PLANNING COMMISSION AGENDA

CHAIRPERSON:
Adam Peck

VICE CHAIRPERSON:
Roland Soltesz

COMMISSIONERS: Lawrence Segrue, Adam Peck, Roland Soltesz, Vincent Salinas, Brett Taylor

MONDAY, MARCH 24, 2014; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –

2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.

3. CHANGES OR COMMENTS TO THE AGENDA–

4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
   - No Items on Consent Calendar

5. PUBLIC HEARING – Brandon Smith
   Conditional Use Permit No. 2014-07: A request by MG Food Services Inc. to allow conversion of 1,521 square feet inside an office building to restaurant / café use, located within the Professional / Administrative Office (PA) zone. The site is located at 202 W. Willow Avenue, on the northwest corner of Locust Street and Willow Avenue. (APN: 094-312-008) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2014-16

6. PUBLIC TESTIMONY – Andy Chamberlain
   Hearing to receive public testimony on Mitigated Negative Declaration No. 2014-01 which was prepared for Conditional Use Permit No. 2014-01, a request for an asphalt batch plant to be located at 7824 and 7732 W. Sunnyview Avenue. (APN: 077-200-038, 039)

7. PUBLIC HEARING –Paul Scheibel
   Lowery Ranch Tentative Subdivision Map 5550: A request by Hyde Commercial/4Creeks, to subdivide 72.5 acres into a 219 lot single-family residential subdivision with 2 remainders and 12 out-lots. The project will include the construction of 219 single-family residential homes on 40.5 acres while the

remaining 31.9 acres will remain undeveloped. The entire site is zoned R-1-6 (Single-Family Residential, 6,000 square foot minimum site area per lot). The site is located on the west side of North Demaree Street between Riverway Avenue the Modoc Ditch to the south (APN: 077-060-009, 077-060-022 & 077-060-024). Negative Declaration No. 2014-07 has been prepared for the project.

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.
Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS APRIL 3, 2014 BEFORE 5 PM.

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 425 E. Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 14, 2014

REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 24, 2014

PROJECT PLANNER: Brandon Smith, Senior Planner
Phone: (559) 713-4636

SUBJECT: **Conditional Use Permit No. 2014-07:** a request by MG Food Services Inc. to allow conversion of 1,521 square feet inside an office building to restaurant / café use, located within the Professional / Administrative Office (PA) zone. The site is located at 202 W. Willow Avenue, on the northwest corner of Locust Street and Willow Avenue. (APN: 094-312-008)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-07, as conditioned, based upon the findings and conditions in Resolution No. 2014-09. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2014-07, based on the findings and conditions in Resolution No. 2014-09.

PROJECT DESCRIPTION

The Conditional Use Permit (CUP) is a request to establish a coffee and sandwich shop in a portion of the first floor of an existing five-story 35,000 square foot building (see Exhibit "A"). The building is located at the northwest corner of Locust Street and Willow Avenue north of the Kaweah Delta hospital main parking lot. The lease space is currently vacant but has been previously used for office use.

According to the operational statement on the site plan, the 1,521 square foot shop named Mug & Bean will offer a menu that includes gourmet coffee and deli sandwiches. The restaurant proposes to be open seven days a week from 6:00 a.m. to 9:00 p.m. There will be 15 total employees and up to 7 employees onsite during normal business hours. The café will be accessed from an existing entrance from the indoor building corridor and from a new outdoor entrance facing Locust Street. There will be a dining area inside of the restaurant and a small outdoor court area for seating.

The site is located in the Professional / Administrative Office (PA) zone, which requires a conditional use permit for all types of eating and drinking establishments, including fast food restaurants.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Central Business District
Zoning:	Professional / Administrative Office (PA)
Surrounding Land Use and Zoning	North: PA (Office) – Office building South: PA (Office) – Kaweah Delta hospital main parking lot East: C-DT (Central Business District) – Locust Street, City parking garage West: PA (Office) – Offices, Kaweah Delta hospital
Environmental Review:	Categorical Exemption No. 2014-16 under Section 15301
Special Districts:	Design District "D"; CDT Parking Zone "A"
Site Plan	2014-014

RELATED PROJECTS

None.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2014-07, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

The restaurant is located in the Central Business District at the northwest corner of Locust Street and Willow Avenue, two blocks south of Main Street. The site is surrounded on the north and east by Central Business District Retail Commercial, but the subject site along with property to the south and west is zoned Professional / Administrative Office zone largely because of the presence of Kaweah Delta hospital.

Eating and drinking establishments, including fast food, restaurants and cafés, are currently conditionally permitted in the office zone. In 2014, the Planning Commission recommended in favor of a zoning text amendment which would allow for "sit-down" restaurants / cafés as a permitted use in the office zone, making permit processing for dining venues in commercial, office, and light industrial zones more uniformly simple. Fast food restaurants would remain a conditional use in the office zone.

While the use can be considered as a café or casual-style restaurant focusing on providing coffee and finger foods, it most closely resembles the Visalia Zoning Ordinance's definition of a fast food restaurant. According to the Ordinance, "fast food restaurant" means an establishment that offers quick food service for consumption on or off the premises. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers. The use's floor plan and operation statement clearly depict such characteristics.

Staff concludes that the proposed restaurant will be consistent, compatible, and complementary to the office zoning, particularly due to its proximity to Kaweah Delta hospital. In addition, the use is located within the Central Business District (CBT) land use designation and promotes pedestrian-oriented commercial services to the retail and professional services in support of the General Plan.

The hospital, located immediately outside of the subject site, is a major employment area and unique land use wherein employees and visitors are accessing the facility 365 days a year from

morning until evening. The proposed restaurant's extended hours of operation and quick food service would accommodate the hospital's employee and visitor population and would help reduce vehicle trips by providing closer food amenities. Because the use will heavily be drawing from the hospital population, the use is not expected to incur a significant parking demand.

Alcohol Sales

There is no discussion of sale of alcoholic beverages for consumption on/off the premises in the project's operational statement. It should be noted that the proposed restaurant use would not be precluded from obtaining a license from the State Department of Alcoholic Beverage Control to sell alcohol on the basis of zoning. The Zoning Ordinance allows restaurant uses, both with and without alcohol sales, as a conditional use in the PA zone. Alcohol sales for on/off premises consumption would be allowed with the proposed restaurant if desired and sought by the applicant.

Outdoor Seating Area

The project includes approximately 300 square feet of outdoor seating area located directly south of the indoor dining area, as shown on the floor plan attached as Exhibit "B". This area will be accessed by a new concrete ramp located outside of the new Locust Street entrance into the restaurant. The outdoor seating area is located on private property associated with the subject site that includes the five-story office building. The area is located outside of the five-foot front landscape setback required by Design District "D".

Parking

There are approximately 41 on-site parking spaces associated with the office building, located to the south and west of the building. Additional reserved parking spaces are located in the parking structure to the east. Parking space requirements for the entire building on the site was established at the medical office requirement of one parking space per 200 square feet. Restaurants have a parking space requirement of one parking space per 100 square feet.

The site is located in the Parcel Based Improvement District (PBID) area and qualifies as a "change in use" project, which does not require additional parking in-lieu fees to be assessed or collected on the proposed restaurant use.

Environmental Review

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2014-16). Projects determined to meet this classification consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized in the Class 1 are not intended to be all-inclusive of the types of projects.

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
    - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-16).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2014-014.
2. That the use be operated in compliance with the site plan and operational statement depicted in Exhibit "A" and the floor plan shown in Exhibit "B". Substantial changes to the site plan and/or operational statement that would contribute to an increase in intensity of the use will require Site Plan Review and a potential amendment to the Conditional Use Permit prior to said changes.
3. That any project signage shall be obtained under a separate permit.
4. That all project signage shall comply with all City codes and ordinances.
5. That all applicable federal, state, regional, county and city laws, codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2014-07.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 425 East Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the city clerk.

Attachments:

- Related Plans and Policies
- Owner Disclosure Statement
- Resolution No. 2014-09
- Exhibit "A" – Site Plan / Operational Statement
- Exhibit "B" – Floor Plan
- Site Plan Review No. 2014-014
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

Related Plans & Policies

Visalia Municipal Code
Title 17: Zoning Ordinance
Chapter 17.38: Conditional Use Permits

17.38.010 Purposes and powers

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.030 Lapse of conditional use permit

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

17.38.050 New application

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

17.38.060 Conditional use permit to run with the land

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

17.38.065 Abandonment of conditional use permit

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

17.38.080 Public hearing--Notice

A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.

B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

17.38.100 Public hearing--Procedure

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

17.38.110 Action by planning commission

A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;

2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.

C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

17.38.120 Appeal to city council

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

17.38.130 Effective date of conditional use permit

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

Proposed Zoning Designation _____

Proposed Land Use Designation _____

Site area (acres, or square feet if less than one acre) 8184 SF

Existing streets directly adjacent to the site LOCUST, WILLOW

Existing use(s) MEDICAL AND GENERAL OFFICE

Existing improvements/structures 5 STORY OFFICE BLDG 35,000 SF ±

PROPERTY OWNER(S):

If more than two owners, please provide information and signature(s) on a separate sheet.

Name (print) 202 W. WILLOW, LLC Name (print) _____

Mailing Address 222 N. Garden St #200 Mailing Address _____

Phone 713.0202 Phone _____

Statement: I/We declare under penalty of perjury that I am/we are the legal owner(s) of the property involved in this application. I/We authorize the person named in this application as the Project Main Contact to act as my/our representative with City Staff regarding the processing of this application.

2/7/14
Date

Property Owner Signature

Date

Property Owner Signature

PROJECT MAIN CONTACT/REPRESENTATIVE:

(This is the person who will be the main contact with City Staff, and will receive all correspondence.)

Name (print) MARTIN ZOOB

Firm/Company ZOOB COMMERCIAL REAL ESTATE / MG FOODS

Mailing Address 132 N. AKERS, VISALIA CA 93291

Phone 625-2128 Fax 625-4832 E-Mail ZOOB@AOL.COM

Statement: I will be the main contact and representative of the proposed project with City Staff during the processing of this application. I declare under penalty of perjury that all statements and documents submitted with this application are true and correct to the best of my knowledge.

