

5.0 ENVIRONMENTAL ANALYSIS

5.0.1 ENVIRONMENTAL EFFECTS FOUND TO BE NOT SIGNIFICANT

The Initial Study (IS) for the project, released in November 2008, (included and incorporated by reference in the environmental impact report [EIR] as **Appendix 1.0**) determined that the project would result in either no impact or a less than significant impact with regard to seven environmental issues:

- Aesthetic Resources
- Agricultural Resources
- Hazards and Hazardous Materials
- Land Use and Planning (except Urban Decay)
- Mineral Resources
- Population and Housing
- Recreation

The IS indicates the reasons that these project effects were determined to have no impact or to be less than significant and were, therefore, not discussed in detail in this EIR. The following provides a summary of the IS findings.

Aesthetic Resources – The project site is characterized by vacant and disturbed land containing non-native grasses and weeds. The site is relatively flat, with a gentle gradient to the west. The land use map of the Porterville 2030 General Plan¹ designates the property for Retail Center; the general plan also identifies the site as Developed Land. Uses surrounding the site consist of commercial, single family residential, and multi-family residential development. In the general plan, neither the site nor surrounding lands are considered to have scenic qualities, and none of the surrounding roadways are designated as scenic visual corridors.

Introduction of commercial development on the project site would change the visual character of the property from disturbed land to a developed condition, but such development would not be expected to have a substantial adverse impact on panoramic views or create incongruous visual elements because none of the adjacent roadways are designated as visually important or “scenic” by the 2030 General

¹ City of Porterville, 2030 General Plan, “Land Use Element,” 21.

Plan.² Moreover, the height and massing of new development are similar to existing development and are subject to City development standards and plan review. Based on the above, site development would not have a substantial adverse effect on a scenic vista. Impacts are considered to be less than significant.

Buildout of the project would change the visual character of the property from disturbed land to a developed condition, but would not result in the loss of any scenic rock outcropping, trees, or historic buildings, as none exist on site. In addition, none of the roadways surrounding the site are designated as visually important or scenic by the 2030 General Plan.³ Impacts are considered to be less than significant.

Site development would alter the visual character of the property from vacant, graded land to a retail center bustling with human activity. The site plan places development pads along the perimeter of the property, with landscaped parkways and parking lots providing visual separation between the pads. The Walmart store would be located along the northern boundary of the site. This arrangement avoids the tunnel effect associated with long, linear strip development and maintains the excellent visibility offered by virtue of the site's location adjacent to State Route (SR) 190.

Aesthetic treatments extend to the required roadway improvements, which include landscaped parkways that are to be constructed along Vandalia Avenue, Indiana Street, and Springville Drive. For example, a 5-foot planting strip separates parking from the right-of-way (ROW) of Vandalia Avenue and Indiana Street, while the frontage along Springville Road contains a 20-foot landscaped setback with wall-berm combination. Landscaping is also to be planted within the easement for SR-190 consistent with Caltrans standards. The project would place street trees along the street frontages at a minimum spacing of one 15-gallon tree per 35 feet of roadway frontage, while parking lots will be planted at a minimum one 15-gallon tree per eight spaces. A minimum of 5 percent of the parking lot would also be planted with other types of plant materials to create diversity and enhance the visual appeal.

The proposed building varies in height from a low of 27 feet to a high of 31 feet 8 inches, with tower elements extending up to 40 feet. Architectural treatments such as projections, articulation, varied building materials and colors are utilized to break up uniform surfaces and maintain visual interest. Loading dock wells, trash bins and other outdoor storage areas are enclosed and placed at the rear of the structure to minimize visual intrusion. Views of the proposed commercial structures would not be available from adjacent residences located to the north with introduction of landscaped parkways, incorporation of building setbacks, and berm-wall combinations for screening. This design will promote compatibility with surrounding uses and minimize the visual intrusion of the commercial structures.

² City of Porterville, 2030 General Plan "Land Use Element."

