1 (High School)				
LR - Residential Low	40.2	0.0-2.0	56	4.3%
MR - Residential Medium	363.2	4.6-7.5	1,907	39.3%
MHR - Residential Medium High	86.6	7.6-15.0	909	9.4%
HR - Residential High	6.3	15.1-24.0	106	0.7%
SUBTOTAL RESIDENTIAL	**496.3**		**2,978**	**53.7%**
NC - Commercial Neighborhood	2.0			0.2%
PO - Professional Office	0.0			0.0%
P - Public/Semi-Public	119.6			12.9%
LI - Light Industrial	272.7			29.5%
PB - Park/Ponding Basin	13.3			1.4%
Road ROW (as shown on map)	21.3			2.3%
SUBTOTAL NON-RESIDENTIAL	**428.9**			**46.3%**
TOTAL	**925.2**			**100.0%**

DEVELOPMENT COMPONENTS AND GUIDANCE

Future development in Focus Area 1 should address and accommodate the following:

1. **Overall Neighborhood Character.** Attractive streets, landscaping, and a pedestrian-scale environment will contribute to the area's human orientation and walkability. A highly walkable community can reduce automobile use and associated costs, thereby promoting affordability and achieving air quality and livability objectives for residents. Providing recreational amenities and commercial services within walking distance of new homes is also an important land use tool to reduce single purpose automobile trips.
2. **Recreational Amenities.** Neighborhood-serving recreational facilities (e.g., parks, trails, and community centers) shall be provided consistent with City requirements and shall ensure a minimum of 5.0 acres of parkland and recreational facilities per 1,000 residents.
3. **Commercial Services.** A 2-acre parcel at the northwest corner of Kamm and Alta is zoned Commercial Neighborhood. This site should be developed with uses that provide services or

amenities catered to residents and students, such as a convenience market, deli, or café, and personal services like salons.

4. **Complete Streets.** The circulation network in the focus area will require general improvements to, and widening of, existing streets such as Alta Avenue and Kamm Avenue, as well as the development of other local and residential collector streets to accommodate increased traffic volumes. Along with these streets that accommodate automobiles, attractive streetscapes should be provided that contain sidewalks, landscaped parkways, and bike lanes that contribute to the area's pedestrian orientation and walkability.

5. **Multimodal Transportation Network and Safe Routes to School.** Building on the goals of providing complete streets within the focus area, multimodal connections need to be provided along with the new roadways to accommodate attractive, convenient, and safe travel between the high school, residential neighborhoods, and Downtown's community-serving commercial, cultural, and employment resources.

6. **Utility Infrastructure Improvements.** Provide for the extension of water, sewer, storm drainage, and other utilities within proposed streets of adequate size and capacity to serve anticipated development.

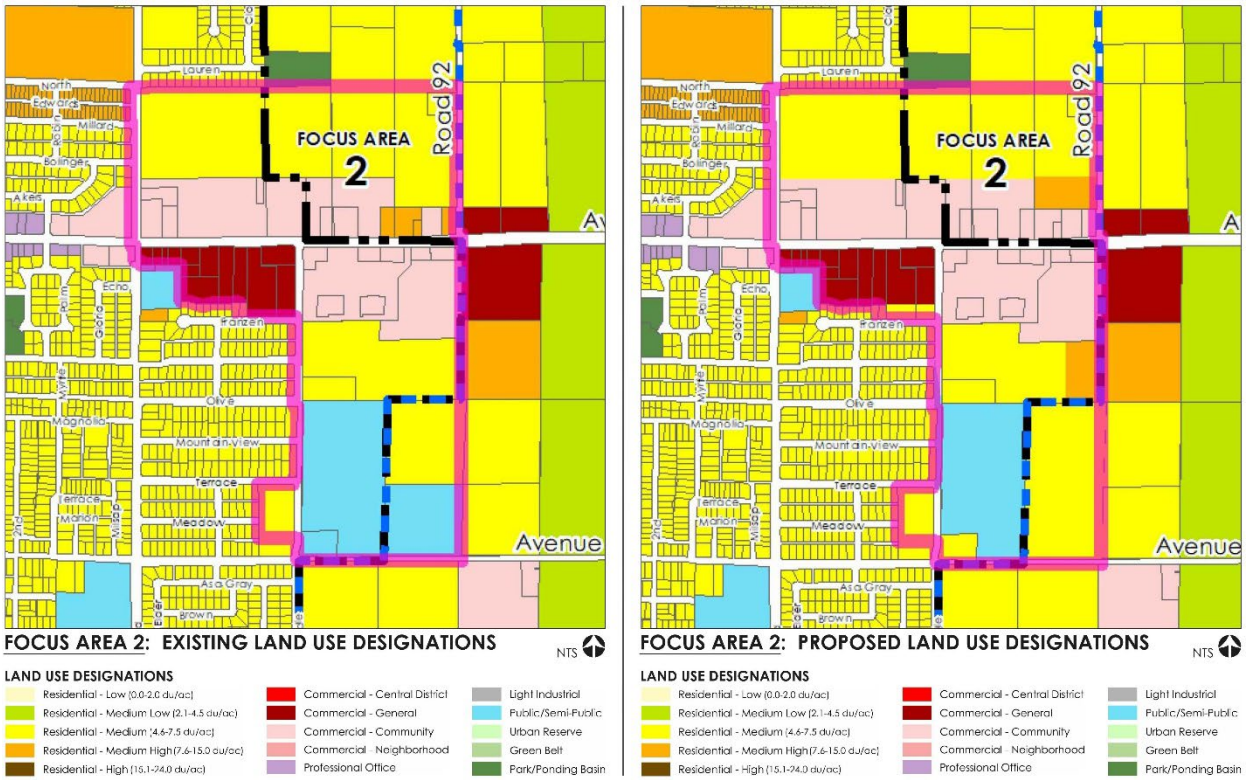
1.8.2 FOCUS AREA 2 (EAST EL MONTE ROAD)

LOCATION AND BACKGROUND

Focus Area 2 consists of approximately 180.7 acres located on both the north and south sides of the eastern portion of El Monte Road (See Figure 1.8-2: Focus Area 2). Some of the eastern portions of the area are located outside of the existing City limits, though all areas are within the City Sphere of Influence. The area is generally bounded (clockwise from the north) by a line parallel to and ¼ mile north of El Monte Way, Road 92 (including a line extending south from its current dead end), Sierra Way/Avenue 412, Randle Road, Franzen Way, and Crawford Avenue.

The primary existing land uses are agricultural and commercial. Commercial uses are located along East El Monte Way in areas designated Community Commercial and General Commercial, including the Mercantile Row Shopping Center between Randle Road and Road 92. Additionally, several single-family dwellings are located along the north side of East El Monte Way on parcels designated Residential-Medium-High prior to the update of the Land Use Element.

Figure 1.8-2: Focus Area 2



PURPOSE

The East El Monte Way Focus Area is envisioned to be a walkable mixed-use neighborhood with a variety of housing types and densities, and convenient multimodal connections to community-serving commercial and service amenities. Future development in this area should incorporate and consider the following land uses:

Residential – At full build-out, it is expected that this Focus Area would have a residential population of approximately 550 people based on the realistic capacity (70%) of the maximum residential densities specified in the City's General Plan and the Dinuba Zoning Ordinance. In addition to medium-density single-family housing, the housing mix should include areas with attached residential types that provide affordable options for people of all ages, including seniors. A potential site for senior housing is west of Road 92 in proximity to El Monte Way, which would provide residents with convenient, walkable access to nearby services.

Non-Residential – Other desired uses in Focus Area 2 include commercial uses along both sides of East El Monte Way, forming a concentrated area of community-serving retail and services (e.g., food markets, personal care services, offices, and restaurants) within easy walking distance to residential neighborhoods in the Focus Area. Larger-scale commercial uses (e.g., mid-box retail) will also attract residents from other parts of the City. Services that provide particular benefits to seniors, such as health care clinics, are desired in order to support an all-ages community and the development of senior housing.

A proposed elementary/middle school east of Randle Avenue between Olive Way and Sierra Way will be a key asset for Focus Area residents and surrounding neighborhoods. In addition to school buildings, the 28-acre parcel can accommodate recreational and sports facilities available for public use at designated times.

Table 1.8.2: Focus Area 2 Land Use and Residential Units

Land Use	Acres (Proposed)	Density (Zoning)	Realistic Unit Capacity (70% of max)	% of Area
FOCUS AREA 2 (East El Monte Rd)				
MR - Residential Medium	92.5	4.6-7.5	486	51.2%
MHR - Residential Medium High	5.8	7.6-15.0	61	3.2%
SUBTOTAL RESIDENTIAL	**98.3**		**547**	**54.4%**
GC - Commercial General	11.4			6.3%
CC - Commercial Community	47.6			26.3%
P - Public/Semi-Public	11.2			6.2%
Road ROW (as shown on map)	12.2			6.8%
SUBTOTAL NON-RESIDENTIAL	**82.4**			**45.6%**
TOTAL	**180.7**			**100.0%**

DEVELOPMENT COMPONENTS AND GUIDANCE

Future development in Focus Area 2 should address and accommodate the following:

1. **Recreational Amenities –** Neighborhood-serving recreational facilities (e.g., parks, trails, and community centers) shall be provided consistent with City requirements and shall ensure a minimum of 5.0 acres of parkland and recreational facilities per 1,000 residents.
2. **Commercial Services –** Commercial developments should provide amenities catering to nearby residents, such as grocery stores and restaurants, but also attract shoppers from other areas in the city and region, ensuring a vibrant, activated commercial district. Street-fronting commercial uses should activate the pedestrian environment through attractive public realm design and building orientation to the street.
3. **Housing Mix –** A variety of housing types, both single-family detached dwelling units and multifamily attached units (e.g., townhomes), shall provide affordable housing options for people of all ages, including options for seniors including attached dwellings. Multifamily development should be focused on areas nearest to services on El Monte Way to maximize accessibility.
4. **Complete Streets.** New streets and improvements to existing streets should contribute to a walkable, pedestrian-oriented community, including the provision of continuous sidewalks on both sides of the street. Streetscape improvements to existing primary roadways like El Monte Way and Crawford Avenue should include additional safety and comfort features for pedestrians such as signalized mid-block crossings, ADA curb ramps, shade trees, landscaping, street furniture, public art, and small pedestrian plazas. Roadways should support bicycling through the provision

of high-quality bicycle facilities including buffered bike lanes and secure bicycle parking. New roadways, such as an extension of Bolinger Way east of Crawford Avenue to Road 92, should be designed with an emphasis on the safety and comfort of people walking, bicycling, and using other non-vehicular means of travel. High-quality facilities for public transit riders should include shelters and comfortable seating at transit stops, particularly at popular locations such as Mercantile Row.

5. **Multimodal Transportation Network.** In addition to the desired mix of land uses and development character, Focus Area 2 will benefit from a comprehensive, well-connected multimodal circulation network that provides attractive, convenient, and safe access to nearby retail, office, services, and recreational amenities, thereby supporting complete streets and contributing to overall community health. Extensions of existing roadways including Bolinger Way, Road 92, Randle Way, Terrace Drive, and Meadow Lane will provide direct access to newly developed residential areas. Pedestrian and multi-use pathways should provide residents with direct access to shopping and service areas, providing shorter walking distances and a more attractive alternative to traveling alongside roadways with high levels of vehicular traffic. The 2010 Tulare County Regional Bicycle Plan identifies a Class II bicycle facility planned for El Monte Way that will extend through the town from Road 64 to Road 92.
6. **Utility Infrastructure Improvements.** Provide for the extension of water, sewer, storm drainage, and other utilities within proposed streets of adequate size and capacity to serve anticipated development.

1.9 ENVIRONMENTAL JUSTICE AND SOCIAL EQUITY

BACKGROUND

Environmental justice is the movement to recognize and improve the disproportionate burden of environmental pollution and other toxins faced by low-income communities and communities of color. Senate Bill 1000 (SB 1000) was signed into law in 2016 which requires local jurisdictions that have disadvantaged communities to incorporate environmental justice policies into their general plans. For the purpose of general plan requirements, environmental justice is defined as "the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies" (California Government Code §65040.12). Because Tulare County has higher levels of minorities, unemployment, poverty, and poorer air quality than state and national averages, environmental justice and the associated topic of social equity are important issues for the City of Dinuba.

Environmental justice and social equity goals relate closely to policies supporting healthy communities. The environmental conditions in which people are born, live, learn, work, play, and age affect how healthy people are over the course of their lives. Accordingly, communities with better health outcomes typically have characteristics such as open space and recreational opportunities; high quality and affordable housing; safe multi-modal transportation options; access to resources such as affordable healthy foods, medical services, and living-wage jobs; and quality educational services.