2/5/14
Date

Project Main Contact/Representative Signature

OTHER INVOLVED PARTIES:

Fill in all that apply.
Is the property currently in escrow? If so, to whom? No
(Write "none" if property is not in escrow.)

Developer/Builder _____

Mailing Address _____

Phone _____ Fax _____

Contractor _____

Engineer _____

Architect _____

NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:

List the names of any and all principals, partners, and/or trustees where any property owner or developer/builder is a corporation, partnership, or trust. For corporations provide names of officers and directors. For trusts provide names of trustees and beneficiaries.

RESOLUTION NO. 2014-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-07, A REQUEST BY MG FOOD SERVICES INC. TO ALLOW CONVERSION OF 1,521 SQUARE FEET INSIDE AN OFFICE BUILDING TO RESTAURANT / CAFÉ USE, LOCATED WITHIN THE PROFESSIONAL / ADMINISTRATIVE OFFICE (PA) ZONE. THE SITE IS LOCATED AT 202 W. WILLOW AVENUE, ON THE NORTHWEST CORNER OF LOCUST STREET AND WILLOW AVENUE. (APN: 094-312-008)

WHEREAS, Conditional Use Permit No. 2014-07 is a request by MG Food Services Inc. to allow conversion of 1,521 square feet inside an office building to restaurant / café use, located within the Professional / Administrative Office (PA) zone. The site is located at 202 W. Willow Avenue, on the northwest corner of Locust Street and Willow Avenue. (APN: 094-312-008); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 24, 2014; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-16). The project is therefore exempt from further environmental review pursuant to CEQA Section 15301.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

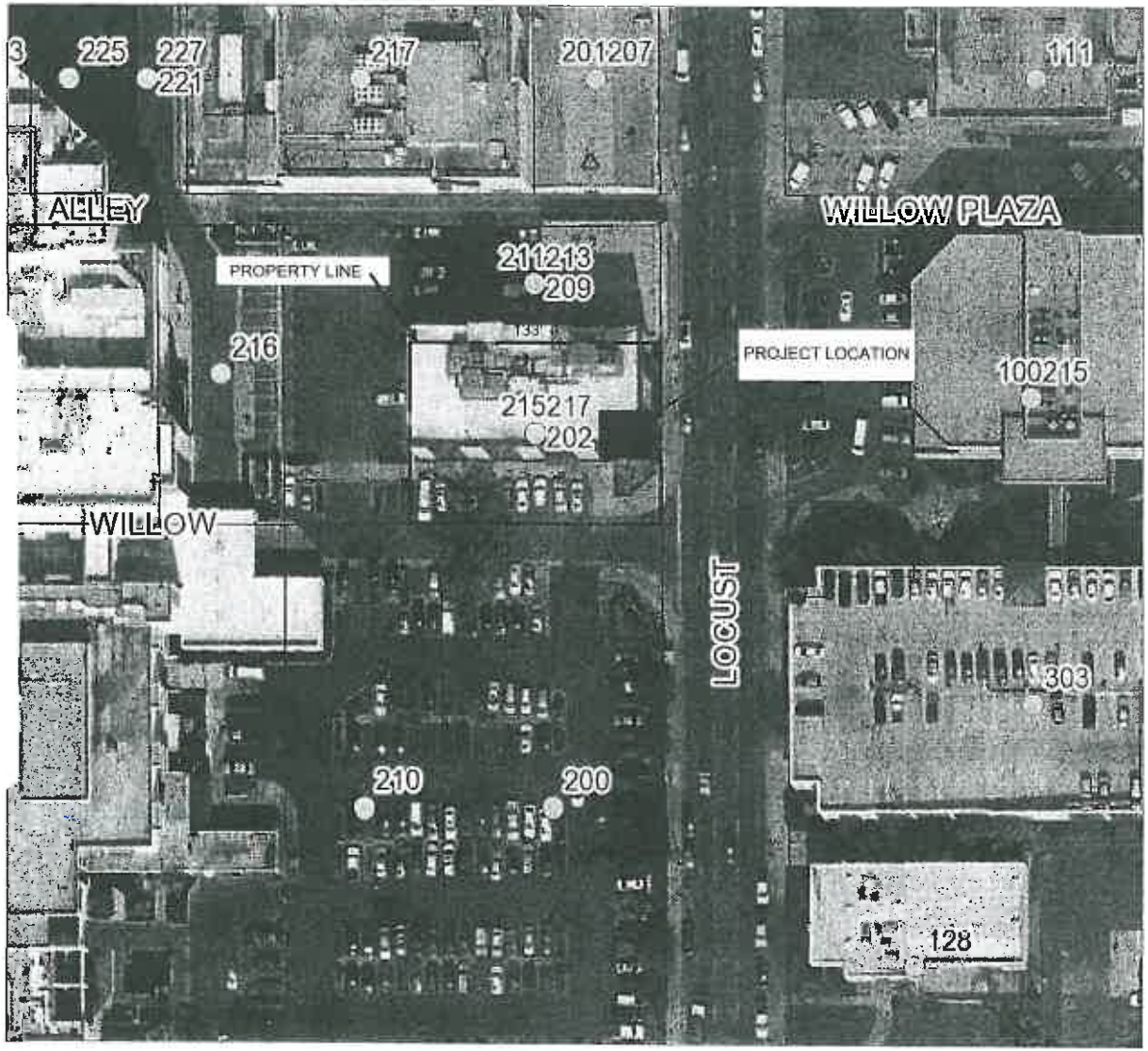
1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
   a) The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
   b) The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-16).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2014-014.
2. That the use be operated in compliance with the site plan and operational statement depicted in Exhibit "A" and the floor plan shown in Exhibit "B". Substantial changes to the site plan and/or operational statement that would contribute to an increase in intensity of the use will require Site Plan Review and a potential amendment to the Conditional Use Permit prior to said changes.
3. That any project signage shall be obtained under a separate permit.
4. That all project signage shall comply with all City codes and ordinances.
5. That all applicable federal, state, regional, county and city laws, codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2014-07.

Exhibit "A"



PROJECT INFORMATION

ZONING	PA
VARIANCE NO.	N/A
ADDRESS	— 202 WEST WILLOW AVE. VISALIA, CA
A.P.N.	— 094-312-008
LOT AREA	— 1,501 SF
BUILDING AREA	— LEASED SPACE = 1,621 SF
PARKING	— PARKING DISTRICT
LANDSCAPE COVERAGE	N/A
STORIES	PROPOSED PROJECT IS ONE STORY
CONSTRUCTION TYPE	PROPOSED CONSTRUCTION IS V-B
OCCUPANCY	"A-2"
FIRE SPRINKLERS	EXISTING
RATED WALLS	1 HR BETWEEN COFFEE SHOP & CORRIDOR
OCCUPANT LOAD:	
MUG & BEAN	KITCHEN : 385 SF / 200 SFPER OCC. = 2 OCCUPANTS STORAGE : 96 SF / 30 SPER OCC. = 1 OCCUPANT DINING AREA : 1,050 SF / 15 SFPER OCC. = 70 OCCUPANTS TOTAL DESIGN OCCUPANTS = 73 OCCUPANTS
REQUIRED EXITS	2

PROJECT SCOPE :

CONSTRUCT A COFFEE / SANDWICH SHOP NAMED "MUG & BEAN" WITHIN 1,621 SF OF CURRENTLY VACANT SPACE LOCATED AT THE SOUTH / EAST CORNER OF THE GROUND FLOOR OF AN EXISTING 5 STORY BUILDING LOCATED AT 202 WEST WILLOW AVE.

THIS PROJECT WILL INCORPORATE A NEW SMALL COMMERCIAL SIZE KITCHEN , S.S. HOOD & MAKE UP AIR SYSTEM, GREASE INTERCEPTOR, SMALL INDOOR DINING AND A SMALL OUTDOOR COURT AREA FOR EATING ALONG SOUTH END OF RESTAURANT.

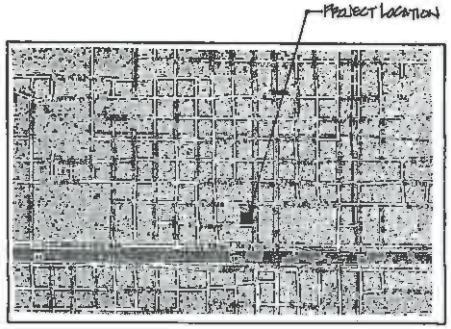
THE NEW MAIN ENTRANCE WILL BE LOCATED ALONG LOCUST STREET WHICH WILL REQUIRE NEW LANDING AND ACCESSIBLE RAMP.
A SECONDARY ENTRANCE IS EXISTING WITHIN WEST SIDE OF RESTAURANT ALONG THE CORRIDOR OF THE EXISTING BUILDING

EXISTING FIRE SPRINKLER HEADS WILL BE MODIFIED AS REQUIRED BY FIRE MARSHAL.