³ City of Porterville, 2030 General Plan, "Circulation Element."

The project is subject to review by the City's Project Review Committee⁴ to ensure that proposed development conforms to policies in the Porterville General Plan and design standards established by the zoning ordinance. Consideration is given to building setbacks, height, lot coverage, location of entries, parking locations, landscape and lighting requirements, and signage. Based on the above, the project would not substantially damage scenic resources or substantially degrade the existing visual character or quality of the site and its surroundings. Impacts are considered to be less than significant.

Although the project site is adjacent to existing commercial and residential development, which already includes ambient light sources, future development of the proposed project would increase the amount of light in the area due to street lighting, flood lights, security lighting, and automobile headlights. The Porterville General Plan contains policies specifically designed to minimize light and glare impacts.⁵ For example, policy LU-I-25 establishes buffering requirements and performance standards intended to minimize the harmful effects of excessive light and glare. In addition, Section 2206 of the Porterville Municipal Code⁶ requires parking lot standards to minimize light and glare and to direct light away from residential areas. Compliance with the municipal code and general plan policies would ensure that less than significant light and glare impacts would occur.

The IS determined the impacts to aesthetic resources to be less than significant or no impact.

Agricultural Resources – The project site is located in a developed area of the City and is not cultivated. Project construction would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively referred to as "Farmland") as designated on the Department of Conservation's State Important Farmland Map to developed use as none of these Farmland designations exist on site. Further, the site is designated as Urban Built-up.⁷ No impact is expected.

The project site and surrounding areas are designated for Planned Development,⁸ which does not provide for agricultural land uses. A zone change is not required as part of the project approvals. Therefore, there would be no impact.

⁴ City of Porterville, Municipal Code, Section 21-15.

⁵ City of Porterville, 2030 General Plan, "Land Use Element," 37; and "Park, Schools and Community Facilities Element," 97.

⁶ City of Porterville, Municipal Code, Section 2206.

⁷ California Department of Conservation, Tulare County Important Farmland Map 2006, Sheet 1 of 2.

⁸ City of Porterville, 2030 General Plan, "Land Use Element," Figure 2-2, "General Plan Land Use Designations."

The land use map of the 2030 General Plan designates⁹ the property for Retail Center, while Figure 6-1 (2030 Open Space Resources) of the Porterville 2030 General Plan identifies the site as Developed Land.¹⁰ Uses surrounding the site consist of commercial, single-family residential and multi-family residential development. Project construction and operation, due to their location or nature, would not result in changes in the existing environment that could result in conversion of Farmland to nonagricultural use. Therefore, there would be no impact.

The site is approximately 21.8 acres in size and no portion is under Williamson Act contract, based on a review of the Porterville 2030 General Plan. Therefore, the project would not result in the cancellation of a land use contract made pursuant to the California Land Conservation Act of 1965 or Farmland Security Zone Contract for any parcel of 100 or more acres, as no such contract applies to the property. Therefore, there would be no impact.

Geology and Soils – Structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the California Building Code (CBC),¹¹ and to adhere to all modern earthquake construction standards, including those relating to soil characteristics. Compliance with the CBC and the City’s Municipal Code would ensure that building foundations and structural systems are designed to accommodate the underlying geologic and soil conditions of the project site.

Review of the 2030 General Plan¹² indicates that the site is located on relatively flat topography and is not located adjacent to any steep slopes or areas that would otherwise be subject to landslides. Site development would involve minor changes to the surface soil conditions as a result of trenching for utilities and building foundations. No changes to geologic substructures are expected to occur as a result of the project, as extensive cuts below grade are not proposed. Finally, the applicant must prepare a site-specific geotechnical and soils study for review and approval as part of the standard plan check process. Compliance with applicable local and regional codes, along with incorporation of recommendations made in the geotechnical report, will ensure that impacts related to earth movement, soils, or unstable geologic units would be less than significant.

⁹ City of Porterville, *2030 General Plan*, “Land Use Element,” Figure 2-2, “General Plan Land Use Designations.”