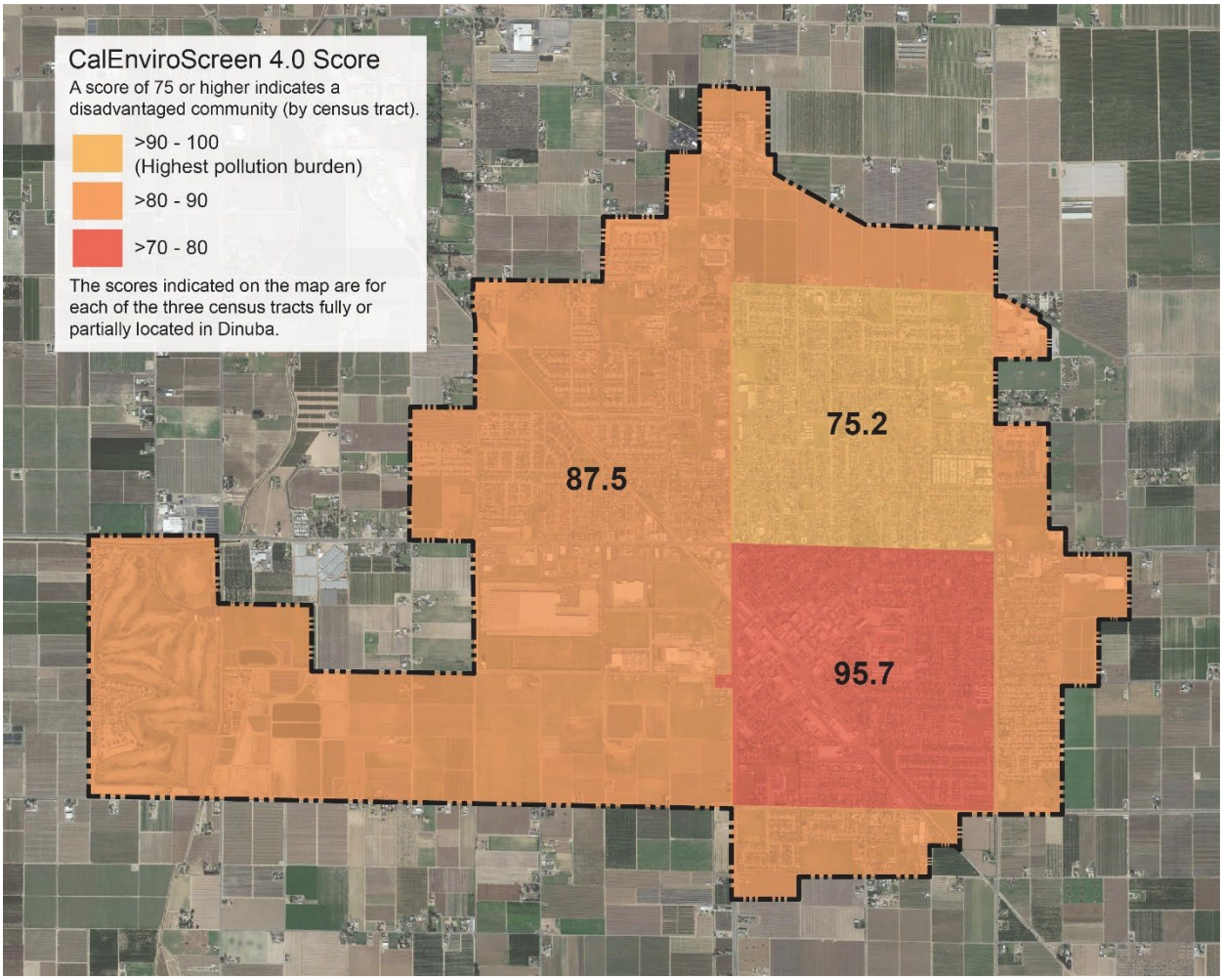
The environmental justice objectives and policies presented below are intended to confront inequities in a meaningful way by addressing specific environmental and structural challenges faced by the Dinuba community.

IDENTIFICATION OF DISADVANTAGED COMMUNITIES

SB 1000 defines "disadvantaged communities" as areas identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code or as an area that is low-income that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. Disadvantaged communities may be identified through a State mapping tool called "CalEnviroScreen," which uses several factors, called "indicators", to determine whether a community is disadvantaged and disproportionately affected by pollution. Pollution burden indicators measure different types of pollution that residents may be exposed to and the proximity of environmental hazards to a community. Population characteristic indicators represent the socioeconomic characteristics of the community that can make them more susceptible to health and environmental hazards.

All of Dinuba qualifies as a disadvantaged community based on CalEnviroScreen results, as shown in Figure 1.9-1. This designation as a disadvantaged community is further documented in the Final Environmental Justice Report prepared by the Tulare County Association of Governments (TCAG) dated August 2018.

Figure 1.9-1: Disadvantaged Community Status Designated by CalEnviroScreen Score



RELATION TO OTHER GENERAL PLAN POLICIES

Environmental justice is an interdisciplinary issue that is addressed in multiple elements of the City's General Plan, as shown in Table 1.9.1 as well as the City's Park & Recreation Master Plan as shown In Table 1.9.2. However, specific environmental justice discussion, objectives, and policies are provided in the following sections to form a meaningful, implementable framework for a focused environmental justice approach in the City of Dinuba.

Table 1.9.1: Other General Plan Policies Addressing Environmental Justice

Environmental Justice Topic	General Plan Element	Policy/Standard or Other (as noted)
Pollution Exposure	Open Space, Conservation, & Recreation	Goal 3.4 (Air Quality) and associated objectives, policies, and standards address pollution exposure and climate vulnerability.
		Objective 3.2 (Natural Resources) and associated policies and standards address the protection of natural resources including groundwater, soils, and air quality; and to ensure that environmental hazards including potential flooding and impacts from agricultural practices are adequately addressed in the development process.
		Policy/Standard 3.5: *To protect human health from potential impacts due to agricultural spraying, dust, and traffic congestion, the City will encourage lower density developments adjacent to land planned for long-term agricultural uses.*
	Noise	The Noise Element addresses the physiological, psychological, and economic effects of noise by providing effective strategies to reduce excessive noise and limit community exposure to loud noise sources.
	Circulation	Policies and standards associated with Objectives 2.6 (Bicycle Facilities) and 2.7 (Pedestrian Facilities) support alternatives to vehicle use, thereby decreasing associated air pollutants.
Public Facilities	Land Use	Policy/Standard 1.7.d. – Medium-High Res [excerpt]: *Areas designated medium-high density residential are to be integrated throughout the community adjacent to transportation, community services, and commercial developments.*
		Policy/Standard 1.14. *Multifamily residential developments with more than 25 units shall have direct access to a collector or arterial street and, where feasible, be located near commercial and community services.*
	Open Space, Conservation, & Recreation	Policy/Standard 3.49: *Locate public facilities (libraries, parks, schools, community centers, etc.) with consideration of transit and other transportation opportunities.*
	Urban Design	Policy/Standard 5.4 *New residential development should be designed in easy walking and bicycling distance to neighborhood commercial areas and community facilities such as schools.*
	Public Services and Facilities	Objective 7.2: *Facilitate a continued high level of health care services in the community.*
	Circulation	Objective 2.5 (Alternative Transportation Modes) and associated policies and standards address increasing the use of alternative modes of transportation.
Food Access	Land Use Housing	A variety of policies and standards in the Land Use and Housing Elements related to access to community commercial services (including grocery stores), but access to healthy food is not directly addressed.
Safe and Sanitary Homes	Safety	The provision of safe, sanitary, and affordable housing is addressed throughout the Safety Element.
	Housing	The provision of safe, sanitary, and affordable housing is addressed throughout the Housing Element.
Physical Activity	Land Use	Policy/Standard 1.22: *Neighborhoods should be physically connected to one another via a series of Minor Collector roadways and pedestrian paths, and all residents should be within a short walk or drive of retail and other services. New development shall coordinate with*

Environmental Justice Topic	General Plan Element	Policy/Standard or Other (as noted)
		the irrigation districts regarding the usage of district facility corridors as walking/bicycle paths available for public use.
		Policy/Standard 1.24: *Commercial uses may be located either in the center or at the periphery of neighborhoods, and should be integrated with residential uses and designed to be as accessible and appealing to pedestrians as possible, in order to encourage walking and biking.*
		Policy/Standard 1.26: *Neighborhood and Community Commercial sites … [should] be directly accessible from adjacent residential developments to encourage walking and biking.*
		Objective 1.5 (Public and Institutional Land Use) and associated policies and standards support pedestrian and bicycle access to schools and recommends that school athletic fields and facilities be open to the public.
	Circulation	Objective 2.6 (Bicycle Facilities) and associated policies and standards support development of infrastructure and services for active modes of travel including bicycle access.
		Objective 2.7 (Pedestrian Facilities) and associated policies and standards support development of infrastructure and services for active modes of travel including pedestrian access.
	Open Space, Conservation, & Recreation	Objective 3.3 (Recreation) and related policies and standards are to provide high-quality parks, recreation, and open space facilities to meet the needs of all Dinuba residents.
		Policy/Standard 3.48: *Encourage transportation alternatives to motor vehicles by developing infrastructure amenable to such alternatives.*
	Urban Design	Policy/Standard 5.6: *New residential subdivisions should provide strategically placed parks that are visible and accessible from the front entries of the maximum number of homes.*

Table 1.9.2: Park & Recreation Master Plan Goals & Objectives Addressing Environmental Justice

Environmental Justice Topic	Plan	Policy/Standard or Other (as noted)
Physical Activity	Parks & Recreation Master Plan (2020)	Goal 1: Provide an inclusive, diversified system of parks and open spaces that delivers a variety of active and passive recreational opportunities and reflects the community's changing recreational needs.
		Goal 3: Offer a diverse array of recreational activities and programs that promote the health and well-being of residents of all ages, abilities, and interests.
Public Facilities	Parks & Recreation Master Plan (2020)	Objective 3.2: Consider local needs, recreational trends, and changes in demographics to meet the needs of diverse users, including under-served residents who may have limited access to recreation.
		Objective 3.5: Where a county-wide recreation need is demonstrated in an area adjacent to the City, cooperative park development programs shall be encouraged on a cost-sharing basis. Joint power agreements between Dinuba and County agencies may be developed to implement such parks with financial aid management obligations in proportion to each agency's responsibilities.
		Objective 5.4: Support the establishment of public non-profit corporations or foundation with the purpose of promoting and supporting City park and recreation services and facilities.
Civic Engagement	Parks & Recreation Master Plan (2020)	Objective 3.6: Promote, sponsor, and/or partner for community events, family programs, educational activities, and other social events that serve general and special populations of the community and foster civic pride.
Safe and Sanitary Homes	Parks & Recreation Master Plan (2020)	Objective 5.5: Encourage and promote volunteer park enhancement and beautification projects from a variety of individuals, service clubs, school groups, churches, and businesses.
		Objective 6.1: Involve residents and stakeholders in park and recreation facility planning, design, and recreation program development to solicit community input, facilitate project understanding, and build public support.
		Objective 6.2: Consider the formation of a Parks and Recreation Commission or Board as a City advisory body and a forum for public discussion of park and recreation issues.
Needs of Disadvantaged Communities	Parks & Recreation Master Plan (2020)	Objective 1.2: Identify and prioritize lands for inclusion in the parks system based on factors such as contribution to level of service, connectivity, or recreational opportunities for residents.
		Objective 1.3: Consider the acquisition of additional neighborhood parklands in areas with a noted deficiency and where redevelopment is unlikely in the foreseeable future to fill existing distribution gaps and provide equitable access to active parklands.
		Objective 1.5: Provide an appropriate ratio of passive and active uses in each park type and provide active recreation facilities in multiple locations in the city to accommodate community needs.
		Objective 1.9: Coordinate with private development for the siting and development of parklands in deficient areas, as identified in this Plan.
		Objective 4.5: Balance the development of recreation facilities and amenities across different park sites based on community need and the capacity of each park site.

POLLUTION EXPOSURE

Pollution exposure occurs when people interact with contaminants in the air, food, water, and soil. These contaminants and pollution sources do not impact everyone equally. Vulnerable populations (e.g., children, seniors, people with chronic health conditions, and outdoor workers) may be more impacted by contaminants and pollution sources compared to the general population. Additionally, sensitive land uses (e.g., schools, housing, parks, medical facilities, senior living, and childcare facilities) are more susceptible to pollution exposure impacts.

California Government Code Section 65302(h) mandates that the General Plan assess the "unique or compounded health risks" due to pollution exposure in disadvantaged communities and focuses on pollution sources related to air pollution, groundwater contamination, and toxic and hazardous materials. The City of Dinuba, like other Central Valley communities, has high levels of air pollutants compared to other areas in California, as shown in Table 1.9.3.

The California Healthy Places Index (HPI) Clean Environment Score is a composite measure of pollution that was developed by the Public Health Alliance of Southern California. It is based on the average levels of four common environmental pollutants used in the California Environmental Protection Agency's CalEnviroScreen 3.0 tool (discussed above). The HPI score uses a zero to 100 scale with a score of 100 indicating the lowest pollution. The score is a percentile that ranks each area compared to all areas statewide. The HPI score for Dinuba is 12.5, meaning that it has healthier community conditions than 12.5% of other California cities/towns. High pollution burdens in Dinuba include ozone and PM 2.5 air pollutants, with scores of 5.3 and 2.6, respectively. In the northern part of the City (Census Tract 4.01), the HPI score breakdown indicates higher drinking water contaminants compared to other communities and other areas in the City.

Table 1.9.3: California Healthy Places Index (HPI) Clean Environmental Score for Dinuba

	Tract 4.01	Tract 4.02	Tract 5.01	Tract 5.02
Clean Air - Ozone	5.3	5.3	5.3	5.3
Clean Air – PM 2.5	2.6	2.6	2.6	2.6
Clean Air – Diesel PM	81.1	77.3	70.9	74.9
Drinking Water Contaminants	6.2	39.3	39.3	20.5

OBJECTIVES

A. Reduced pollution exposure and associated health impacts for all residents.

POLICIES AND STANDARDS

1.9.1 Support outreach to educate property owners about the benefits of retrofitting properties with air filters, ventilation systems, landscaping, or other measures to reduce air quality impacts.

1.9.2 Provide information to property owners on potential sources of financial assistance for building/site improvements that reduce sources of pollution.

1.9.3 Educate residents on how to protect themselves from extreme heat, smoke exposure during wildfire events, and additional climate vulnerabilities.

1.9.4 Ensure residential areas are adequately buffered from the effects of adjacent industrial uses, such as noise and air pollution.

PUBLIC FACILITIES

Disadvantaged communities may lack adequate access to public facilities necessary to promote a healthy quality of life, such as community centers, parks, open space, sports facilities, and emergency centers. Buildings and infrastructure that benefits the community play an important role in providing residents amenities and services that enhance community health, resilience, and quality of life.

City playground

OBJECTIVES

B. Equitable provision of public facilities and services throughout Dinuba.

POLICIES AND STANDARDS

1.9.6 Prioritize and allocate citywide resources to provide equal access to public facilities, infrastructure, and services for all residents.

a. Allocate greater resources to communities where greater needs exist.

b. Foster public and private investments that increase economic opportunity and environmental quality.

c. Pursue grant funding for investments that increase the resiliency and adaptive capacity of low-income households and communities.