NEW PROJECT SIGNAGE WILL COMPLY WITH CITY OF VISALIA SIGN ORDINACE AND WILL BE BY SEPARATE PERMIT

OPERATIONAL STATEMENT:

TOTAL NUMBER OF EMPLOYEES : 15
NUMBER OF EMPLOYEES WORKING ON A GIVEN SHIFT : 7
HOURS OF OPERATION : 6:00 a.m. to 9:00 p.m. 7 Days a Week
SERVICE OFFERED : GOURMET COFFEE
DELI SANDWICHES
FULL MENU : AMERICAN STYLE FOOD



VICINITY MAP CITY OF VISALIA

GOVERNING CODES:

2013 BUILDING STANDARDS ADMINISTRATIVE CODE, PART1, TITLE 24 C.C.R.
2013 CALIFORNIA BUILDING CODE (CBC) PART 2, TITLE 24 C.C.R.
2013 CALIFORNIA ELECTRICAL CODE (CEC) PART 3, TITLE 24 C.C.R.
2013 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24 C.C.R.
2013 CALIFORNIA PLUMBING CODE (CPC) PART 5, TITLE 24 C.C.R.
2013 CALIFORNIA ENERGY CODE, PART 6, TITLE 24 C.C.R.
2013 CALIFORNIA FIRE CODE (CFC) PART 9, TITLE 24 C.C.R.
2013 CALIFORNIA REFERENCE STANDARDS PART 12, TITLE 24 C.C.R.
2013 CALIFORNIA GREEN CODE

PLAN NORTH

Architecture
Structural
Energy

MARTIN C. HALE - ARCHITECT
C28948
8210 W. La Vida Dr.
Visalia, California 93291
(559)-799-7197

THESE PLANS VALID ONLY WITH WET SIGNATURE

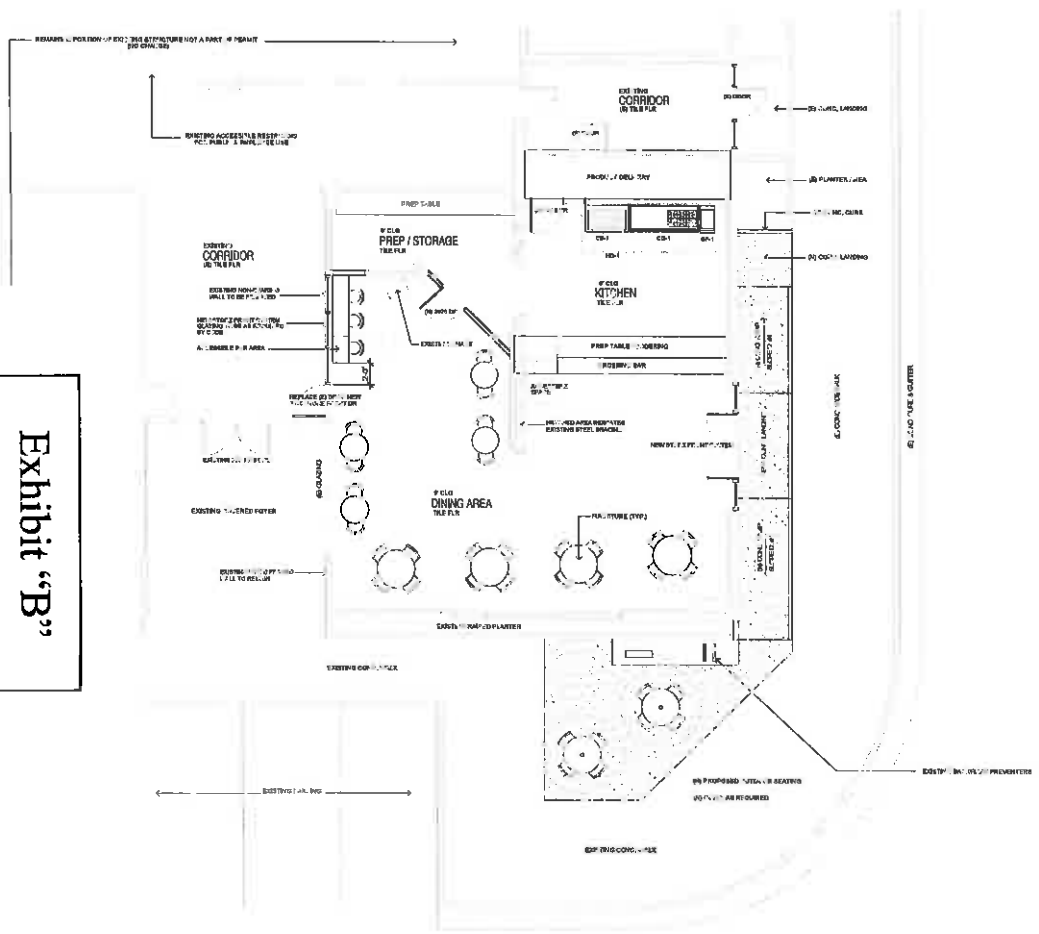
REVISIONS

A NEW LOCATION FOR:
Mug & Bean
202 WEST WILLOW STREET
VISALIA, CALIFORNIA

SHEET TITLE
SITE PLAN

DRAWN BY	MCH
DATE	01/27/14
SCALE	NO SCALE
SHEET NO.	A100

Exhibit "B"



PROPOSED FLOOR PLAN

LEASED SPACE = 1,521 SF

EXISTING FLOOR PLAN

PLAN NORTH

Architecture
Structural
Energy

MARTIN C. HALE - ARCHITECT
C28948
5210 W. La Vida Dr
Visalia, California 93291
(559)-799-7197

THESE PLANS VALID ONLY WITH WET SIGNATURE

REVISIONS

A NEW LOCATION FOR:
Mug & Bean
202 WEST WILLOW STREET
VISALIA, CALIFORNIA

SHEET TITLE
FLOOR PLAN

DRAWN BY: MCH
DATE: 01/15/14
SCALE: NO SCALE
SHEET NO: A200

MEETING DATE 2/5/2014

SITE PLAN NO. 14-014

PARCEL MAP NO.

SUBDIVISION

LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

☐ **RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

☐ During site plan design/policy concerns were identified, schedule a meeting with

☐ Planning ☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste ☐ Parks and Recreation ☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

☐ A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

☐ Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

☒ Your plans must be reviewed by:

☐ CITY COUNCIL ☐ REDEVELOPMENT

☒ PLANNING COMMISSION ☐ PARK/RECREATION

☐ HISTORIC PRESERVATION ☐ OTHER _____

☒ **ADDITIONAL COMMENTS** This project requires a Conditional Use Permit

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee

#1

MEETING DATE FEBRUARY 5, 2014
SITE PLAN NO. 14-014
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

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☐ Planning ☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste ☐ Parks and Recreation ☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

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☐ CITY COUNCIL ☐ REDEVELOPMENT

☒ PLANNING COMMISSION CUP ☐ PARK/RECREATION

☐ HISTORIC PRESERVATION ☐ OTHER ____

☐ **ADDITIONAL COMMENTS** ____

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025
Date: February 5, 2014

SITE PLAN NO:	2014-014
PROJECT TITLE:	MUG & BEAN
DESCRIPTION:	NEW RESTAURANT IN EXISTING 1,700 SF BUILDING ON 12,501 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT TITLE:	MG FOOD SERVICES INC
PROP. OWNER:	202 W WILLOW AVE
LOCATION TITLE:	208 W MAIN ST
APN TITLE:	094-312-008
General Plan:	CDT – Central Business District
Existing Zoning:	PA – Professional / Admin. Office

Planning Division Recommendation:

☒ Revise and Proceed
☐ Resubmit

Project Requirements

- Conditional Use Permit (CUP) for sit-down café in PA
- Additional Information as needed
- Building Permit

PROJECT SPECIFIC INFORMATION: 01/29/2014

1. A CUP is required for a sit-down café in the PA zone.
2. Provide operation statement with CUP application submittal.
3. Signage is subject to a separate building permit and shall comply with the provision of Design District "D".

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Design District: "D" [17.30.190]

Maximum Building Height: 100 Feet

Minimum Setbacks:	**Building**	**Landscaping**
1. Front	0 Feet	5 Feet*
2. Side	0 Feet	5 Feet*
3. Street side on corner lot	0 Feet	5 Feet*
4. Side abutting residential zone	15 Feet	5 Feet
5. Rear	0 Feet	0 Feet*
6. Rear abutting residential zone	10 Feet	0 Feet

*(Except where building is on property line)

Minimum Site Area: 3,000 square feet

Parking: As prescribed in Chapter 17.34; off-street parking areas shall be set back a minimum of five feet from property lines abutting a street.

Downtown Parking District: [Zoning Ordinance Section 17.30.019A Article 2]

1. Parking for the entire building was established at the medical office rate (1/200). The site is located in the PBID area and the proposed sit-down café is a "Change-Of-Use" project, which does not require additional parking in-lieu fees to be assessed on the café use.

The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

Signature 

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

February 5, 2014

ITEM NO:	1
SITE PLAN NO:	SPR14014
PROJECT TITLE:	MUG & BEAN
DESCRIPTION:	NEW RESTAURANT IN EXISTING 1,700 SF BUILDING ON 12,501 SF AREA (PA ZONED) (DISTRICT 3)
APPLICANT:	MG FOOD SERVICES INC
PROP. OWNER:	202 W WILLOW LLC
LOCATION:	202 W WILLOW AVE
APN(S):	094-312-008

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

☐ No Comments

☐ See Previous Site Plan Comments

☐ Install Street Light(s) per City Standards.

☐ Install Street Name Blades at Locations.

☐ Install Stop Signs at Locations.

☐ Construct parking per City Standards PK-1 through PK-4.

☐ Construct drive approach per City Standards.

☒ Traffic Impact Analysis required.

Additional Comments:

•

Leslie Blair

14-014

BUILDING/DEVELOPMENT PLAN REQUIREMENTS
ENGINEERING DIVISION

☐ Jason Huckleberry 713-4259
☒ Adrian Rubalcaba 713-4271

ITEM NO: 1 DATE: FEBRUARY 5, 2014

SITE PLAN NO.:	14-014
PROJECT TITLE:	MUG & BEAN
DESCRIPTION:	NEW RESTAURANT IN EXISTING 1,700 SF BUILDING ON 12,501 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT:	MG FOOD SERVICES INC
PROP OWNER:	202 W WILLOW LLC
LOCATION:	202 W WILLOW AVE
APN:	094-312-008

SITE PLAN REVIEW COMMENTS

☒ REQUIREMENTS (indicated by checked boxes)
☐ Install curb return with ramp, with radius;
☐ Install curb; ☐ gutter
☐ Drive approach size: ☐ Use radius return;
☐ Sidewalk: width; ☐ parkway width at
☒ Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
☒ Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
☐ Right-of-way dedication required. A title report is required for verification of ownership.
☐ Deed required prior to issuing building permit.
☒ City Encroachment Permit Required. ***ANY WORK IN PUBLIC RIGHT-OF-WAY*** Insurance certificate with general & auto liability ($1 million each) and workers compensation ($1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Rafael Magallan, 713-4414.
☒ CalTrans Encroachment Permit required. ☒ CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
☐ Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
☐ Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
☐ Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. ☐ Prepared by registered civil engineer or project architect. ☐ All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) ☐ directed to the City's existing storm drainage system; b) ☐ directed to a permanent on-site basin; or c) ☐ directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
☐ Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
☒ Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter =.020%, V-gutter = 0.25%)
☐ Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
☐ All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
☐ Traffic indexes per city standards:

☐ Install street striping as required by the City Engineer.
☒ Install landscape curbing (typical at parking lot planters).
☐ Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
☐ Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
☐ Provide "R" value tests: each at
☐ Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
☐ Access required on ditch bank, 15' minimum ☐ Provide wide riparian dedication from top of bank.
☐ Show Oak trees with drip lines and adjacent grade elevations. ☐ Protect Oak trees during construction in accordance with City requirements.
☐ A permit is required to remove oak trees. Contact Joel Hooyer at 713-4295 for an Oak tree evaluation or permit to remove. ☐ A pre-construction conference is required.
☐ Relocate existing utility poles and/or facilities.
☐ Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
☐ Subject to existing Reimbursement Agreement to reimburse prior developer.
☒ Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
☒ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
☒ If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.