¹⁰ City of Porterville, *2030 General Plan*, “Open Space and Conservation Element,” Figure 6-1, “2030 Open Space Resources.”

¹¹ California Code of Regulations, Title 24, Part 2, California Building Standards Code, California Building Standards Commission, 2007.

¹² City of Porterville, *2030 General Plan*, “Public Health and Safety Element,” Figure 7-1, “Geological and Soil Hazards.”

According to the 2001 Sewer System Master Plan,¹³ the site is located in a developed area that is afforded sanitary sewer services. A sanitary sewer system consisting of 6-inch-diameter pipes would connect to the existing sewer main found in Springville Avenue. With adequate sewer service, no impact resulting from septic tanks is expected.

Hazards and Hazardous Materials – The applicant proposes to develop the site with commercial land uses on land designated by the Porterville General Plan as Retail Center.¹⁴ A variety of commercial uses are permitted in the designation, including restaurants, banks, and refueling stations, among others. These uses have the potential to handle or store hazardous materials for cleaning or fuel storage and dispensing, which could pose a health risk if not properly regulated. However, a variety of state and federal laws govern use and storage of these materials. Applications for facilities generating, treating, storing, or disposing of such materials are required to submit emergency response plans, and the County Fire Department and Department of Environmental Health have the authority to inspect on-site uses and enforce state and federal law. The Health and Safety Code regulates underground storage of hazardous substances, which ensures detection and mitigation of any potential unauthorized release from any portion of the underground tank system.¹⁵ Finally, all new underground storage tanks must provide primary and secondary containment for the hazardous substances stores. Any medical wastes generated from the medical clinic and pharmacy portions of the Walmart store would be handled in accordance with the Health and Safety Code.¹⁶ Based on the above, impacts are considered to be less than significant.

The 2030 General Plan¹⁷ indicates that the nearest schools to the project site are Porterville High School, Olive Street School, Vandalia Elementary School, and Pioneer Middle School; all are located beyond 0.25 mile from the project site. The development does not involve manufacturing or other types of uses that would use, store, or generate substantial volumes of hazardous materials. Given that the site is beyond 0.25 mile from any school, and that future commercial uses would be regulated by local, state, and federal laws and are the subject to inspection, impacts are considered less than significant.

¹³ City of Porterville, *Sewer System Master Plan*, Prepared by Carollo Engineers, February 2001.

¹⁴ City of Porterville, *2030 General Plan*, "Land Use Element," Figure 2-2, "General Plan Land Use Designations."

¹⁵ California Code of Regulations, Title 23, Division 3, Chapter 16, Section 25280 et seq.

¹⁶ California Code of Regulations, Title 8, Section 5193.

¹⁷ City of Porterville, *2030 General Plan*, "Parks, Schools and Community Facilities Element," Figure 5-2, "Schools and School Districts."

Based on a review of Figure 7-5 (Hazardous Materials) of the 2030 General Plan,¹⁸ the site has not been included on the list of hazardous materials sites.¹⁹ Therefore, impacts to the public or environment are not anticipated.

Based on review of the 2030 General Plan, the project site is approximately 2 miles northeast of the Porterville Municipal Airport.²⁰ The airport is a general utility airport located at an elevation of 443 feet with a 6,000-foot-by-150-foot runway oriented northwest to southeast. There is also an abandoned 4,000-foot-by-150-foot asphalt runway oriented east to west on the southern side of the airport. Land use controls for this area are provided by the City of Porterville General Plan and Zoning Ordinance, and the Tulare County General Plan and Zoning Ordinance, Part 77.²¹ The City of Porterville has also prepared an airport master plan for the Porterville Municipal Airport. The project site is outside the height and safety restriction zones imposed by these plans. Impacts are considered to be less than significant.²²