1.9.7 Plan and design projects, including City Capital Improvement Program (CIP) projects, to consider current and planned adjacent land uses, local transportation needs (e.g., bicycle and pedestrian facilities, transit enhancements, and roadway safety improvements), and climate change vulnerabilities, while incorporating the latest and best practice design guidance.

1.9.8 Coordinate with local and regional planning and transportation agencies to provide high quality public transit services in Dinuba.

HEALTHY FOOD ACCESS

Access to healthy and affordable food sources is an essential part of a healthy, sustainable, and thriving community. In addition to the physical accessibility of affordable food, food access also ensures residents' sense of security that food is readily available.

OBJECTIVES

C. Convenient access to fresh, healthy, and affordable food for all Dinuba residents.

POLICIES AND STANDARDS

1.9.9 Retain and attract grocery stores and markets in underserved neighborhoods.

1.9.10 Support private sector actions of existing convenience stores, food markets, and liquor stores to stock fresh produce and other healthy foods.

1.9.11 Support the operation of existing and future farmers' markets in the City.

1.9.12 Promote educational programs and public messaging about healthy eating habits, food choices, and nutrition.

1.9.13 Encourage participation in community edible gardens and support local nonprofit organizations such as Community Life Garden.

1.9.14 Require new subdivisions with more than 10 lots to incorporate some on-site space for either a community garden space and/or fruit trees for residents.

1.9.15 Provide access to locally grown and organic foods as a means of supporting local farmers, keeping agricultural lands in production, promoting sustainable agricultural practices, and reducing energy expended on food transport.

1.9.16 Promote knowledge and usage of state food assistance benefits through programs including CalFresh and California WIC (Women, Infants and Children Program).

HEALTHY AND AFFORDABLE HOUSING

Housing conditions, quality, and affordability have significant impacts on the health, safety, and well-being of Dinuba residents in an environmental justice context. Numerous factors such as hazardous building materials, exposure to excessive heat or cold, poor air quality and filtration, and moisture and mold from flooding or inadequate building maintenance can lead to severe and negative health outcomes. Some disadvantaged community residents live in housing units that were built before the existence of established regulations removing pollutants such as lead paint and asbestos.

High housing costs can negatively impact health by causing significant stress and limiting the amount of money people have available to spend on other necessities such as food, healthcare, or recreation. High costs related to owning or renting a home, along with a comprehensive set of policies and programs addressing affordable housing are discussed in the Housing Element. The Housing Element includes goals for increasing the provision of affordable homes suitable for a range of incomes and life stages.

OBJECTIVES

D. Safe, sanitary, and affordable homes and communities.

POLICIES AND STANDARDS

1.9.17 Support objectives and policies within the City's 2015 Housing Element to support the development, retention, and rehabilitation of safe and sanitary homes in Dinuba (See Housing Element Table 4-5).

1.9.18 Support outreach to educate property owners about the benefits of retrofitting properties with measures to improve safe and sanitary living conditions, such as improved heating and air conditioning systems and removal of hazardous building materials.

1.9.19 Provide information to property owners on potential sources of financial assistance for building/site improvements that contribute to safe and sanitary living conditions.

1.9.20 Adopt planning programs to improve environmental quality and strengthen economic and educational opportunities.

ACTIVE MOBILITY AND OVERALL HEALTH

Physical activity has a direct impact on the long-term health and wellbeing of Dinuba residents. People who are physically active tend to have a lower risk for certain diseases, and engaging in regular physical activity can also provide social and emotional benefits. People participate in physical activities in many different forms and for different purposes, including recreational, health, and transportation (e.g., bicycling and walking).

The Open Space, Conservation, and Recreation Element serves as a plan for parkland and recreational open space in Dinuba. The City also promotes active living through Circulation Element policies supporting active modes of travel and fostering a pedestrian-friendly urban environment.

OBJECTIVES

E. Abundant, equitably distributed amenities supporting a large variety of physical activities for people of all ages and abilities.

POLICIES AND STANDARDS

1.9.21 Provide a variety of parks, facilities, and programs to meet the recreational needs of a diverse population, including children, teens, adults, persons with disabilities, elderly, and visitors.

1.9.22 Ensure all residents have safe and convenient access to parks, community centers, sports fields, trails, and other recreational and open space amenities.

1.9.23 Promote the use of bicycles for recreation and everyday transportation through high-quality bikeway infrastructure, a connected bicycle network, and programs that encourage bicycling.

1.9.24 Encourage walking for recreation and transportation/commuting through improved sidewalks, safe and accessible trails, a connected pedestrian network, convenient access between residences and key destinations, and high-quality pedestrian-oriented amenities that make walking more inviting (e.g., lighting, seating, shade trees, and drinking fountains).

1.9.25 Incorporate Complete Streets principles into all transportation projects at all phases of development, including planning and land use decisions, design, implementation, maintenance, and performance monitoring.

CIVIC ENGAGEMENT

Equitable and effective planning and decision-making processes, especially for Environmental Justice issues, should meaningfully involve the most impacted community members. Promoting civic engagement can build community interest and involvement and deepen the investment of stakeholders in identifying and realizing community improvements. Environmental justice issues can be more organically identified and resolved if there are accessible and culturally relevant opportunities to engage in decision-making processes prioritizing low-income communities, communities of color, and linguistically isolated communities.

Dinuba has a range of organizations providing services to its residents; these organizations may be effective partners to collaborate with on future public engagement efforts.

OBJECTIVES

F. Meaningful participation in planning efforts by a diverse range of community members, especially disadvantaged communities, and those most impacted by environmental hazards.

POLICIES AND STANDARDS

1.9.26 Facilitate the participation of a diverse range of Dinuba community residents, businesses, and organizations in the development, adoption, and implementation of planning and public facilities initiatives, and consider their input throughout the decision-making process.

1.9.27 Proactively, effectively, and equitably engage community residents in the planning and development process by providing language options at events and meetings; providing childcare for engagement events; holding meetings, focus groups, or listening sessions at a variety of venues throughout the community; and using participatory facilitation techniques.

1.9.28 Foster collaborative partnerships, including with public health professionals and other public and private sector agencies and organizations, to involve the community in developing and implementing environmental justice-related initiatives.

1.9.29 Provide timely and updated information for how residents can reach relevant and appropriate staff from the City as well as other agencies, thereby encouraging transparency and accountability across programs and services.

1.10 GENERAL PLAN, ZONING CONSISTENCY, AND PLAN ADMINISTRATION

OBJECTIVES

A. Establish a well-balanced mix of residential, commercial, industrial, and open space/public land uses which will create and maintain a high-quality environment and a fiscally sound community.

POLICIES AND STANDARDS

1.10.1 Land use density and intensity standards are shown in Table 1.10-1.

Table 1.10.1: Plan Consistency Table

Plan Designation	Existing Consistent Zone District	Consistent Density (in dwelling units per gross acre)	Intensity Person/Acre
Residential			
Low Density	A-N, R-A	0.00-2.00	8
Medium-Low Density	R-1-7.5, R-1-10	2.10-4.50	15
Medium Density	R-1-7.5, R-1-6, RM-3	4.60-7.50	35
Medium-High Density	RM-2, RM-3	7.60-15.00	60
High Density	RM-2, RM-1.5	15.10-24.00	100
Commercial			
Neighborhood	C-1		
Community	C-2		
Central	C-2		
General	C-3		
Office	P-0		
Industrial			
Light	M-1		
Heavy	M-2		
Open/Public			
Agriculture	A-N		
Parks & Open Space	RCO		
Public Buildings & Grounds	RCO		
Urban Reserve	A-N		

1.10.2 Zoning shall be consistent with the General Plan. A zone district shall be deemed consistent with a land use designation when such zone district is specified as consistent in the Plan Consistency Table. In no case, however, shall the overall maximum density of the plan designation be exceeded.

a. Residential density on part of a site may exceed the maximum if the entire project site density conforms with the Plan Consistency Table. Mixed residential uses and density

incentives should be provided to most fully utilize properties. Such projects shall be at least two acres in size and will require a Conditional Use Permit.

1.10.3 When a General Plan Map amendment is required, the amendment and consistent rezoning application shall be processed concurrently.

1.10.4 The City will update the Zoning Ordinance as appropriate to implement the General Plan.

1.10.5 Development standards shall be implemented for Alta and El Monte to improve the practical function and aesthetic quality.

1.10.6 The Conditional Use Permit process shall be used where site conditions or project location will affect land use compatibility. Findings required for approval shall include:

a. That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by the applicable zone district.

b. That the site for the proposed use is served by streets and highways adequate to carry the quantity and kind of traffic generated by the proposed use.

c. That public facilities are currently, or will be, adequate to serve the proposed use.

d. That the proposed development is consistent with the General Plan.

1.10.7 The Urban Reserve classification denotes lands not anticipated for development within the 20-year time frame of the General Plan but which would be expected to ultimately urbanize. Lands within the Urban Reserve designation may be annexed for purposes of planning long-term urban service extensions. They may not be developed, however, without first amending the General Plan and after a need is demonstrated for development in these areas, and that urban services can be provided without adversely affecting the development feasibility of lands currently planned and zoned. The greenbelt shall be maintained on the northerly and easterly edges of the community.

1.10.8 The City should undertake a review of the General Plan's demographic, financial, land use demand and supply, and infrastructure assumptions no less frequently than once every five years to provide an opportunity for necessary mid-term modifications to the General Plan. This review should include public participation.

1.10.9 Prior to annexation, Specific Plans and Master Plans should be utilized, where appropriate, to implement the General Plan.

1.10.10 Financing mechanisms for the development and maintenance of private and public improvements should be established to ensure that necessary infrastructure and public facilities are provided, and that adequate provision is made for their ongoing maintenance and operation.

Appendix C

Circulation Element

CITY OF DINUBA

FOCUSED GENERAL PLAN UPDATE

CIRCULATION ELEMENT

Public Hearing Draft – May 2023

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2.0 CIRCULATION ELEMENT

2.1 INTRODUCTION

The Circulation Element contains Dinuba's citywide transportation plan. It describes and illustrates the existing and future circulation system within Dinuba and its designated Sphere of Influence (SOI). The Circulation Element provides the necessary framework to guide the growth and development of Dinuba's transportation-related infrastructure and integrates land use and transportation planning by ensuring that all existing and future developments have adequate access and circulation via multiple modes of travel including transit, walking and bicycling.

Dinuba's historic downtown accommodates multiple modes of travel including The Jolly Trolley bus service that provides service to and from Dinuba's neighborhoods.

PURPOSE OF THE CIRCULATION ELEMENT

The Circulation Element guides the continued development and improvement of the circulation system to support existing and planned development, while the Land Use Element identifies the City's planned development pattern. The development of additional land in the future will increase the demand for local and regional street improvements and construction.

The Circulation Element promotes travel by multiple forms of transportation to enhance travel for all residents and reduce vehicle miles traveled (VMT). It also reduces the cost of transportation system improvements and improves public health and air quality. The pedestrian and bicycling systems will also connect the various activities centers identified in the Land Use Element and promote a pedestrian/bicycle friendly community.

SCOPE AND CONTENT OF THE CIRCULATION ELEMENT

California law mandates the development of a Circulation Element as part of the General Plan. The Circulation Element must contain the "general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities," all correlated with the land use element of the General Plan per Government Code Section 65302 (b). In addition, the Circulation Element is consistent with the California Complete Streets Act (AB 1358) adopted in 2008 by incorporating "Complete Streets" guidance and policies.

The concept of Complete Streets is to provide a transportation network that meets the needs of all users of streets -- including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors. Instead of addressing utilities within the Circulation Element, the Dinuba General Plan contains a Public Services and Facilities Element that addresses the provision of utilities and services/facilities.

This element contains goals, objectives, and policies to improve overall circulation in Dinuba with an emphasis on providing a citywide network of "Complete Streets". Because local circulation is linked with the regional system, the element also focuses on participation in regional programs to enhance mobility.

GOALS

1. A fully integrated local mobility network that provides for safe and convenient circulation using a variety of transportation modes, including complete streets that meet the needs of all users of streets.
2. Vehicle miles traveled (VMT) are below regional averages for Tulare County.

2.2 COMPLETE STREETS

The City of Dinuba is committed to the concept of providing Complete Streets throughout the community. The term "Complete Streets" refers to a balanced, multimodal transportation network that meets the needs of all users of streets -- including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors. A "Complete Street" is one that provides safe and convenient travel in a manner that is suitable to the local context.

Complete Streets make travel safe for all users, including bicyclists, pedestrians, motorists, transit vehicles, and people of all ages and abilities. Each and every street does not need to provide dedicated space to all users, but the network must accommodate the needs of all users.

Example of a "Complete Street" with pedestrian-oriented land uses.

Economically, Complete Streets can help revitalize communities, and can give people the option to lower transportation costs by using transit, walking, or bicycling rather than driving to reach their destinations. The California Department of Transportation (Caltrans) is actively engaged in implementing its Complete Streets policy in all planning, programming, design, construction, operations, and maintenance activities for the State Highway System. Provision of safe mobility for all users contributes to Caltrans' vision: "improving mobility across California". The successful long-term implementation of this vision is intended to result in more options for people to go from one place to another, less traffic congestion and greenhouse gas emissions, more walkable communities (with healthier, more active people), and fewer barriers for older adults, children, and people with disabilities.

VEHICLE MILES TRAVELED (VMT)

Intrinsic to the concept of Complete Streets is the preferred metric of vehicle miles traveled (VMT) for evaluating new development projects and city plans. VMT measures the amount of travel by motor vehicles to and from residences, jobs and other destinations. With a compact land use pattern and a

transportation system that provides improvements for all modes of transportation, the efficiency of the existing street system is increased and correspondingly traffic congestion is minimized.