☐ Comply with prior comments. ☐ Resubmit with additional information. ☐ Redesign required.

Additional Comments:

1. Proposed concrete work to meet all City and ADA regulations.

2. Previous medical use credit is applicable towards new impact fees associated with restaurant proposal. Refer to page 3 for impact fee summary.

3. Plan check and inspection fees apply; due at time of building permit.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **14-014**
Date: **2/5/2014**

Summary of applicable Development Impact Fees to be collected at the time of building permit:

(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)

(Fee Schedule Date:**8/16/2014**)
(Project type for fee rates:**RESTAURANT**)

☒ Existing uses may qualify for credits on Development Impact Fees. **MEDICAL**

FEE ITEM	FEE RATE
☐ Groundwater Overdraft Mitigation Fee	
☐ Transportation Impact Fee	
☒ Trunk Line Capacity Fee	**$52.30/SEAT X 36 - (CREDIT $84/1000SF X 1.52) = $1,755.12 TREATMENT PLANT FEE: $234/SEAT X 36 - (CREDIT $199.60/1000SF X 1.52) = $8,120.61**
☐ Sewer Front Foot Fee	
☐ Storm Drain Acq/Dev Fee	
☐ Park Acq/Dev Fee	
☐ Northeast Specific Plan Fees	
☐ Waterways Acquisition Fee	
☐ Public Safety Impact Fee: Police	
☐ Public Safety Impact Fee: Fire	
☐ Public Facility Impact Fee	
☐ Parking In-Lieu	

Reimbursement:

1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

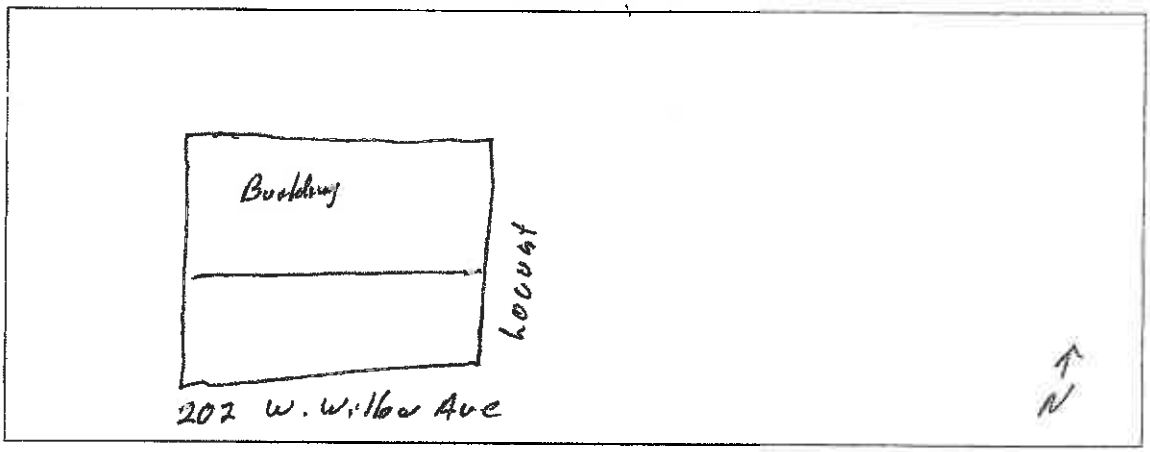
Adrian Rubalcaba

City of Visalia
Parks and Urban Forestry
336 N. Ben Maddox Way
Visalia, CA 93292

Date: 2-4-14

Site Plan Review # 14-014

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below ☐ None ☑

☐ Please plot and protect all Valley Oak Trees.

☐ Landscape along parkway to be planted by developer and maintained by a maintenance district.

☐ All drainage from curb and gutter along streets to be connected to storm drain system.

☐ All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.

☐ Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: _____

_____

_____

_____

_____

Joel Hooyer

Joel Hooyer
Parks and Urban Forestry Supervisor
559 713-4295 Fax 559 713-4818 Email: jhooyer@ci.visalia.ca.us

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500

COMMERCIAL BIN SERVICE

SITE PLAN NO:	SPR14014
PROJECT TITLE:	MUG & BEAN
DESCRIPTION:	NEW RESTAURANT IN EXISTING 1,700 SF BUILDING ON 12,501 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT:	MG FOOD SERVICES INC
PROP OWNER:	202 W WILLOW LLC
LOCATION:	202 W WILLOW AVE
APN(S):	094-312-008

[ ]	No comments.
[ ]	Same comments as as
[X]	Revisions required prior to submitting final plans. See comments below.
[X]	Resubmittal required. See comments below.
[X]	Customer responsible for all cardboard and other bulky recyclables to be broken down be fore disposing of in recycle containers.
[X]	ALL refuse enclosures must be R-3 or R-4
[ ]	Customer must provide combination or keys for access to locked gates/bins
[X]	Type of refuse service not indicated.
[ ]	Location of bin enclosure not acceptable. See comments below.
[ ]	Bin enclosure not to city standards double.
[ ]	Inadequate number of bins to provide sufficient service. See comments below.
[ ]	Drive approach too narrow for refuse trucks access. See comments below.
[ ]	Area not adequate for allowing refuse truck turning radius of : Commercial (X) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.
[ ]	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
[X]	Bin enclosure gates are required
[ ]	Hammerhead turnaround must be built per city standards.
[ ]	Cul - de - sac must be built per city standards.
[ ]	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
[X]	Area in front of refuse enclosure must be marked off indicating no parking
[ ]	Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)
[X]	Customer will be required to roll container out to curb for service.
[ ]	Must be a concrete slab in front of enclosure as per city standards

The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post

see page 2 for instructions

TYPE OF SERVICE NOT INDICATED.

Javier Hernandez. Solid Waste Front Load Supervisor 713-4338

City of Visalia
Police Department
303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4370

ITEM NO: 1 DATE: February 05, 2014

SITE PLAN NO: SPR14014
PROJECT TITLE: MUG & BEAN
DESCRIPTION: NEW RESTAURANT IN EXISTING 1,700 SF BUILDING ON 12,501 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT: MG FOOD SERVICES INC
PROP OWNER: 202 W WILLOW LLC
LOCATION: 202 W WILLOW AVE

Site Plan Review Comments

☒ No Comment at this time.

☐ Request opportunity to comment or make recommendations as to safety issues as plans are developed.

☐ Public Safety Impact fee:
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.

☐ Not enough information provided. Please provide additional information pertaining to:

☐ Territorial Reinforcement: Define property lines (private/public space).

☐ Access Controlled / Restricted etc:

☐ Lighting Concerns:

☐ Landscaping Concerns:

☐ Traffic Concerns:

☐ Surveillance Issues:

☐ Line of Sight Issues:

☐ Other Concerns:

B WINTER C 98

Visalia Police Department

Site Plan Review Comments For:
Visalia Fire Department
Kurtis A. Brown, Assistant Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 *office*
559-713-4808 *fax*

ITEM NO: 1 DATE: February 05, 2014

SITE PLAN NO:	SPR14014
PROJECT TITLE:	MUG & BEAN
DESCRIPTION:	NEW RESTAURANT IN EXISTING 1,700 SF BUILDING ON 12,501 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT:	MG FOOD SERVICES INC
PROP OWNER:	202 W WILLOW LLC
LOCATION:	202 W WILLOW AVE
APN(S):	094-312-008

The following comments are applicable when checked:

☒ The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.

☒ All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2013 CFC 901.6*

☐ No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.

☐ More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

General:

☒ Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*

☒ A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.) *2013 CFC 506.1*

☒ All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.

☒ Provide Illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*

☐ When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

☐ Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. *2013 CFC 304.3.3*

☐ If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

Water Supply:

☐ Construction and demolition sites shall have an approved water supply for fire protection, either temporary or permanent, and shall be made available as soon as combustible material arrives on the site. *2013 CFC 3312*

☐ No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.