The subject property fronts along SR-190—an east to west corridor serving the cities of Porterville, Poplar, Springville, and other communities—linking the City of Porterville with State Route 99 to the west. SR-190 currently operates at level-of-service (LOS) A, based on the 2030 General Plan,²³ which further lists SR-190 as an evacuation route along with SR-65 and the Union Pacific Rail Road ROW.²⁴

Project operation would introduce additional vehicle trips onto the roadway network including SR-190. Vehicles entering or leaving the site could impede emergency services if adequate site distance, roadway width, and signage are not properly provided. Project plans are subject to the City's Project Review Committee, which contains representatives of the various City Departments, such as the City Engineer, City Planner, and other department representatives, to ensure the project is constructed in compliance with all pertinent building and fire codes. Fire Department requirements address roadway geometrics such as minimum roadway widths, turning radius, vertical clearance, and the use of turnarounds. In addition, the project would pay traffic impact fees that would fund road improvements. Given the site plan review process in place within the City, impacts to emergency response and evacuation plans would be less than significant.

¹⁸ City of Porterville, *2030 General Plan*, "Public Health and Safety Element," Figure 7-5, "Hazardous Materials."

¹⁹ California Code of Regulations, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10

²⁰ City of Porterville, *2030 General Plan*, "Land Use Element," Figure 2-1, "Existing Land Uses."

²¹ City of Porterville, *General Plan*, "Circulation Element," 87; City of Porterville, Municipal Code, Articles 15 and 16; Tulare County, *2025 General Plan Update*; Tulare County. Zoning Ordinance, Part 77.

²² City of Porterville, *Municipal Airport Master Plan*, 1990.

²³ City of Porterville, *2030 General Plan*, "Circulation Element," Table 4-3, "Daily Roadway Segment Operations 2005."

²⁴ City of Porterville, *2030 General Plan*, "Public Health and Safety Element," Figure 7-6, "Emergency Services."

The project site is surrounded by development and is located in a moderate to high wildland fire hazards area, according to the 2030 General Plan.²⁵ Wildland fire potential is largely dependent upon the extent and type of vegetation or fuel that exists within a region. Hazards are typically highest in heavily wooded, undeveloped lands, as trees are a greater source of fuel than low-lying brush or grasslands.

The project would reduce the wildland fire risk on site by removing vegetation and creating pavement, structures, and irrigated landscape material in its place. The project must comply with all applicable fire department codes and laws to aid in the protection of the facility against wildfires. Given the urban nature of the area, wildland fires do not have the potential to affect the site and no impacts would occur.

The project does not involve any agricultural use, which would represent a significant source of vectors such as flies, mosquitoes, or rodents. All commercial development is required to connect with the sanitary sewer system, install grease traps or grease interceptors, and must utilize enclosed containers for solid waste disposal. Impacts would be less than significant.

Land Use and Planning – The project is proposed on vacant land fronting SR-190 that is bounded to the west by Indiana Street and to the north by Springville Road. According to the 2030 General Plan, the property is located adjacent to existing commercial uses and the site itself is designated for Retail Commercial use.²⁶ In sum, the project represents infill commercial development that would not divide existing land uses. Impacts would be less than significant.

As previously stated, the project site is located within the City of Porterville and is currently designated for Retail Commercial use by the 2030 General Plan Land Use Diagram.²⁷ Therefore, no impacts are anticipated, as the proposed project would be consistent with the applicable land use plan designation.

Review of Figure 6-4 (Special Status Species and Sensitive Vegetation) indicates the project site is not within an adopted or proposed conservation plan area.²⁸ The nearest such plan area is the Valley Elderberry Longhorn Beetle Conservation Area, located along the Tule River within the Yaudanchi Ecological Reserve.²⁹ There would be no impact to an adopted or proposed conservation plan area.

²⁵ City of Porterville, 2030 General Plan, "Public Health and Safety Element," Figure 7-4, "Wildland Fire Hazards."

²⁶ City of Porterville, 2030 General Plan, "Land Use Element," Figure 2-2, "General Plan Land Use Diagram."

²⁷ Ibid.