Senate Bill (SB) 743 that was passed by the California Legislature in 2013 and led to changes to the California Environmental Quality Act (CEQA) regarding the analysis of transportation impacts that took effect in 2020. Transportation impact analysis under CEQA is no longer based on traffic level of service (LOS), which focuses on motor vehicle delay. SB 743 addresses a range of topics and aims to better promote statewide policies that (a) combat climate change by reducing greenhouse gas emissions and particulates; (b) encourage infill development and a diversity of uses instead of sprawl; and (c) promote multi-modal transportation networks, providing clean, efficient access to destinations and improving public health through active transportation. The new CEQA standards require that transportation impacts associated with development be assessed primarily based on the effects on VMT.

Rates of VMT are typically the lowest in compact, walkable mixed-use areas. Higher rates of VMT tend to occur in suburban or rural areas with low population densities and longer distances to activity centers. Therefore, efforts to reduce VMT often focus on encouraging infill development. Similarly, SB 743 aims to encourage infill development and a diversity of land uses instead of sprawl, and to promote multi-modal transportation networks that provide efficient access to destinations and improve public health through active transportation.

While traffic LOS is no longer relevant for CEQA purposes, LOS-based performance goals remain relevant for non-CEQA planning purposes as a tool to ensure the street system meets the expectations of the community.

REGIONAL TRANSPORTATION PLANS (RTPs)

California courts have recognized that general plans must reflect the regional context. The Circulation Element must, therefore, account for both regional transportation plans and, in some cases, congestion management plans. Metropolitan planning organizations and regional transportation planning agencies prepare regional transportation plans in cooperation with Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Caltrans, the Air Resources Board, the Department of Housing and Community Development and other stakeholders, including system users.

The purpose of the regional transportation plan (RTP) is to establish regional goals; identify present and future transportation needs, deficiencies, and constraints; analyze potential solutions; estimate available funding; and propose investments. In most regions in California, the RTP includes a sustainable communities strategy (SCS) that aligns transportation investments with a land use pattern designed to reduce regional greenhouse gas emissions. In order to be eligible for federal and state funding, transportation projects must be consistent with the adopted RTP, including an applicable SCS.

The Circulation Element supports the City's planning efforts in compliance with the goals set forth in Tulare County Association of Governments (TCAG) 2019 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

2.3 SETTING

Regional travel in Dinuba is provided primarily by El Monte Way and Alta Avenue. El Monte Way runs east-west and Alta Avenue runs north-south. Key commercial/mixed-use streets in Dinuba's historic downtown core include Tulare Street and portions of H, I, J, K, L and M Streets that provide diagonal on-street parking and pedestrian-oriented storefronts.

Figure 2.3-A illustrates the City's existing-year street network as of 2023, and Figure 2.3-B shows streets served by transit.

Dinuba is served by the Dinuba Area Regional Transit (DART) bus and Dial-a-Ride system. The City provides the public with a transportation system known as the Dinuba Area Regional Transit (DART) operating Monday through Saturday. Additionally, DART Flexroute is a combined fixed route and dial-a-ride service operating two 30-minute routes within Dinuba city limits, picking up Dial-a-Ride passengers between route stops. DART also operates the Jolly Trolley, a free transportation service that can be used in and around the city. No commuter rail transportation (Amtrak) is currently located in Dinuba. The nearest two Amtrak stations are in Fresno (downtown area) and in Hanford.

El Monte Way is the key east-west connector accommodating regional travel to and from Dinuba.

Goods movement in Dinuba and the Central Valley is a key component of the economic vitality and growth of the region. A multimodal system consisting of a highway system, railroads, and airports facilitates the movement of goods throughout the region and state. Since there are no State Highways that traverse Dinuba, city streets and county roads are designated for truck routes to serve local shops and regional industries. However, some of these truck routes are accommodated for heavy duty trucks. State Route 99 is located approximately 12 miles west of Dinuba and provides access to truck trips headed northbound. Freight rail service is provided by the San Joaquin Valley Railroad (SJVR). SJVR is a short line railroad that operates in California's Central Valley and San Joaquin Valley operating about 297 miles of track. There is no freight service hub within the city limits of Dinuba. The SJVR line bisects the City of Dinuba at a diagonal that is parallel to M Street in the downtown area.

KEY CHALLENGES

Key challenges and opportunities relevant to the provision of Complete Streets that serve all modes include higher than desired motor vehicle travel speeds, excess traffic capacity and street/lane widths, and a lack of marked crosswalks. Lower speeds generally reduce the severity of collisions and improve safety for pedestrians and bicyclists.

High travel speeds and wide travel lanes: Street design guidelines tailored towards city streets typically aim to encourage speeds not to exceed 35 miles per hour (mph), while speeds of 20 to 25 mph are desirable in many cases. However, travel speeds on Dinuba's major streets are currently higher than 35 mph on most segments. Figure 2.3-D shows existing speed limits as of 2023.

- El Monte Way varies between 35 to 45 miles mph
- Alta Avenue varies between 35 to 50 mph
- Kamm Avenue varies from 40 to 50 mph

Sidewalk gaps: Newer parts of Dinuba were developed using late-20th-century street design standards that tend to emphasize automobile capacity, often at the expense of walkability. Just 60 percent of City streets have continuous sidewalks, while 14 percent have intermittent sidewalks, and 24 percent lack sidewalks (primarily in the outskirts of the City). Continuous sidewalks facilities are present in the downtown area as well as in most of the residential neighborhoods. These areas also encompass marked crossings for ease of pedestrians crossing the street and automobile drivers to identify. Areas with intermittent sidewalks include segment of El Monte Way, which is a main east-west route into the city. Figure 2.3-C illustrates the City's existing pedestrian network as of 2023.

Limited bikeway network: Dinuba's year-2023 bikeway network is relatively limited, with roughly 3 miles of bicycle lanes on portions of key streets including El Monte Way and Crawford Avenue as shown on Figure 2.4-C. A lack of bicycle accommodations on most arterial and collector streets, gaps at major destinations leave people who want to cycle disconnected from employment, school, retail, and transit destinations. In addition, the high travel speeds noted above tends to discourage cycling on major streets.

Downtown's role as a community center includes the use of downtown streets for popular community events.