☐ There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)

☐ Fire hydrant spacing shall comply with the following requirements:
The exact location of fire hydrants and final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120 & 16.36.120(8)*

☐Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

☐Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

☐Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

☐Commercial or industrial developments shall be provided with fire hydrants every three hundred (300) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

☐Commercial or industrial developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred (500) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

☐ When any portion of a building is in excess of one hundred fifty (150) feet from a water supply on a public street there shall be provided on site fire hydrants and water mains capable of supplying the required fire flew. *Visalia Municipal Code 16.36.120(6)*

Emergency Access:

☐ A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. *2013 CFC 3310*

☐ Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. *2013 CFC D105*

☐ A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2013 CFC 503.1.1*

☐ Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

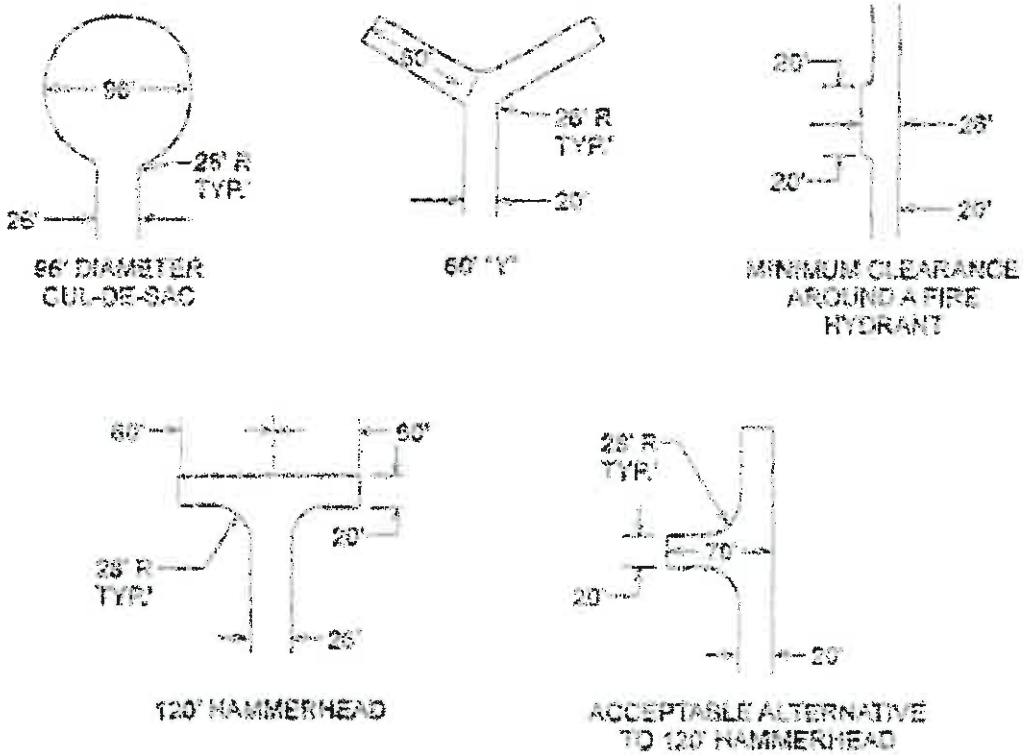


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

☐ Gates on access roads shall be a minimum width of 20 feet and shall comply with the following: *2013 CFC D103.5*

- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
- Gates shall be of the swinging or sliding type.
- Gates shall allow manual operation by one person. (power outages)
- Gates shall be maintained in an operative condition at all times.
- Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)

☐ In any and all new One- or two-family dwellings residential developments regardless or the number of units, street width shall be a minimum of 36 feet form curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments that don't allow parking on the streets. *2013 CFC D107.2*

Fire Protection Systems:

☐ An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*

☒ Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11& 609.2*

Special Comments:

☐

Kurtis A. Brown
Assistant Fire Marshal

QUALITY ASSURANCE DIVISION

SITE PLAN REVIEW COMMENTS

ITEM NO: 1 DATE: February 05, 2014

SITE PLAN NO:	SPR14014
PROJECT TITLE:	MUG & BEAN
DESCRIPTION:	NEW RESTAURANT IN EXISTING 1,700 SF BUILDING ON 12,501 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT:	MG FOOD SERVICES INC
PROP OWNER:	202 W WILLOW LLC
LOCATION:	202 W WILLOW AVE
APN(S):	094-312-008

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- ☒ WASTEWATER DISCHARGE PERMIT APPLICATION
- ☐ SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT_____
- ☒ GREASE INTERCEPTOR AS STATED ON PLANS ~~min. 1000 GAL~~
- ☐ GARBAGE GRINDER – ¾ HP. MAXIMUM_____
- ☐ SUBMISSION OF A DRY PROCESS DECLARATION_____
- ☒ NO SINGLE PASS COOLING WATER IS PERMITTED_____
- ☐ OTHER_____
- ☐ SITE PLAN REVIEWED – NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA
PUBLIC WORKS DEPARTMENT
QUALITY ASSURANCE DIVISION
7579 AVENUE 288
VISALIA, CA 93277

AUTHORIZED SIGNATURE

2-9-14
DATE

SPA 14014

CITY OF VISALIA
NONSIGNIFICANT WASTEWATER DISCHARGE PERMIT APPLICATION

Agency Use:
Permit No:_____
Code No:_____
Data Entry By:_____

PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME:_____ PHONE: _____

BUSINESS ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

BUSINESS OWNER: _____ PHONE: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

CONTACT PERSON: _____ TITLE: _____

NATURE OF BUSINESS: (restaurant, market, convenience store, yogurt shop, walk-up, etc.)

_____

NO. OF EMPLOYEES: _____ HOURS OPEN: _____AM/PM TO _____AM/PM

DAYS PER WEEK BUSINESS OPEN: MON TUES WED THUR FRI SAT SUN

Does your facility have a grease, oil or grit trap installed before discharge to sewer? YES NO

If yes, Name of trap: _____ Size of trap: _____ How often is trap cleaned: _____

I hereby affirm that all information furnished is true and correct to the best of my knowledge.

_____

Signature Date

Public Works Department
Quality Assurance Division
7579 Ave 288
Visalia CA 93277
(559) 713-4487

SPA 14014

CITY OF VISALIA

ORDINANCE 13.08

13.08.570 Traps required.

Grease, oil and sand traps shall be provided when, in the opinion of the City, they are necessary for the protection of the sewerage system from liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such traps shall not be required for buildings used solely for residential purposes. Such traps shall be required for example, on discharges from all service stations, automotive repair garages, car washes, restaurants, eating establishments and food preparation establishments, and such other commercial or industrial establishments as the city may designate. (Prior code § 4254)

13.08.580 Construction of traps.

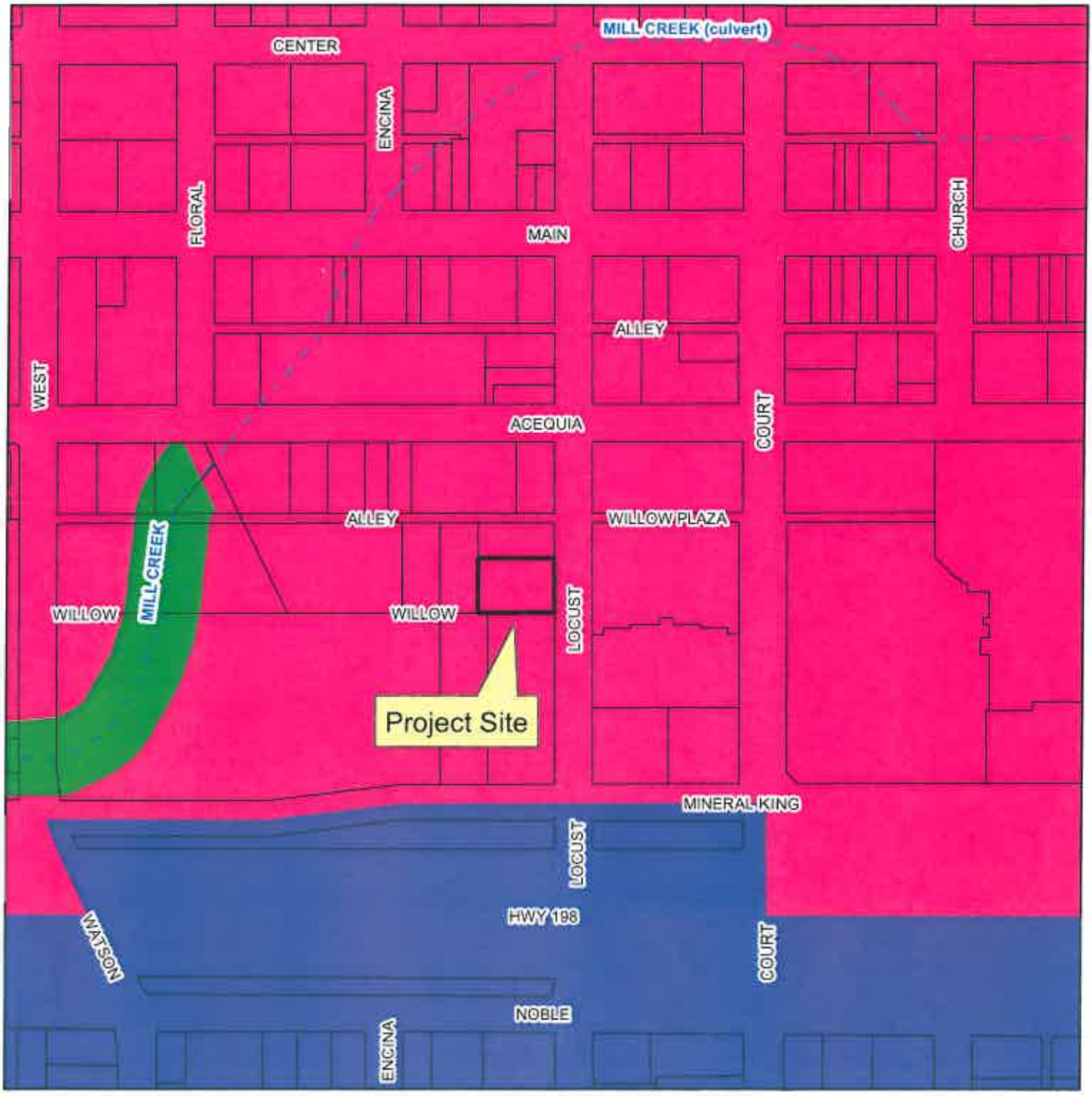
All traps shall be of a type and capacity approved by the city, and shall be so located as to be readily and easily accessible for cleaning and inspection. Restaurant traps shall be gas-tight, of a type approved for restaurant use by the division of building safety. Traps for all other facilities, including service stations and garages, shall be in accordance with the adopted plan of the city for such traps or shall be the approved equal thereof as determined by the director. (Prior code § 4255)

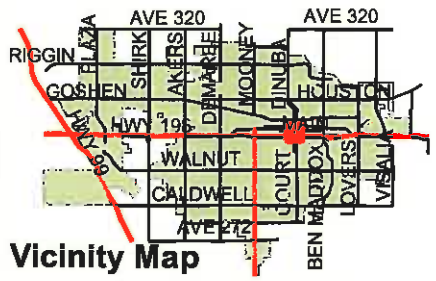
13.08.590 Maintenance of traps.