²⁸ City of Porterville, 2030 General Plan, "Open Space and Conservation Element," Figure 6-4, "Special Status Species and Sensitive Vegetation."

²⁹ City of Porterville, 2030 General Plan, "Open Space and Conservation Element," Figure 6-4, "Special Status Species and Sensitive Vegetation."

Mineral Resources – Based on review of Figure 3.8-1 (Geologic Hazards and Mineral Resources) of the 2030 General Plan EIR, the project site is not located within a mineral resource zone.³⁰ Consequently, site development would not result in the loss of availability of a known resource that is of state or local value. Impacts are considered less than significant.

Population and Housing – The project is a commercial center that does not involve a residential component. The site is located in a developed area and is afforded all necessary municipal infrastructure. In addition, the project would not likely cause the relocation of employees to the area. The existing population is likely to provide most of the employment. Hence, the project would not directly induce substantial population growth into the area. Impacts are considered to be less than significant.

The site is vacant land, so the proposed project would not displace housing or people. Therefore, no impacts are expected.

Recreation – The project is a commercial center that does not involve a residential component. Hence, the project would not induce substantial population growth into the area that would increase demand for existing recreational facilities nor require the construction or expansion of new recreational facilities. Nor would the project indirectly induce population growth through the relocation of employees, as the existing population would likely provide employment for the project. Impacts are considered to be less than significant.

5.0.2 ENVIRONMENTAL ISSUES ADDRESSED

Based on the findings of the IS, the City of Porterville determined that an EIR was warranted for the project. The City used the IS, as well as agency and public input received during the Notice of Preparation (NOP) comment period and the public scoping meeting to determine the scope of the evaluation for the EIR.

The full range of issues listed in *California Environmental Quality Act (CEQA) Guidelines Appendix G, Environmental Checklist Form*,³¹ were evaluated as part of the IS process.

These environmental issues and their corresponding section numbers are listed below:

5.1 Air Quality

5.2 Biological Resources

³⁰ City of Porterville, *2030 General Plan*, Master Environmental Impact Report, Figure 3.8-1, “Geologic Hazards and Mineral Resources.”

³¹ 2009 California Environmental Quality Act, *State CEQA Guidelines*, Appendix G, Environmental Checklist.

- 5.3 Cultural Resources
- 5.4 Geology and Soils
- 5.5 Hydrology and Water Quality
- 5.6 Land Use (Urban Decay)
- 5.7 Noise
- 5.8 Public Services – Fire Protection and Emergency Services
- 5.9 Public Services – Police Protection
- 5.10 Traffic and Circulation
- 5.11 Utilities – Water Supply
- 5.12 Utilities – Sanitary Sewer
- 5.13 Utilities – Solid Waste Disposal
- 5.14 Energy

Sections 5.1 through 5.14 provide a detailed discussion of the environmental setting, applicable project design features, impacts associated with the proposed project, cumulative impacts, and mitigation measures designed to reduce significant impacts.

5.0.3 ORGANIZATION OF ENVIRONMENTAL ANALYSIS

To assist the reader in comparing information about the various environmental issues, each section contains the following information:

- Introduction
- Environmental Setting
- Applicable Regulations
- Thresholds of Significance
- Project Impacts
 - Initial Study Checklist Questions
 - Mitigation Measures
 - Residual Impacts

- Cumulative Impacts
 - Mitigation Measures
 - Residual Impacts

5.0.4 TERMINOLOGY USED IN THIS ANALYSIS

For each impact identified in the EIR, a statement of the level of significance of the impact is provided. Impacts are categorized in the following categories:

- A designation of “no impact” is given when no adverse changes in the environment are expected.
- A “less than significant” impact would cause no substantial adverse change in the environment.
- A “significant impact” would have a substantial adverse impact on the environment but could be reduced to less than significant with incorporation of mitigation measures.
- A “significant unavoidable impact” would cause a substantial adverse effect on the environment and no feasible mitigation measures would be available to reduce the impact to a less than significant impact.