Figure 2.3-A: Year 2023 Street Map & City Boundaries

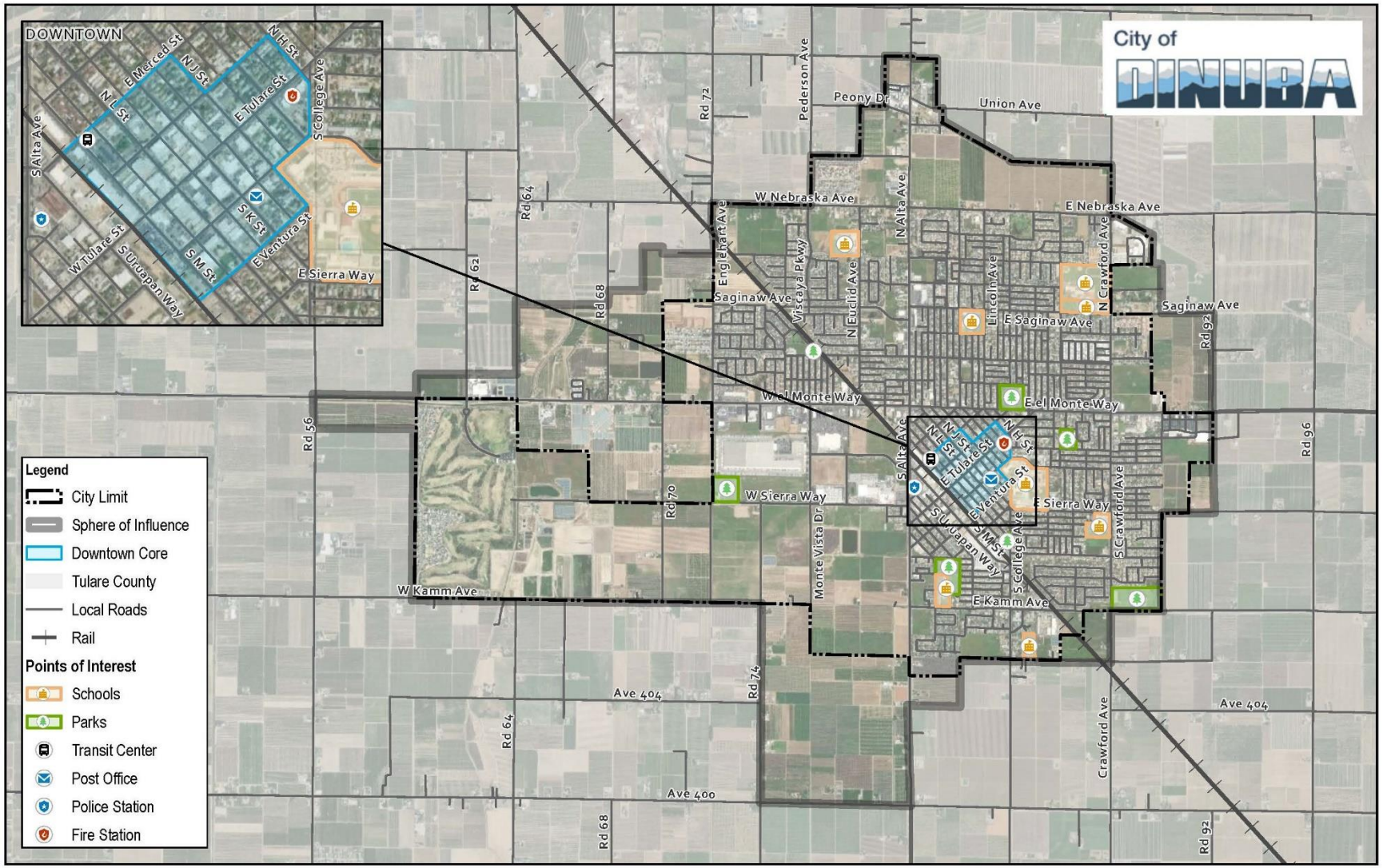


Figure 2.3-B: Year 2023 Transit Routes

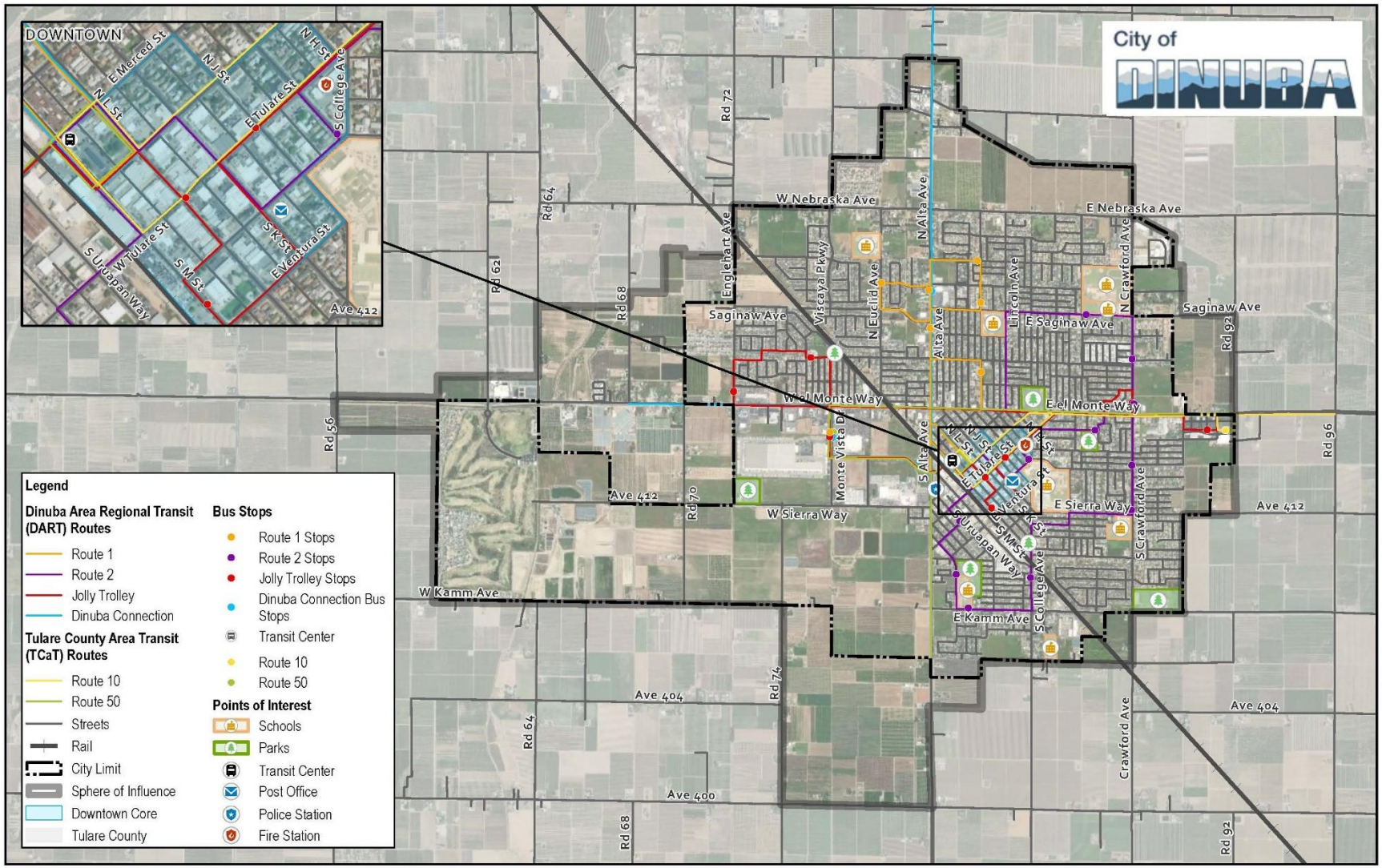


Figure 2.3-C: Year 2023 Pedestrian Network

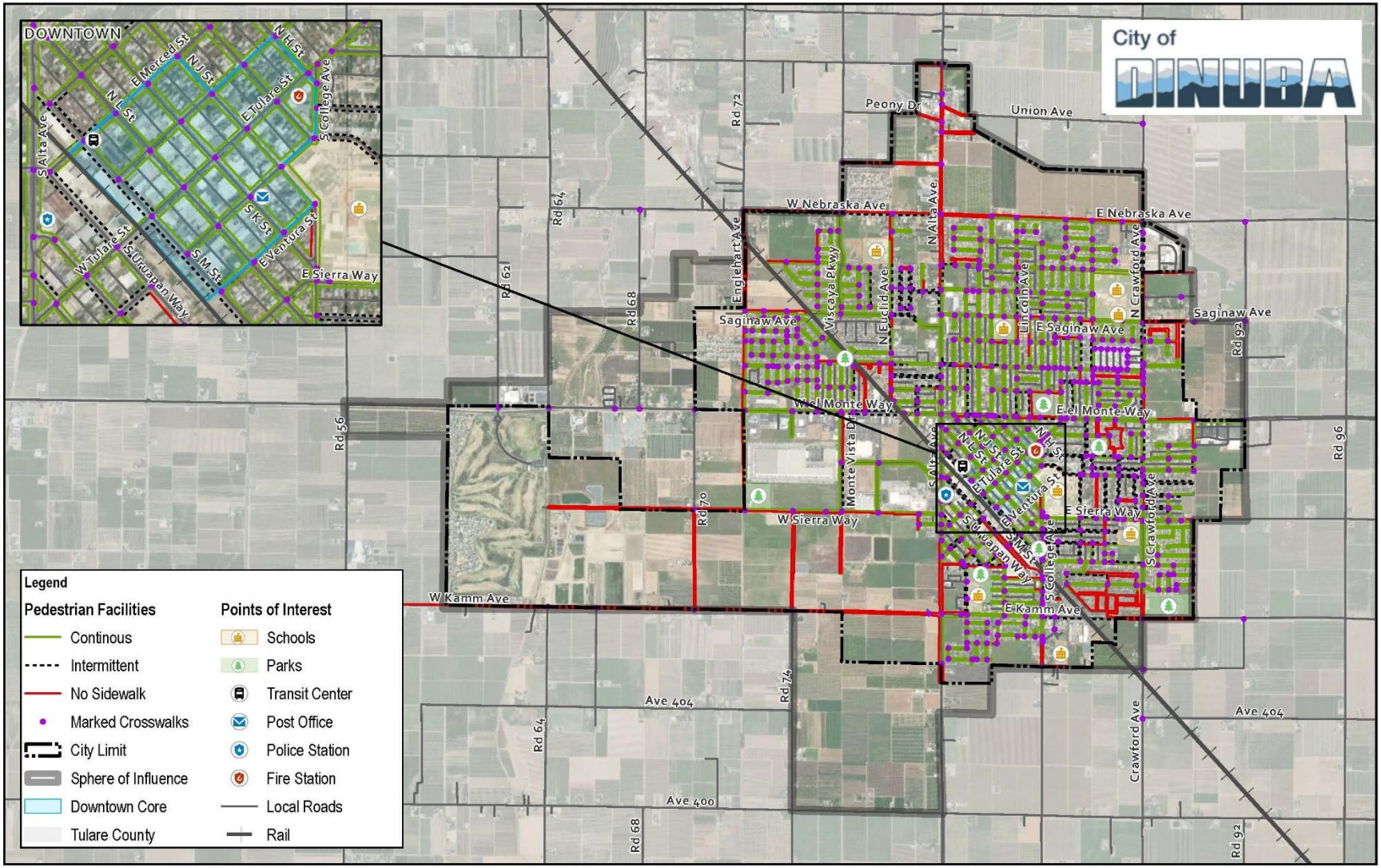
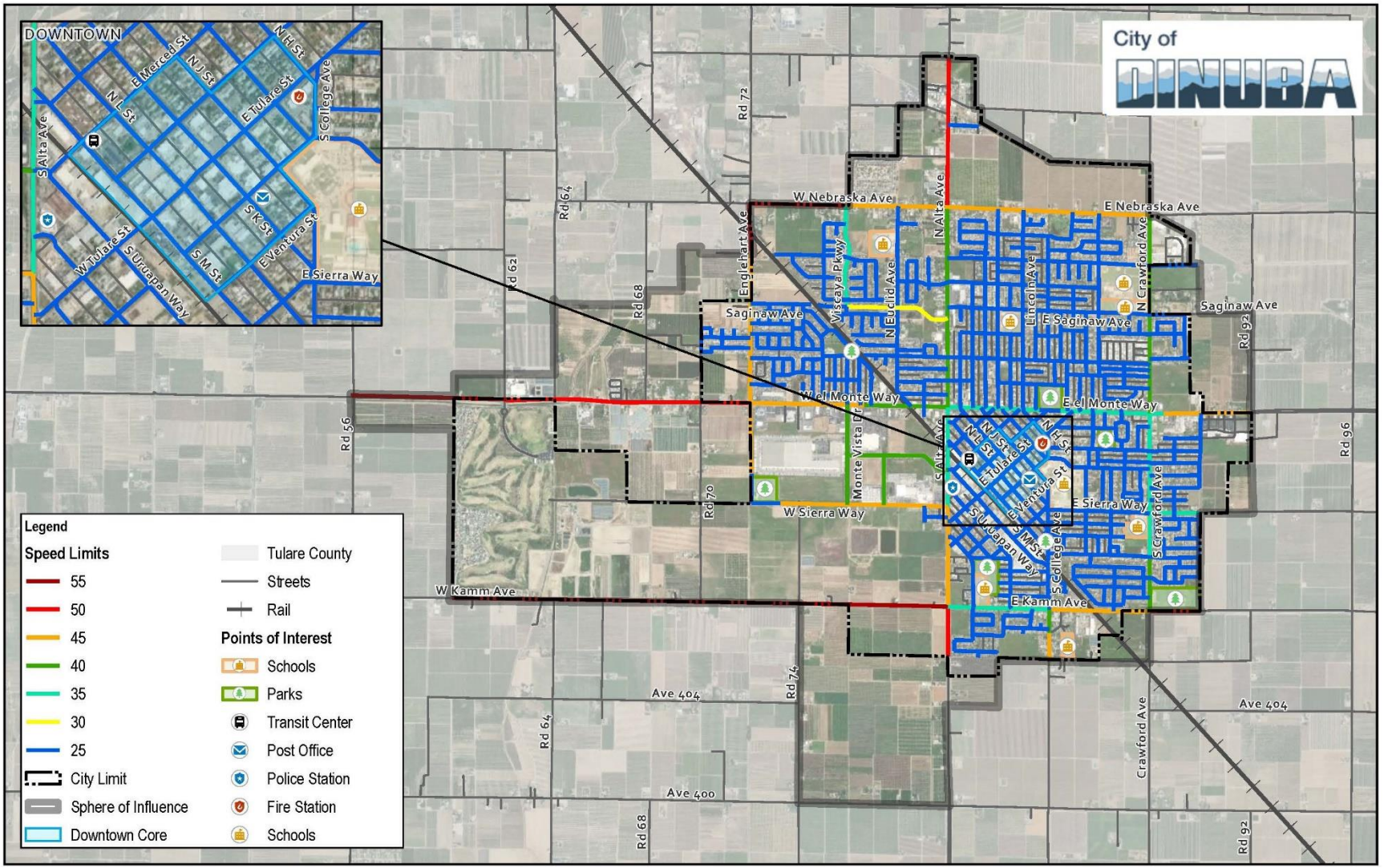


Figure 2.3-D: Year 2023 Speed Limits



2.4 CIRCULATION PLAN

This section of the Circulation Element describes the City of Dinuba's planned Complete Street network, including street and bikeway classifications, and street design guidelines relevant to long-term buildout of the City's planned street network. The City is committed to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets through a comprehensive, integrated transportation network that serves all categories of users, including but not limited to pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, emergency vehicles, seniors, children, youth, and families. Where feasible, the City supports the reallocation of space to better serve all users.

A roundabout was installed at the intersection of Alta and Nebraska Avenues in 2022. Dinuba's Circulation Plan recommends additional roundabouts at key intersections to enhance safety and reduce vehicle speeds, including key gateways to Dinuba on Alta Avenue and El Monte Way.

The City intends to provide and maintain a citywide network of Complete Streets by retrofitting existing streets, and ensuring that new streets are designed according to Complete Streets principles. Streets with an excess of travel lanes relative to actual volume, and/or overly wide travel lane widths, provide opportunities to reallocate space in a manner that better serves all modes of travel. Such measures will also help to reduce motor vehicle speeds in many cases.

2.4.1 STREET CLASSIFICATIONS

Streets in Dinuba are divided into three classifications: arterials, collectors, and local streets, as described below.

- **Arterial streets** provide the principal network for citywide travel by all modes of travel, including walking, bicycling, motor vehicle and transit, and provide regional connections. They connect areas of major activity and connect with important county roads and state highways, and distribute traffic serving residential, commercial, and industrial areas. The Circulation Element further divides the arterials into three sub-types based on context and travel volume: boulevards, mixed-use arterials, and community arterials.
- **Commercial Main Streets** are key parts of the City's principal network for all modes of travel that emphasize pedestrian and transit access to properties in Downtown Dinuba. On-street diagonal parking for motor vehicles is typically provided, while primary access to most buildings is to/from the adjacent sidewalk.
- **Collector streets** provide connections for all modes of travel within and between residential areas and activity centers. They serve travel between arterial and local streets, within and between neighborhoods and major activity centers, and provide direct access to abutting properties.
- **Local streets** provide for direct access to abutting properties and for localized travel within residential, commercial, and industrial areas.

Figure 2.4-A illustrates the circulation plan and street classification for each segment. Table 2.4.1 provides recommended guidelines for each City street classification and sub-type. Figures 2.4-B1 through B7 provide example cross-section illustrations. Implementation of the Complete Street design recommendations recommended in this section would require revisions to the City of Dinuba's previously adopted street standards.

Roundabouts: Roundabouts are a type of intersection that enhance safety, reduce vehicle speeds and conflicting movements, and have lower maintenance costs compared to signalized intersections that require electricity. The City installed a roundabout at the intersection of Alta Avenue/Nebraska Avenue in 2022, and the intersection of Alta Avenue/Kamm Avenue will be converted from a signalized intersection to a roundabout by 2024. The Circulation Plan recommends additional roundabouts to enhance safety where feasible, including proposed roundabouts at the following intersections that serve as key "gateways" to Dinuba:

- West El Monte Way / Road 56
- East El Monte Way / Road 92
- South Alta Avenue / State Route 201-Road 400 (south of Dinuba; potential joint project with Tulare County)

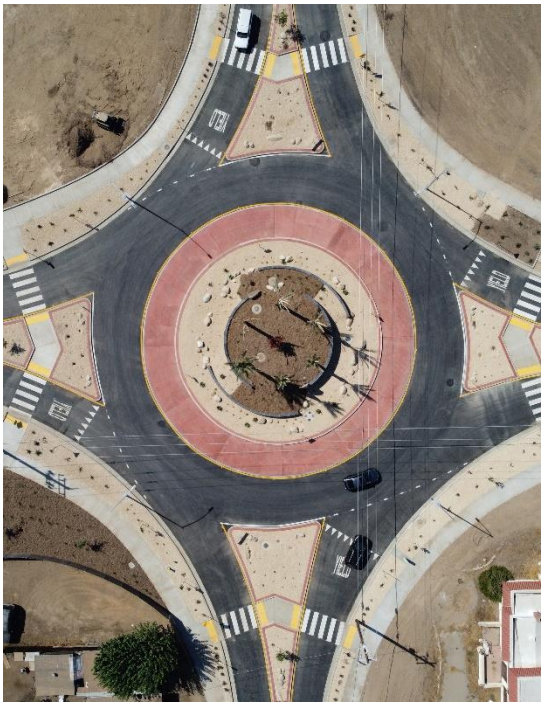


Figure 2.4-A: Circulation Plan

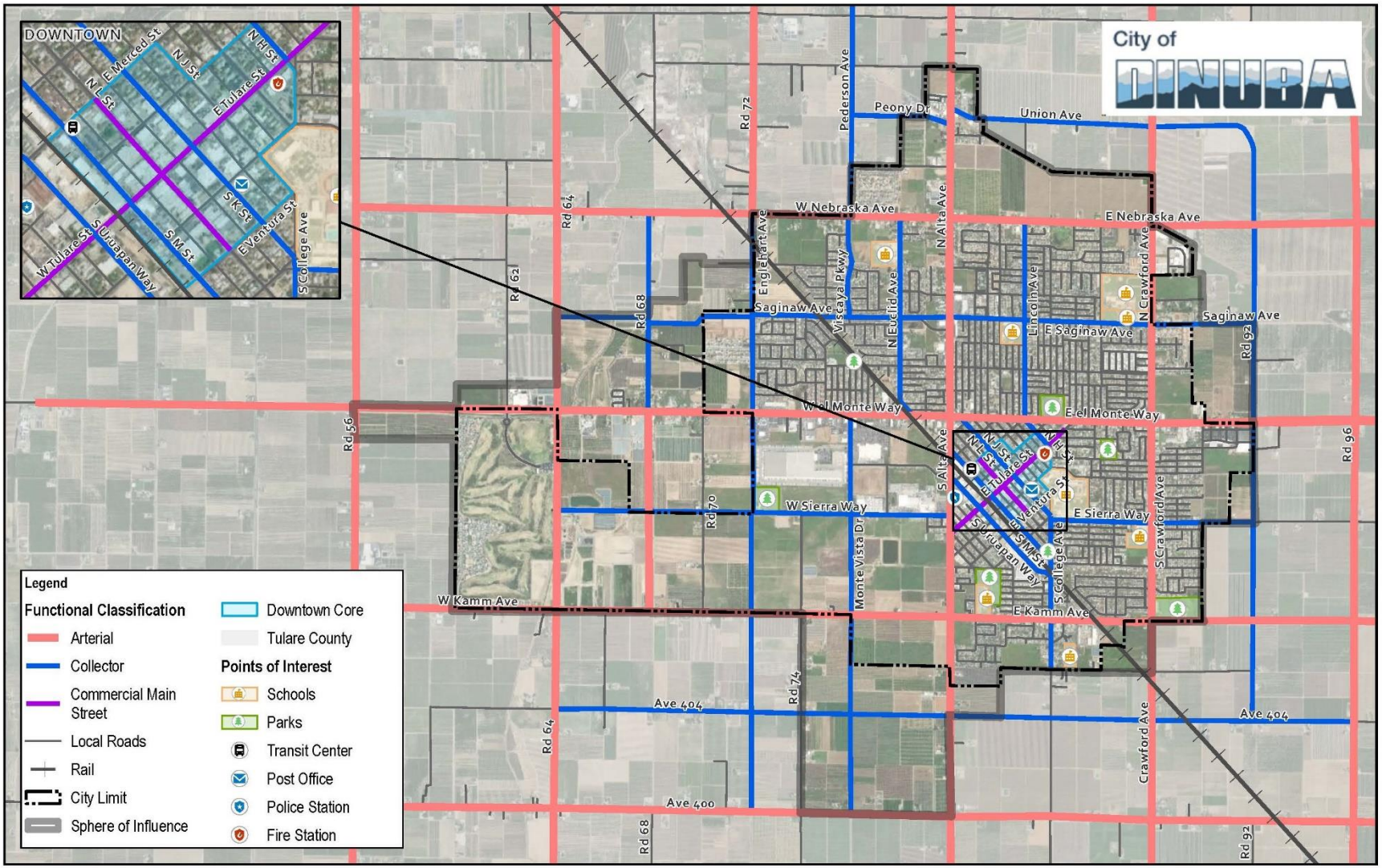


Table 2.4-1 Recommended Complete Street Design Guidelines by Functional Classification and Sub-type