When installed, all grease, oil and sand traps shall be maintained by the owner, at owner's expense, in continuously efficient operation at all times. (Prior code § 4256)

Conditional Use Permit No. 2014-07

The site is located at 202 W. Willow Avenue, on the northwest corner of Locust Street and Willow Avenue. (APN: 094-312-008)





Vicinity Map

General Plan Land Use Map

0 100 200 400 Feet

N W E S

- WATERWAYS
- CONSERVATION
- CENTRAL BUSINESS DISTRICT
- PROFESSIONAL / ADMIN OFFICE

Conditional Use Permit No. 2014-07

The site is located at 202 W. Willow Avenue, on the northwest corner of Locust Street and Willow Avenue. (APN: 094-312-008)

Zoning Map

Feet

0 100 200 400

N W E S

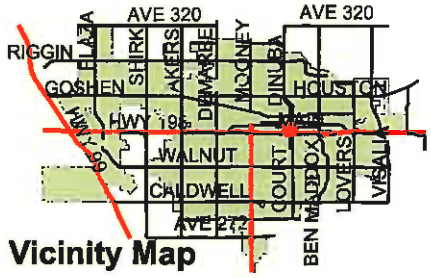
WATERWAYS

CENTRAL BUSINESS DISTRICT

PROFESSIONAL / ADMIN. OFFICE

Conditional Use Permit No. 2014-07

The site is located at 202 W. Willow Avenue, on the northwest corner of Locust Street and Willow Avenue. (APN: 094-312-008)



Aerial Photo

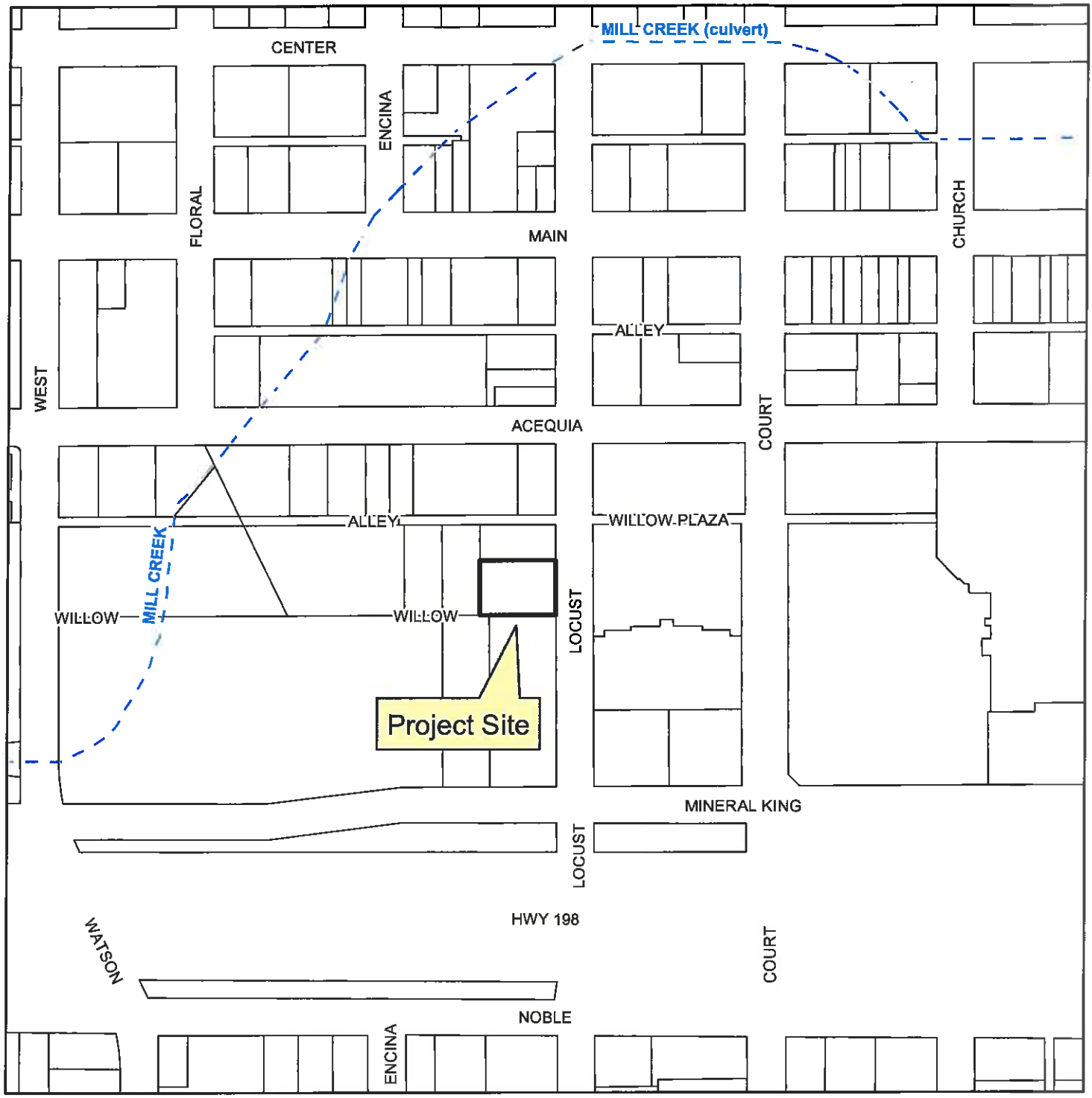
Photo Taken March 2012

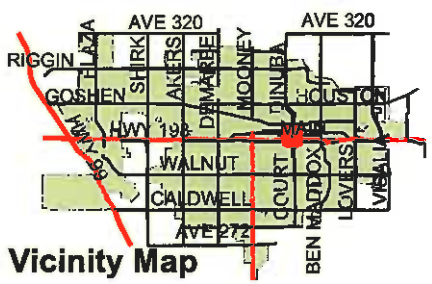
0 50 100 200 Feet

N
W E
S

Conditional Use Permit No. 2014-07

The site is located at 202 W. Willow Avenue, on the northwest corner of Locust Street and Willow Avenue. (APN: 094-312-008)





Location Map

0 100 200 400 Feet

N W E S

City of Visalia

To: Planning Commission

From: Andrew Chamberlain, Senior Planner 713-4003

Date: March 24, 2014

Re: **Public Testimony for Mitigated Negative Declaration No. 2014-01** which was prepared for Conditional Use Permit No. 2014-01, a request for an asphalt batch plant to be located at 7824 and 7732 W. Sunnyview Avenue. (APN: 077-200-038, 039)

RECOMMENDATION

Staff recommends that Planning Commission:

a. Receive public testimony for Mitigated Negative Declaration (MND) No. 2014-01

b. Continue the Public Hearing for Conditional Use Permit No. 2014-01 to a date undetermined

DISCUSSION

On March 18, 2014 staff received the attached correspondence raising issues of Health Hazards, Odors and Traffic for the proposed asphalt batch plant, Conditional Use Permit No. 2014-01. The staff requests additional time to review the issues and prepare a response. Since this is a noticed public hearing, staff believes it is appropriate to take public comments only on the proposed mitigated negative declaration. This will allow any interested parties who may have additional comments on the environmental document to provide testimony at this time.

PUBLIC TESTIMONY for MITIGATED NEGATIVE DECLARATION No. 2014-01

Staff recommends that the Planning Commission receive a brief presentation on Mitigated Negative Declaration No. 2014-01, and that the Commission then open up a period to take public testimony on the mitigated negative declaration. This would be an opportunity for interested individuals to comment on the proposed environmental document. Staff would not be discussing the conditional use permit or responding to issues raised during the public testimony at this meeting. Issues raised would be considered as a part of the subsequent analysis and at a future public hearing.

CONTINUED PUBLIC HEARING for CUP No. 2014-01

Conditional Use Permit No. 2012-10 was noticed for Public Hearing on March 24, 2014. Staff requests that the Planning Commission continue the hearing to a date undetermined which would require re-noticing the action.

RCOMMENDED MOTION

I move to continue the public hearing for Mitigated Negative Declaration No. 2014-01 and Conditional Use Permit No. 2014-01 indefinitely, with the hearing to be re-noticed.

ATTACHMENTS

- Correspondence
- Mitigated Negative Declaration No. 2014-01
- Location Map

Attachment:

Correspondence

Asphalt Batch Plant
7824 & 7732 W. Sunnyview Ave.
Visalia, CA 93291
(APNs: 077-200-038, 039)

Mainland Skate and Surf's corporate office and distribution center is located at 8027 W. Sunnyview Ave., Visalia CA 93291 which in within 300 feet of the new proposed asphalt batch plant owned by Papich Construction, Richie-Vidovich Limited Partnership. Mainland Skate and Surf have some concerns that we would like addressed:

- **Health Hazard:**
  - The chemicals in asphalt vary depending on the source of the crude oil, the type of asphalt being made, and the mixture, and the process used. In general, the fumes are a mixture of several different types of chemicals including
    - Carbon monoxides
    - Nitrogen oxides
    - Sulfur
    - Volatile organic compounds
    - Polycyclic aromatic hydrocarbons, PAHs [EPA] (see Exhibit A)[i]
  - Manufacturing asphalt does generate particulate toxins and volatile organic compounds (VOCs). Most VOCs are aromatic or polyaromatic compounds that are highly toxic and carcinogenic. VOCs can only be removed from the manufacturing air discharge stream by either afterburners or catalytic converters. According to the Bay Area Air Quality Board, the manufacture of rubberized asphalt makes even more VOCs than regular asphalt. Road construction web sites predict that Caltrans will require 50% use of rubberized asphalt over the next few years. (see Exhibit B)[ii]. At this time, it is unknown to Mainland Skate and Surf if Papich will be producing rubberized asphalt at the proposed location in Visalia.

  - Health effects of asphalt fume exposure
    - Health effects depend upon
      - How much has entered your body
      - How long you are exposed to asphalt fumes
      - How your body responds to asphalt fumes
    - Fumes created from heating asphalt can be inhaled into the lungs or can condense onto exposed areas of the skin.
    - Residents living near an asphalt plant also would be more likely to breathe low levels of asphalt fumes for a long period of time. (see Exhibit A)
    - The Blue Ridge Environmental Defense League (BREDL), a regional environmental organization, has done two studies on adverse impacts. One study reported, nearly half of the residents reporting negative impacts on their health from a new asphalt plant. The door-to door health survey found 45% of residents living within a half mile of the plant reported a deterioration of their health, which began after the plant opened. The most frequent health

problems cited were high blood pressure (18% of people surveyed), sinus problems (18%), headaches (14%) and shortness of breath (9%). [BREDL] (see Exhibit C & F)[iii]

- The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutant such as formaldehyde, hexane, phenol, polycyclic organic matter and toluene. Exposure to these air toxins may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]
- According to the federal Occupations Safety and Health Administration, exposure to asphalt fumes can cause headaches, skin rashes, fatigue, reduced appetite, throat and eye irritation and coughing. Asphalt paving workers have reported breathing problems, asthma, bronchitis, and skin irritation, and studies have reported lung, stomach, and skin cancers following chronic exposures to asphalt fumes. (see exhibit D) [iv]
  source: http://www.osha.gov/SLTC/asphaltfumes/index.html
- State Compensation Insurance Fund has a produced a Safety Meeting Topic for Asphalt Worker Safety explaining that the exposure to asphalt fumes can cause serious health effects, including coughing, scratchy throat, or lung irritation. Long term exposure can lead to bronchitis or emphysema. Asphalt additives may create vapors that can cause damage to the liver, kidneys and nervous system.
- The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS] (see Exhibit C,D & F)[v]
- Accordingly to the 4Creeks Greenhouse Gas Analysis report for the Papich plant, 1.3 Analysis Summary GHG-2 Impact says the emissions of greenhouse gases would "result in a less than significant impact". Even if an asphalt plant meets all state and federal air pollution standards, people living (or working) nearby are still exposed to cancer-causing substances that can cause long-term damage. These standards are based on the principle of ***"acceptable risk". In the majority of cases, it is unknown whether the 'theoretical' air emissions predicted by computer models and used by plant owner accurately reflect air emissions from the plant's daily operations. [www.besafenet.com]***

- **Tests Underestimate Health Risks:**
  - In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalts is moved around in trucks and conveyor belts, and is stored in stockpiles. ***A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air.*** [Dr. R. Nadkarni]. ***Stagnant air and local weather patterns often increase the level of exposure to local communities.*** In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that released from a facility are estimated by computers and mathematical formulas rather than by actual stack testing, estimate that experts agree do not accurately predict amount of toxic fugitive emissions released and the risks they pose. (see Exhibits C, D & F).

- Although we have seen the report from 4Creeks and appreciate the efforts that have gone into it, basically these are purely assumptions and scenarios. We have yet to see a study on the emissions from the finished product while in transport. With so many loads driven in uncontained opened trailers (upwards of 256 trips daily), we can only assume the hot asphalt will release large amounts of emissions, not to mention the emissions from the diesel engines of all the trucks importing and exporting the materials.

- **Odors permeating our inventory**
  - At this time it is unknown to Mainland Skate and Surf if the odors will permeate our inventory. Our warehouse, which stores our inventory up to six months, is open throughout the day to allow air flow for our employees and to transfer inventory between trucks and our storage facility. Although our inventory is inside, it is still exposed to the air from outside from the open doors and our 5 evaporated coolers which run in the summer months. If the smells permeate the inventory, which averages $1 million dollars at any given time, there would be a complete loss of value from our inventory and be detrimental to our business causing us to either relocate our warehouse or close the business all together.
- **Amount of traffic:**
  - Mainland Skate and Surf is also concerned with the amount of traffic that will no doubt increase exponentially on Sunnyview, Shirk and Riggin Ave. David Cruce of Papich Construction Company informed us that there would be times that plant would run 256 or more trips per day with the hot asphalt. We are unsure if that estimate is only for the finished product or if that estimate includes the raw materials coming into the plant as well. Mr. Cruce also informed us that Papich Construction would be running all trucks down Sunnyview Ave. until they finished construction on Clancy Drive out to Riggin which would be approximately 6 to 8 months after the plant is operational. This not only causes issues for Mainland, but also the numerous businesses that currently reside on Sunnyview and could potentially become an issue for Fire Station 55 where their training facility is also located. According to the City of Visalia Circulation Element Update of the General Plan dated April 2001 section IV-8, the LOS (Level of Service) results associated with the Project Alternative (reducing future traffic by reducing home-to-work trips) are provided in Table V-1 located on pages V-4 to V-14 acknowledges the a few deficiencies will exist including Shirk Road from Riggin to Goshen Ave (LOS F)
  - It is our understanding that the land next to Fire Station 55 (corner of Shirk and Ferguson/Sunnyview) is the future site of an elementary school. The amount of traffic along with future businesses would be enormous. The impact to the corner with a significant amount of traffic already would be a strain on all those who utilize this corridor. Including the students of Tulare County Office of Education "Choices" located on Doe and Shirk; where students walk along the street without sidewalks.

- We know that there will be an odor and that oil based odors permeate fabrics. We believe with the facts presented with hot asphalt being loaded onto the open aired trailer the toxic emissions will be released while being transported up and down our street. With this odor it can possible cause adverse health issues and potentially destroy our inventory. This could be a potential problem for Mainland, Papich Construction, the City of Visalia and its citizens.

---

[i] Fact Sheet 'Hot Mix Asphalt Emissions' DEQ State of Oregon Department of Environmental Quality, Air Quality Division Western Region

[ii] Gerald Moore, Petaluma Copyright PressCemocratc.com

[iii] Center for Health , Environmental & Justice, www.besafenet.com

[iv] Winchester Informer: winchesterinformer.blogspot.com

[v] Woodsmokehaz1 – 2010 Aug. 31: C Mendocino County: Asphalt plants produce unhealthy particulates http//www.besafenet.com/Asphalt.htm

Fact Sheet

Exhibit A

Hot Mix Asphalt Emissions

State of Oregon
Department of Environmental Quality

Air Quality Division
Western Region

750 Front St. NE Suite 120
Salem, OR 97301
Phone: (503) 378-5408
(800) 452-4011
Fax: (503) 378-4196

What is in Asphalt?

Asphalt is used for paving roads, parking lots and for roofing. It consists of gravel, sand or stone that is bound together by cement made from crude oil. Petroleum hydrocarbons in the crude oil form a gas that condenses into fine particles as it cools, creating a vapor. This fact sheet will answer some general questions about asphalt fumes.

What chemicals are in asphalt fumes?

Asphalt is a mixture containing thousands of different chemicals. The chemicals in asphalt vary depending on the source of the crude oil, the type of asphalt being made, and the process used. In general, the fumes are a mixture of several different types of chemicals including:

- carbon monoxide
- nitrogen oxides
- sulfur
- volatile organic compounds
- polycyclic aromatic hydrocarbons

Many of these chemicals also are emitted by other combustion sources such as cars and trucks, fireplaces and wood stoves, wildfires and industrial activity. All of these chemicals are often found in outdoor air at low levels; however, elevated levels of these chemicals may be found near an operating asphalt plant.

Does living near an asphalt plant pose a health hazard?

In Oregon, an asphalt plant must meet emission criteria to receive an operating permit from DEQ. If the criteria are met, emissions are not expected to pose a public health hazard. Asphalt plant emissions may lead to odors in the community, but the potential for adverse health effects is expected to be low.

Can odors from the plant cause adverse health effects?

If you smell odors from an asphalt plant, they are not necessarily at levels that would cause adverse health effects. Many of the highly odorous chemicals in asphalt fumes can be smelled at levels below those expected to cause adverse health effects; however, persistent odors may cause symptoms in some people.

What are the health effects of asphalt fume exposure?

The health effects that can be caused by exposure to asphalt fumes depend upon:

- how much has entered your body
- how long you are exposed to asphalt fumes
- how your body responds to asphalt fumes

Fumes created from heating asphalt can be inhaled into the lungs or can condense onto exposed areas of the skin.

People who work in asphalt plants have the greatest exposure to asphalt fumes. Symptoms reported by workers include irritation of the upper respiratory tract, headache, fatigue, wheezing and shortness of breath dizziness, and nausea.

Residents living near an asphalt plant also would be more likely to breathe low levels of asphalt fumes for a long period of time. In this setting, exposure to asphalt fumes would depend on the plant emissions and the prevailing winds. Based on sampling conducted near asphalt plants in several states, residents could experience irritation from the odors from asphalt production, but the potential for adverse health effects is expected to be very low. Children may be more sensitive than adults to certain chemicals. No studies have linked residential exposure to asphalt fumes with the development of cancer.

Where can I get more information?

Helpful websites are listed on the back of this page.

How do I report a problem?

Report an environmental problem at:
www.deq.state.or.us/complaints/dcomplaint.aspx

Alternative formats

Alternative formats of this document can be made available. Contact DEQ's Office of Communications and Outreach in Portland at (503) 229-5696.

Information provided by the Illinois Department of Public Health.