Street Classification (Sub-type)	Right-of-Way Width	Motor Vehicle Lanes	Motor Vehicle Lane Width	Bicycle Lane Width	On-street Parking Width	Median or Left-turn Width	Curb-to-Curb Width (note 5)	Crossing Distance with Bulbouts	Curbside Landscape Strip	Sidewalk Width	Average Daily Motor Vehicle Traffic
Arterial (Boulevard)	100’ to 120’	4	10’ to 11’ (note 1)	8’ to 10’ (note 4)	None	10’ to 14’	66’ to 76’	66’ to 76’	5’ to 9’ (note 8)	6’ to 10’	Greater than 25,000
Arterial (Mixed Use Arterial)	100’ to 120’	4	10’ to 11’ (note 1)	5’	7’ plus 3’ buffer with bike lane	10’ to 14’	80’ to 86’’	60’ to 66’	5’ to 9’ (note 8)	6’ to 10’	Greater than 18,000
Arterial (Community Arterial)	90’ to 100’	2 + center left-turn lane	10’ to 11’ (note 1)	5’	7’ plus 3’ buffer with bike lane	10’to 14’	60’to 66’	40’ to 46’	5’ to 9’ (note 8)	6’ to 10’	13,000 to 21,000
Main Street	70’ to 90’	2	10’, or 12’ shared lane (note 2)	5’, or 12’ shared lane (note 2)	16’ diagonal, or 7’ parallel plus 3’ buffer with bike lane	Not required (note 6)	50’ to 62’	24’ to 30’	None	11’ to 15’ with tree planters	Less than 13,000
Collector	70’ to 80’	2	10’, or 14’ shared lane (note 2)	5’, or 14’ shared lane (note 2)	7’ plus 3’ buffer with bike lane	Not required (note 6)	48’ to 50’	28’ to 30’	7’	6’	Less than 13,000
Local	60’	2 (note 3)	10’	Not applicable	7’	Not applicable	34’ or 27’ (note 7)	20’	5’ to 7’	6’	Less than 5,000

Notes:

1. *Standard motor vehicle lane width of 10 feet, or 11 feet where significant truck or bus traffic is anticipated.*
2. *Shared automobile/bicycle travel lane width of 14 feet (collectors) or 12 feet (commercial main streets) if sharrow markings are provided.*
3. *Travel lanes on local streets are typically unmarked with allow shared motor vehicle and bicycle travel.*
4. *8 to 10 foot total width to provide protected bicycle lanes (Class 4 Separated Bikeway) including buffer width of 3 to 5 feet.*
5. *Curb-to-curb widths without pedestrian bulbouts include on-street parking widths.*
6. *Left-turn lanes may be required approaching specific intersections, where needed.*
7. *Local Street with of 27 feet may be permitted with parking limited to one side, or where on-street parking occupancy would be low.*
8. *Where existing street segments are retrofitted: curbside landscape strip may be replaced by intermittent bulbouts in parking zone.*

Figure 2.4-B1: Arterial (Boulevard)

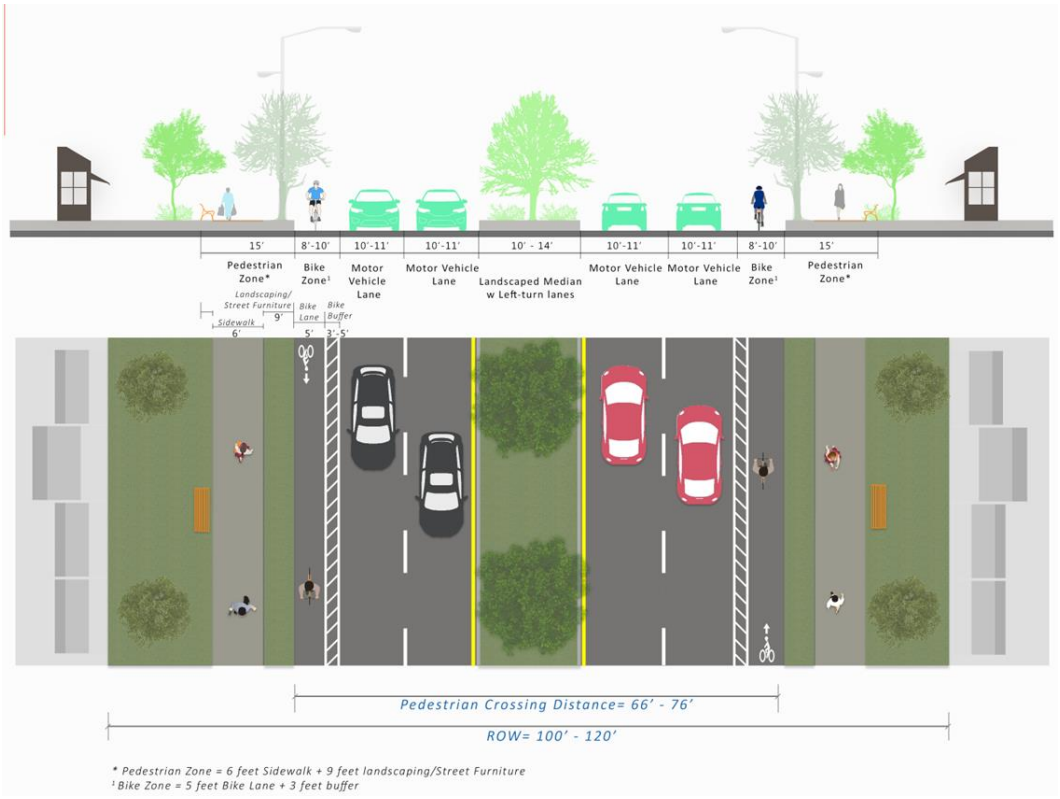


Figure 2.4-B2: Arterial (Mixed-use Arterial)

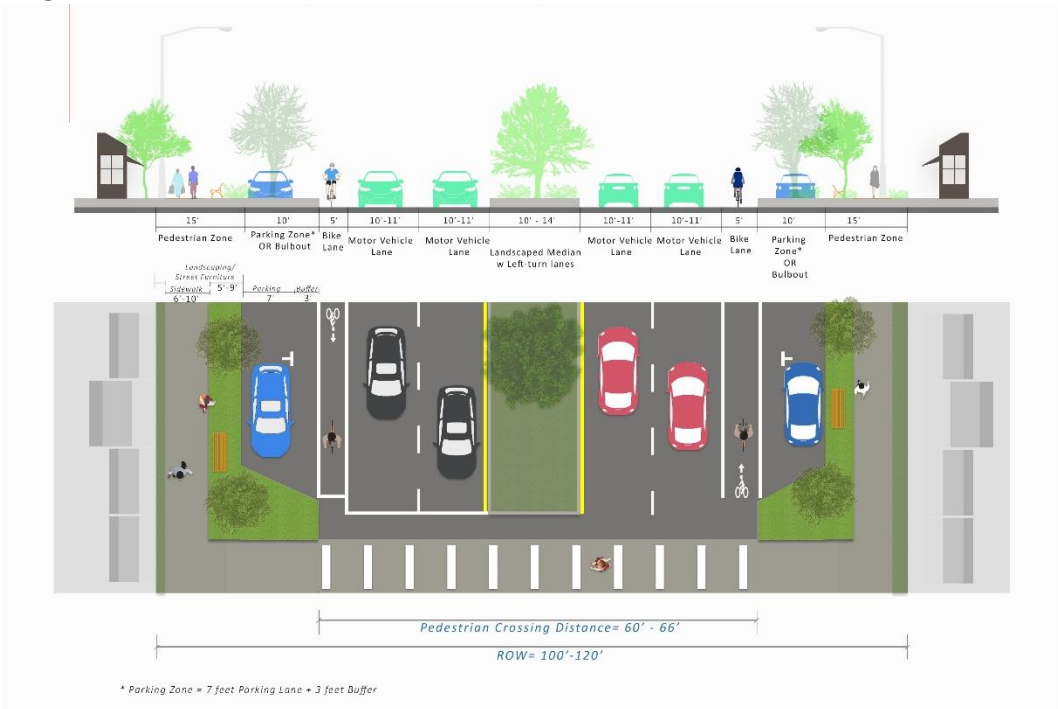


Figure 2.4-B3: Arterial (Community Arterial)

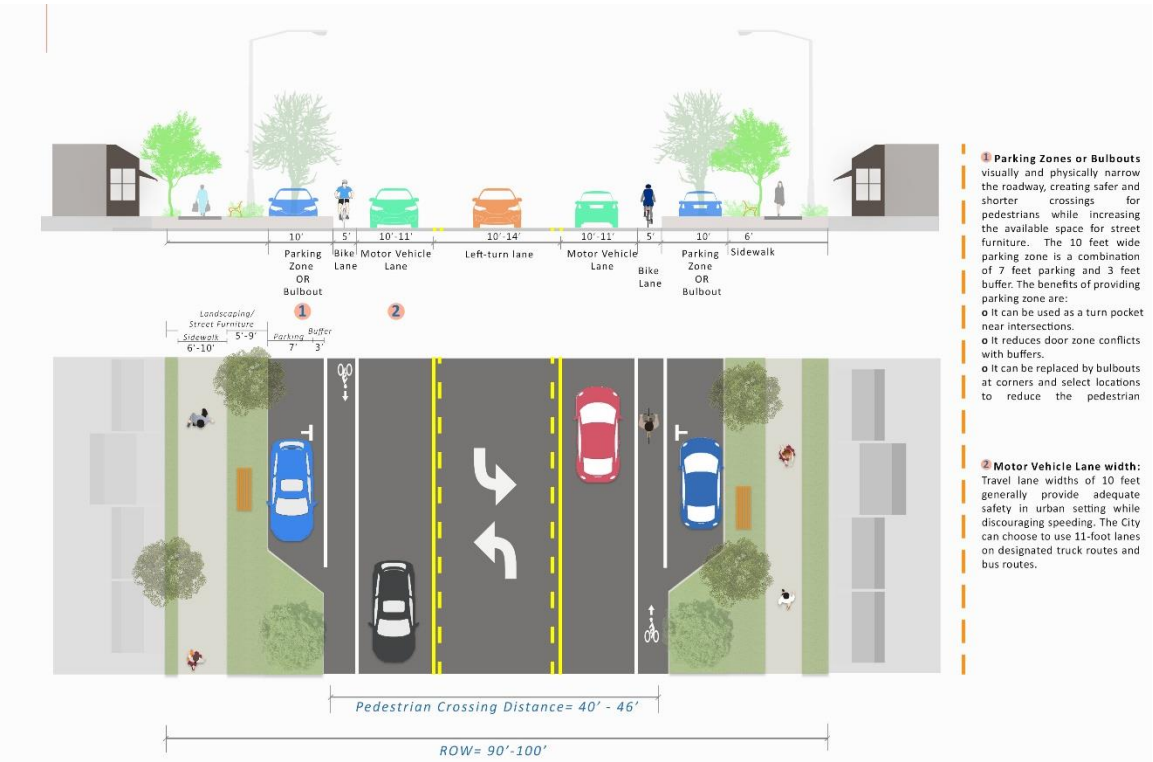


Figure 2.4-B4: Commercial Main Street

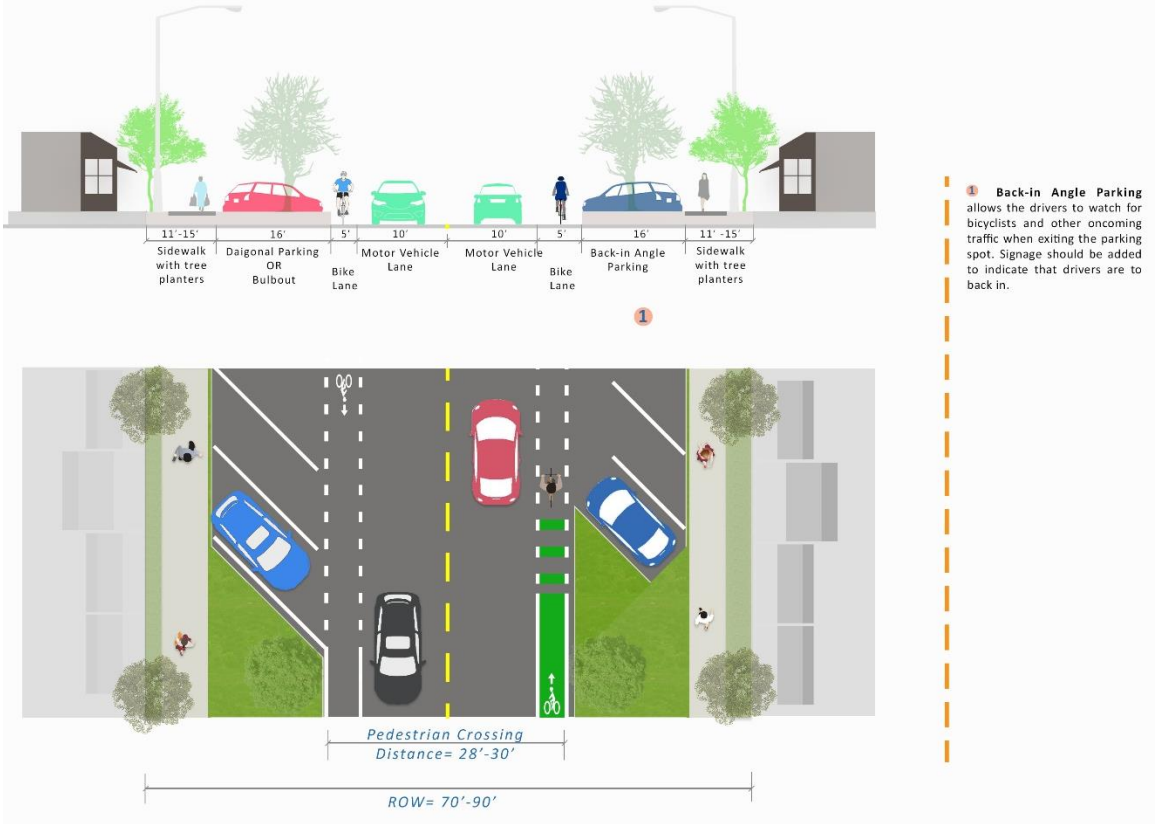


Figure 2.4-B5: Collector Street (with bicycle lane)

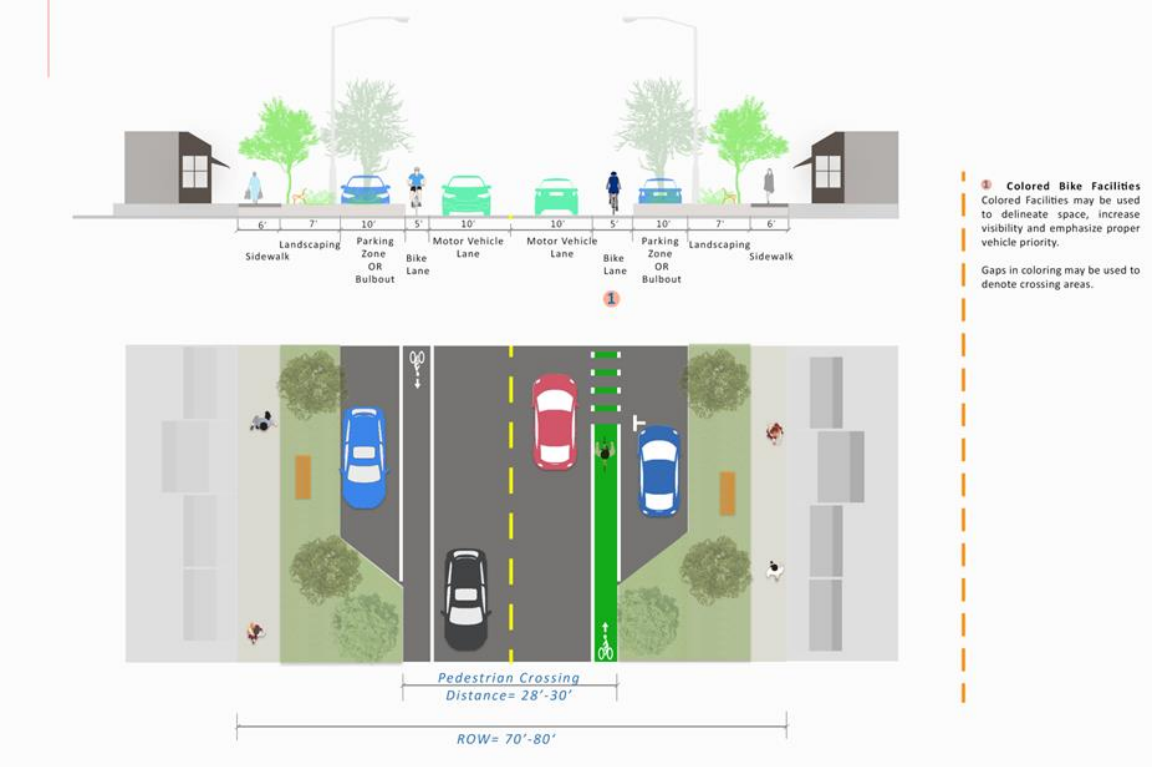


Figure 2.4-B6: Collector Street (with shared travel lane)

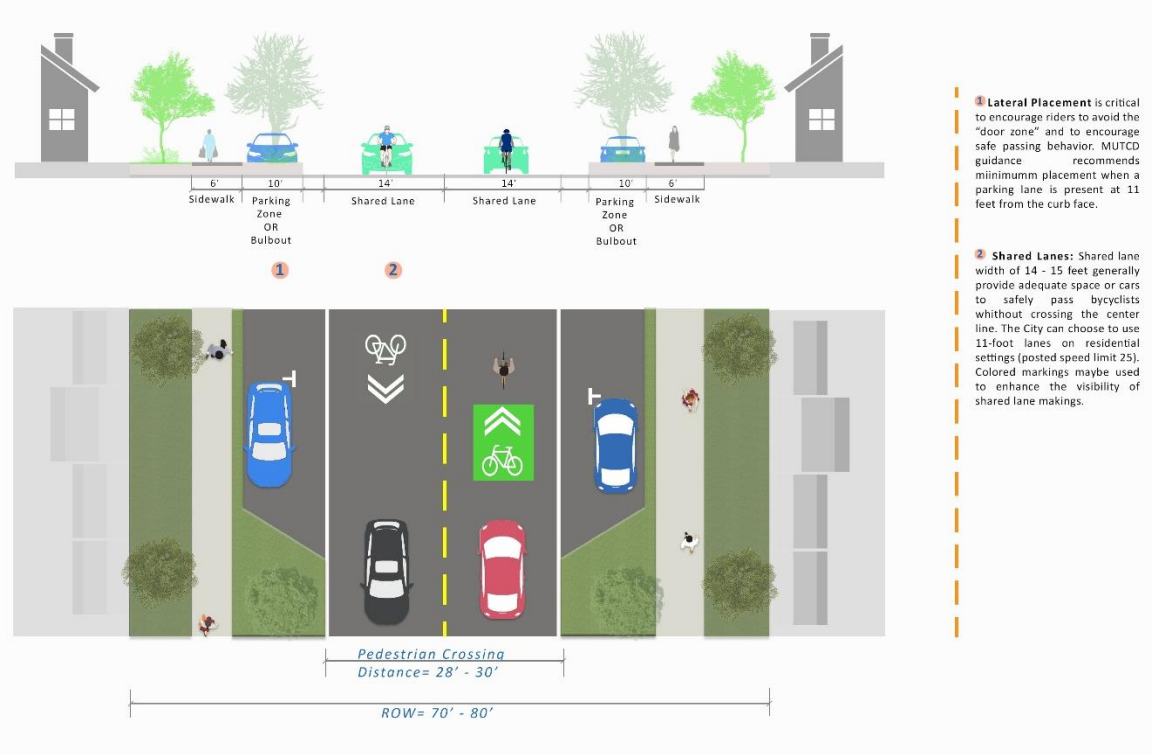
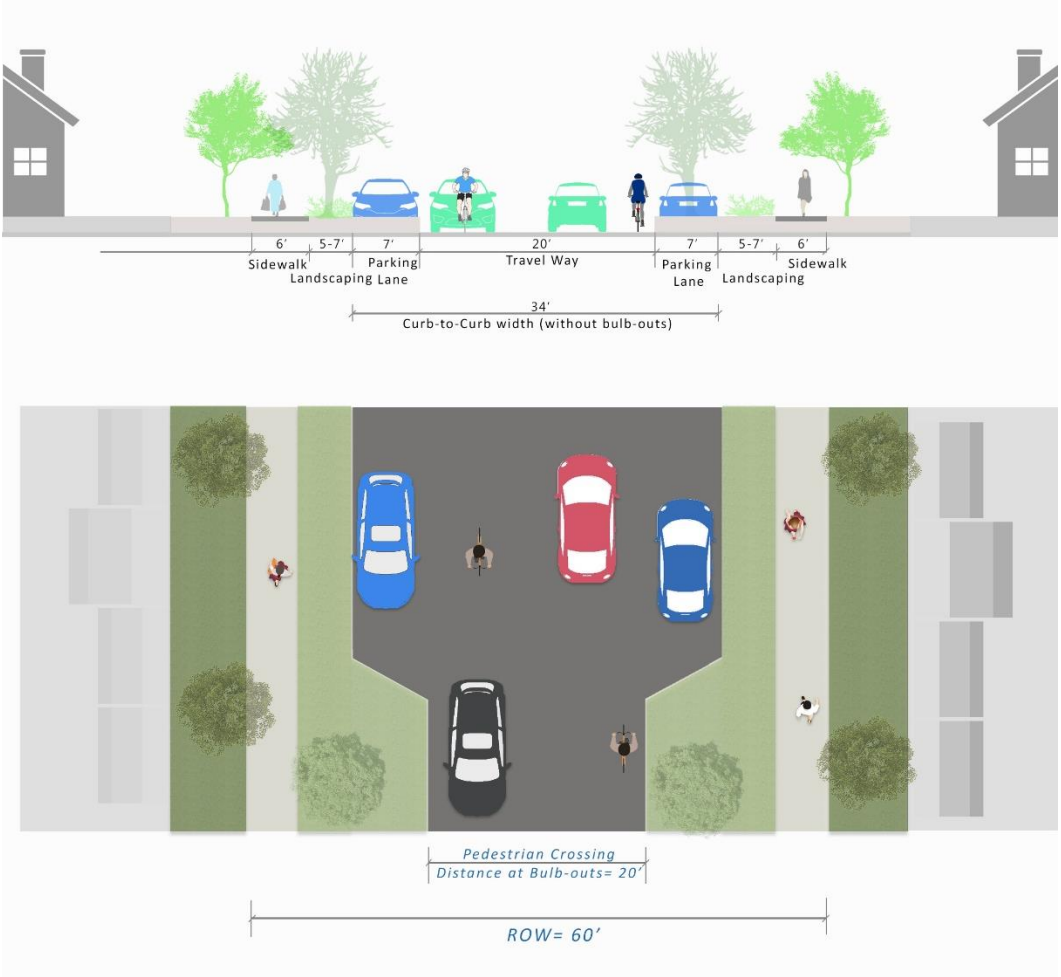


Figure 2.4-B7: Local Street



2.4.2 BIKEWAY NETWORK

This section describes the recommended bikeway network plan. Increasing rates of bicycling will produce a number of community benefits including improved health, reduced traffic, less need for costly roadway improvement projects, and improved air quality. Facilities for biking and walking provide recreational opportunities as well. Grant funding sources are often available to implement bikeway improvements. There are four classifications of bikeway facilities in California, as defined by the California Department of Transportation (Caltrans):

Multi-Use Paths (Class I Bikeways). A path physically separated from motor vehicle traffic by an open space or barrier, used by bicyclists, pedestrians, joggers, skaters, and other non-motorized travelers. They can provide recreational opportunities and also serve as direct connection to key destinations.

Bicycle Lanes (Class II Bikeways). A portion of a roadway that has been set aside by striping and pavement markings for the preferential or exclusive use of bicyclists. Bicycle lanes are intended to promote an orderly flow of bicycle and vehicle traffic. This type of facility is established by using the appropriate striping, legends, and signs.

Class II Bikeways provide on-street bicycle lanes.

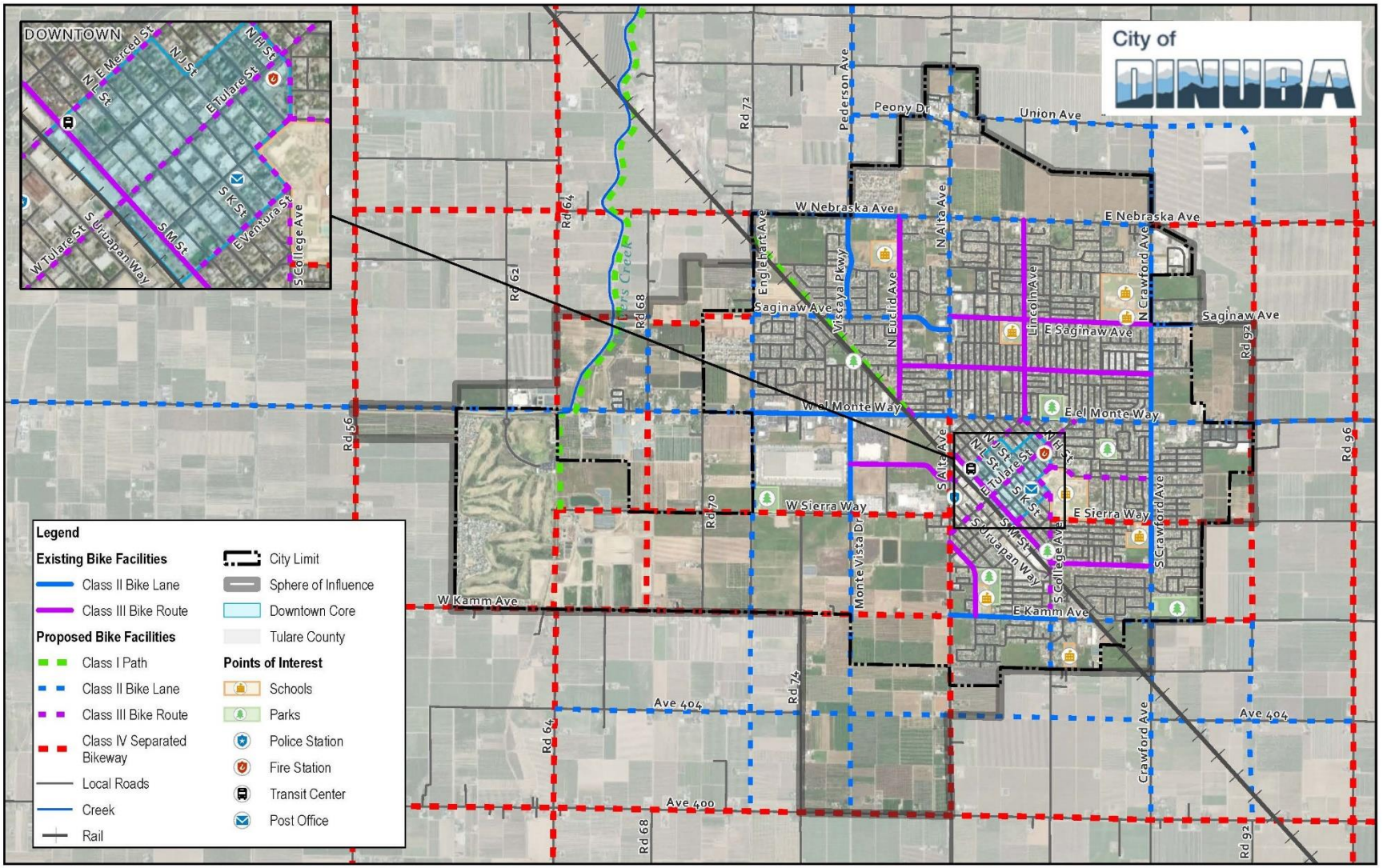
Bicycle Routes (Class III Bikeways). Class III bicycle routes are facilities where bicyclists share travel lanes with motor vehicle traffic. Bike routes must be of benefit to the bicyclist and offer a higher degree of service than adjacent streets. Class III bikeways are often located on residential streets.

Separated Bikeway (Class IV Bikeways). A Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and adjacent vehicle traffic. The physical separation may include flexible posts, grade separation, inflexible physical barriers or on-street parking. Separated bikeways generally operate in the same direction as vehicle traffic on the same side of the roadway, while two-way separated bikeways can also be used in some cases.

Class IV Bikeways provide a physical separation between the bikeway and adjacent traffic.

Figure 2.4-C illustrates the planned bikeway network, incorporating both prior bikeway network plans and proposed facilities identified as part of the Circulation Element update in 2023 including a proposed Class 1 path along Travers Creek that could ultimately connect with the City of Reedley's bike path system. In addition, a potential Class 1 path is shown along the railroad corridor extending from Englehart Avenue on the northwest to North Euclid Avenue on the southeast.

Figure 2.4-C: Bikeway Network Plan



2.4.3 PEDESTRIAN PRIORITY IMPROVEMENT NETWORK

This section identifies priority pedestrian improvements to reduce gaps in the City of Dinuba's pedestrian network.

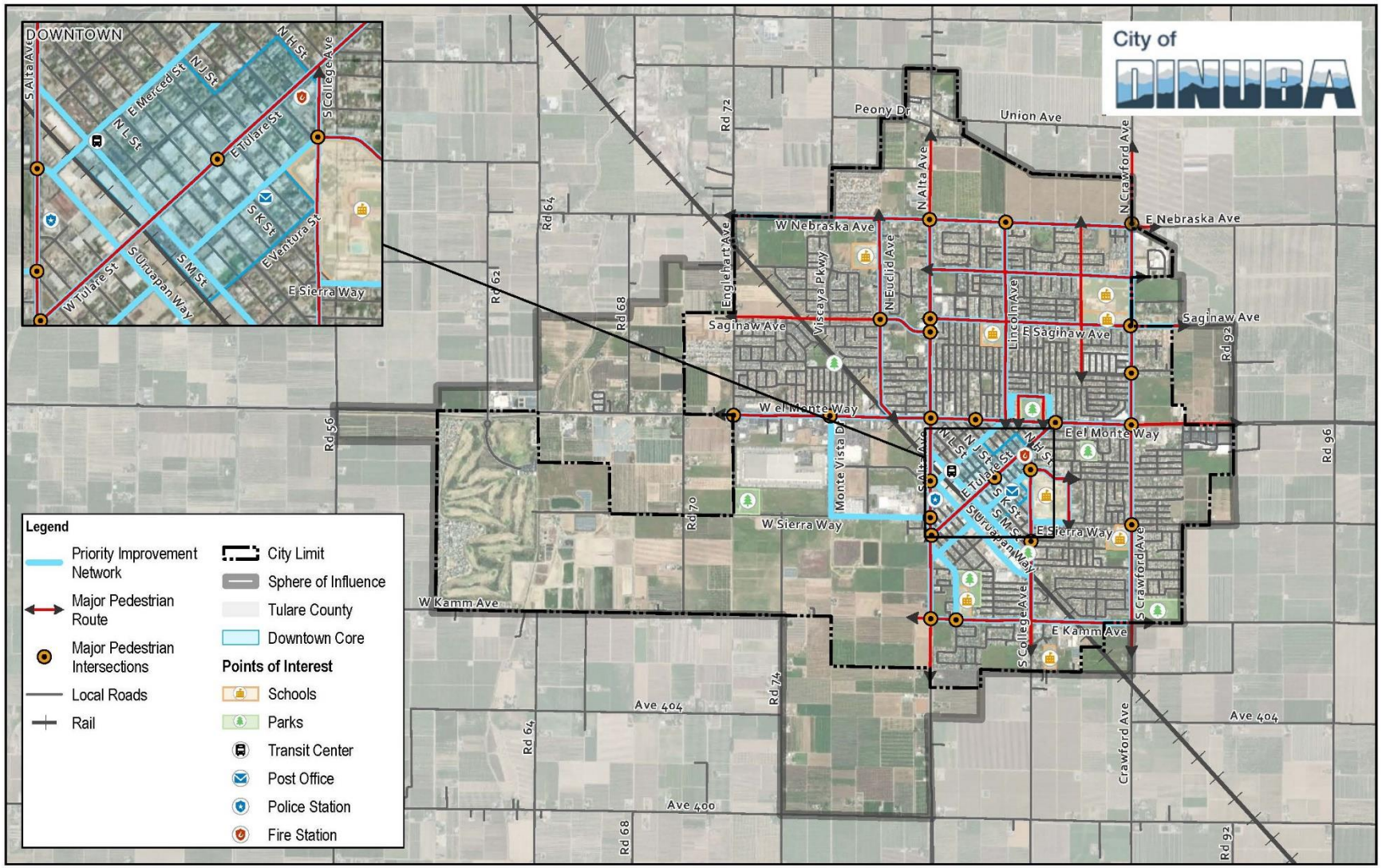
Figure 2.4-D illustrates the recommended pedestrian priority network. Improvements should be consistent with the street classifications and recommended street design recommended in the circulation plan on the preceding pages. Recommendations for site-specific improvements were provided in the *Dinuba Pedestrian and Bicycle Circulation Study* (2019). The pedestrian priority corridors are listed below:

- El Monte Way
- Alta Avenue
- Crawford Avenue
- Nebraska Avenue
- Kamm Avenue
- Tulare Street
- Merced Street
- Kern Street
- M Street
- Uruapan Drive
- College Avenue
- Lincoln Avenue
- Euclid Avenue

Priority intersections were identified throughout the City, including key intersections on most of the pedestrian priority corridors.

Downtown improvements: Pedestrian priority corridors are well-represented within downtown, including Tulare, Merced, Kern and M Streets, as well as Uruapan Drive and College Avenue. Consistent with the Complete Streets design guidelines for various street types provided in this chapter: such improvements should include bulbouts to reduce crossing distances whenever feasible. In addition, access to downtown from adjacent neighborhoods would be improved by recommended pedestrian improvements at priority intersections bordering the downtown area on El Monte Way, Alta Avenue and Kamm Avenue. Improvements to alleys are also encouraged to serve pedestrian circulation via paseos within the downtown area.

Figure 2.4-D: Pedestrian Priority Improvement Network



2.5 OBJECTIVES AND POLICIES

The Circulation Element objectives, policies and implementation measures are identified below. The objectives identify desired end states to help achieve the City's goals for a fully integrated local mobility network that provides for safe and convenient circulation, including complete streets, using a variety of transportation modes, and reduces VMT. Each objective is accompanied by policies that guide decision making by defining the City's desired courses of action.

2.5.1 COMPLETE STREETS

OBJECTIVES

A. A citywide network of Complete Streets that meets the needs of all users of streets, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors.

POLICIES AND STANDARDS

2.5.1-1 Design streets holistically, using a Complete Streets approach. Update and maintain street design standards consistent with the goals of the National Association of City Transportation Officials (NACTO) Urban Street Design Guide that optimize multi-modal mobility. Where feasible, support the reallocation of space to better serve all users.

2.5.1-2 Strive to complete the planned build-out street network as illustrated on the Circulation Plan map, and ensure that the accompanying design standards, programs, and procedures include Complete Streets implementation as a main focus. Street improvements shall be in conformance with the Circulation Plan contained in the General Plan Circulation Element including the Circulation Plan map.

2.5.1-3 Sidewalks shall be required in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist. Encourage the retrofitting of downtown streets and alleys to include bulbouts and paseos whenever feasible.

2.5.1-4 Develop the planned citywide bikeway network, including bicycle lanes or separated bikeways on most arterial and collector streets. The bicycle/pedestrian path system should also encompass existing or future railroad rights-of-way and water courses such as Traver Creek, by providing paths between 8 and 12 feet wide and off the roadway, with landscaping, lighting, mileage markers and directional signage and benches.

2.5.1-5 Strive to ensure that intersections operate at minimum Level of Service (LOS) "C" based on peak-hour intersection delay on arterial and collector streets, except where achieving the desired LOS standard would conflict with multi-modal goals or lead to increased VMT. LOS D shall be deemed acceptable for those road segments and intersections which have been identified as already operating at that level. LOS standards should not apply to Commercial Main Streets.

2.5.1-6 The street network should provide a quick and efficient route for emergency vehicles, including police, fire and other vehicles, when responding to calls for service. The length of single-entry access routes shall be restricted.

2.5.2 PUBLIC TRANSIT

OBJECTIVES

A. Public transit service that provides adequate mobility for residents to reach jobs, schools and services, including public transit connections with other nearby cities and locations.

POLICIES AND STANDARDS

2.5.2-1 Cooperate with the Tulare Council of Governments (TCAG) in providing transit service and planning to meet the social and economic needs of all segments of the community.

2.5.2-2 Provide reasonable accommodations for comfort and convenience for riders at major transit destinations so people can utilize the transit system safely and comfortably. The City shall determine such needs based on site plan review procedure and other planning implementation methods.

2.5.2-3 Arterial streets should be designed to allow transit vehicles to pull out of traffic at stops.

2.5.2-4 Encourage transit alternatives to meet the basic transportation needs of the young, the elderly, the handicapped, and individuals without access to an automobile.

2.5.2-5 Large developments shall be encouraged to incorporate transit passenger facilities, bicycle racks, lockers, shower facilities, as well as on-site services (eating, mail, banking, etc.) as ways to reduce vehicle trips.

2.5.3 TRAFFIC SAFETY

OBJECTIVES

A. A safe transportation system that eliminates traffic-related fatalities and reduces non-fatal injury collisions, and provides safe travel for all modes including bicyclists, motorists, pedestrians, and transit uses.

POLICIES AND STANDARDS

2.5.3-1 Support efforts to eliminate traffic fatalities and serious injuries attributable to collisions on City streets including street design that reduces motor vehicle speeds, provides enhanced bikeways and pedestrian paths, and the implementation of safety countermeasures.

2.5.3-2 Maximize the use of site planning techniques to improve traffic safety.

2.5.3-3 Support the installation of roundabouts to enhance safety at key intersections where feasible, including proposed roundabouts at the intersection of El Monte Way with Road 56 and Road 92; and the intersections of Alta Avenue with Nebraska Avenue (completed 2022), Kamm Avenue (scheduled for completion in 2024), and Road 200.

2.5.4 VEHICLE MILES TRAVELED & TRAFFIC REDUCTION

OBJECTIVES

A. A transportation system and land use pattern that reduces vehicle miles traveled (VMT), maximizes the efficiency of the existing street system and minimizes traffic congestion.

POLICIES AND STANDARDS

2.5.4-1 Prioritize infill and mixed-use development, and encourage new development in close proximity to existing employment, housing, schools, commercial centers, and other services and amenities.

2.5.4-2 Encourage employers, including government agencies, to allow telecommuting and flex time and to promote staggered shifts to reduce peak-hour trips.

2.5.4-3 Encourage the development of strategies for maximizing the efficiency of the existing street system.

2.5.5 RAIL SERVICE

OBJECTIVES

A. Continued provision of freight rail service to Dinuba.

POLICIES AND STANDARDS

2.5.5-1 Support efforts to preserve the viability of the rail corridor, by discouraging uses or activities to encroach if they would reduce the efficiency of the rail system.

2.5.6 MULTI-MODAL PARKING

OBJECTIVES

A. Parking provisions for automobiles and bicycles provide efficient access to properties, encourage multi-modal travel and support economic development goals.

POLICIES AND STANDARDS

2.5.6-1 Promote a parking program that meets the needs of each land use type.

2.5.6-2 Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to developments that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged wherever possible.

2.5.6-3 Require the provision of bicycle parking for most new commercial and multi-family development.

2.5.6-4 Support the installation of bicycle parking racks at public and private places of assembly such as parks, schools, office buildings, churches, and retail commercial developments.

2.5.7 TRUCK ROUTES

OBJECTIVES

A. Safe and efficient truck routes into and within the community.

POLICIES AND STANDARDS

2.5.7-1 Truck traffic shall be permitted on the designated arterials and collector streets only; as identified in the Circulation Element Truck Route Map (see Figure 2.5), except where trucks must use local streets to directly access properties.

2.5.7-2 Encourage development of a truck terminal and parking facilities within the industrial park.

Figure 2.5: Truck Route Map