Contact DEQ offices:

Portland: 503-229-5582

Salem: 503-378-5305

Coos Bay: 541-269-2721

Medford: 541-776-6010

Bend: 541-633-2012

Pendleton: 541-276-4036

Last Updated: 05/2013
By: Kathy Amidon

Additional Websites for Asphalt Information

The Oregon Health Authority has compiled information odors and possible health effects.
http://public.health.oregon.gov/HealthyEnvironments/EnvironmentalExposures/ToxicSubstances/Documents/Odors%20and%20Your%20Health.pdf

Dr. Laura Green, a toxicologist and Senior Scientist and President of Cambridge Environmental, has compiled a summary of possible health effects and frequently asked questions about asphalt plants:
www.siteb.it/download/dossierbitumi/db12.pdf

The Center for Disease Control and Prevention's hazard review *Health Effects of Occupational Exposures to Asphalt:*
www.cdc.gov/niosh/docs/2001-110/#3

U.S. Environmental Protection Agency's *Hot Mix Asphalt Plants Emission Assessment Report*:
www.epa.gov/ttn/chief/ap42/ch11/related/ea-report.pdf

EPA's determination that asphalt concrete manufacturing facilities were not major sources of hazardous air pollution, 2002:
www.epa.gov/ttn/atw/socatlst/fr12fe02.pdf

Asphalt Plant Health Assessment in Nebraska, 1995 – Prepared by the U.S. Department of Health and Human Services, the Agency for Toxic Substance and Disease Registry, EPA and Nebraska DEQ:
www.atsdr.cdc.gov/HAC/pha/omni/omni_pl.html

Asphalt Health Assessment in Arizona, 2002 – An assessment conducted 300-500 yards from residential properties:
www.atsdr.cdc.gov/HAC/pha/brimhallsand/bsg_pl.html

Asphalt Health Assessment in Utah, 2005 – An assessment of residential exposure to volatile organic compounds, polycyclic aromatic hydrocarbons, and airborne particulate matter to determine if these pollutants are present at levels of public health concern:
www.atsdr.cdc.gov/HAC/pha/ValleyAsphaltProductionSite120805/ValleyAsphaltHC120805.pdf

Final environmental impact report for Dutra Haystack Landing Asphalt & Recycling Facility
www.sonoma-county.org/prmd/docs/eir/dutrafeir/index.htm

Exhibit B

This copy is for your personal, non-commercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers here or use the "Reprints" tool that appears above any article. Order a reprint of this article now.

Mixing asphalt plants and parks

Published: Monday, March 16, 2009 at 12:54 p.m.

The March 12 editorial in the Argus-Courier was totally over the top in misrepresenting the issues of building an asphalt plant next to Shollenberger Park.

The accusations in the editorial contain some of the same errors that the public has been accused of committing — exaggeration, lack of facts, and creating a political circus over the problem.

The Petalumans involved in opposing the Dutra project do know the facts and are willing to discuss them in print as opposed to the positions of Dutra and the creators of your editorials on the issue.

Fact No. 1: Manufacturing asphalt does generate particulate toxins and volatile organic compounds (VOCs). Most VOCs are aromatic or polyaromatic compounds that are highly toxic and carcinogenic. According to three process engineers I have talked with, VOCs can only be removed from the manufacturing air discharge stream by either afterburners or catalytic converters. Dutra refuses to install either system on their plant, but does offer to use bag filters, which remove particulate toxins but not VOCs. According to the Bay Area Air Quality Board, the manufacture of rubberized asphalt makes even more VOCs than regular asphalt. Road construction Web sites predict that Caltrans will require 50% use of rubberized asphalt over the next few years.

Fact No. 2: Asphalt plants can very easily get "out of control" and emit higher levels of toxins. This was shown when Dutra took several Petalumans to Irvine in Southern California to show them a modern, "contained" asphalt plant in operation to convince them of how pollution-free the process was. The plant was making rubberized asphalt and within 30 minutes, all of the visitors were sick from the fumes just because "a door was not working." Integrity and attention to details are critical in this business.

Fact No. 3: As noted for all to read in the Marin Independent Journal, the record of Dutra operating within their permits and respecting their neighbors has been poor. Such issues as Dutra being investigated by the Marin County Grand Jury, being under court order to follow their permits and "stop running roughshod over their neighbors," being fined $750,000 by EPA for dumping into a marine preserve, and other violations all make for good but frightening reading. Dutra has also had numerous violations of operating permits at its old site in Petaluma. Do you think for one minute that Dutra will change its behavior at a new plant next to Shollenberger Park?

Fact No. 4: Dutra will exceed legal noise limits but is unwilling to fully contain their plant to significantly reduce either noise or chemical pollution problems. This shows their total disregard for the users of Shollenberger Park or the wildlife (including several endangered and threatened species) that live there.

Exhibit C

ASPHALT PLANT POLLUTION

Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the U.S. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPA]

- **Asphalt Fumes are Known Toxins.** The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

- **Health Impacts & Loss of Property Value.** The Blue Ridge Environmental Defense League (BREDL), a regional environmental organization, has done two studies on the adverse impacts on property values and health for residents living near asphalt plants. A property value study documented losses of up to 56% because of the presence of a nearby asphalt plant. In another study, nearly half of the residents reported negative impacts on their health from a new asphalt plant. The door-to-door health survey found 45% of residents living within a half mile of the plant reported a deterioration of their health, which began after the plant opened. The most frequent health problems cited were high blood pressure (18% of people surveyed), sinus problems (18%), headaches (14%), and shortness of breath (9%). [BREDL]

- **Flawed Tests Underestimate Health Risks.** In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalt is moved around in trucks and conveyor belts, and is stored in stockpiles. A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. [Dr. R. Nadkarni] Stagnant air and local weather patterns often increase the level of exposure to local communities. In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that are released from a facility are estimated by computers and mathematical formulas rather than by actual stack testing, estimates that experts agree do not accurately predict the amount of toxic fugitive emissions released and the risks they pose. According to Dr. Luanne Williams, a North Carolina state toxicologist, 40% of the toxins from asphalt plant smokestacks even meet air quality standards—and for the other 60% of these emissions, the state lacks sufficient data to determine safe levels.

BE SAFE: Take Precautionary Action to Protect Our Communities from Asphalt Plant Air Pollution

BE SAFE's FOUR PRINCIPLES

1. HEED EARLY WARNING SIGNS

There is documented evidence from health experts and federal and state regulators of the serious health effects of asphalt plant emissions. We must heed these early warning signs and take action to prevent communities from further exposure to cancer-causing substances released by asphalt plants. The following actions are needed:

Moratoriums on asphalt plant construction and operation in communities where people live and go to school;

Stricter testing and enforcement of air quality standards at asphalt plants; and

Improved air standards that address all toxic contaminants—including fugitive emissions.

2. PUT SAFETY FIRST

Even if an asphalt plant meets all state and federal air pollution standards, people living nearby are still exposed to cancer-causing substances that can cause long-term damage. These standards are based on the principle of "acceptable risk", and assume each state will enforce the standards, the plants will operate perfectly, and the owners can be trusted to operate on an honor system where they are expected to follow all the laws and regulations that apply to their facility without any government oversight. In the majority of cases, it is unknown whether the 'theoretical' air emissions predicted by computer models and used by plant owners accurately reflect air emissions from a plant's daily operations. We must put safety first and shut down or overhaul the current system that fails to protect communities from the daily health hazards of asphalt plant pollution.

3. EXERCISE DEMOCRACY

Federal regulations based on the "acceptable risk" model and self-regulating honor systems are inadequate to protect public health. Many states rely on inadequate federal standards that do not take into account local factors such as how close an industrial facility is to homes and schools, local weather patterns, and additional 'nuisance' factors such as the effect acrid and nauseating smells have on the quality of life in these communities.

Organizations are working to improve federal and state standards and add asphalt plant fumes to the hazardous air pollutant (HAP) list under the federal Clean Air Act. Communities can take advantage of any state laws aimed at protecting local values that allow counties to determine where new industrial facilities will be located. These communities can band together to work with their county governments to prevent new asphalt plants from being located in their neighborhoods and prevent existing plants from renewing their permits until further evaluation of public health risks are conducted.

BE SAFE is coordinated by the Center for Health, Environment & Justice. To sign the platform or for more information, contact us at CHEJ, P.O. Box 6806, Falls Church, VA 22040, 703-237-2249, or 518-732-4538, or visit **www.besafenet.com**

4. CHOOSE THE SAFEST SOLUTIONS

Communities faced with an asphalt plant proposal should push for setbacks from residences and community buildings, site specific health-based air pollution modeling and monitoring, enclosures for loading zones, and preferably a zero emissions asphalt plant, with total containment of air pollutants.

- **Investigate Pollution in Your Area.**
  To find out more about asphalt plant pollution in your area, go to **www.scorecard.org**

- **Join the Clean Air Campaign.**
  Support the campaign on asphalt plant pollution. To find out more, contact the Blue Ridge Environmental Defense League at **www.bredl.org.**

- **BE SAFE.**
  Take precautionary action to prevent asphalt plant pollution. Sign on to the BE SAFE Platform on the next page. Be counted when we deliver this national Platform to the White House in 2005. Endorse the BE SAFE Platform today at **www.besafenet.com.**

- **Your Vote Counts.**
  The next election will set the country's course on asphalt plant regulations. For information on environmental voting records, contact **www.sierraclub.org** and **www.lcv.org.** To register to vote, contact **www.earthday.net**

Clean Air Campaign Halts Asphalt Pollution & Improves Air Policies

"Nothing could have prepared us for the horrors of that plant; we cannot be outside when it operates, we are prisoners."
Jerry Starr, Macon County, NC

Blue Ridge Environmental Defense League (BREDL) has been leading a Clean Air Campaign to reduce toxic pollution from asphalt plants in North Carolina. In partnership with many community groups, BREDL defeated numerous asphalt plant proposals, spearheaded a trend of countywide moratoriums on asphalt plant construction and operation, and mounted plant permit challenges. The campaigns included radio ads, posted yard signs, newspaper display ads, and stories in local newspapers.

BREDL and the Clean Air Campaign have succeeded in reducing asphalt pollution and improving air quality policies. North Carolina and Tennessee signed an agreement to protect air quality in the Great Smoky Mountain National Park and other wilderness areas. North Carolina has improved methods to analyze fugitive toxic air emissions and expanded the Toxic Air Pollutant program to include all operating and proposed asphalt plants.

References:

US EPA Office of Air Quality Planning & Standards, AP-42, Fifth Edition, Volume I, Chapter 11: Mineral Products Industry. [EPA] **http://www.epa.gov/ttn/chief/ap42/ch11/final/c11s01.pdf**. *Final Rule to Reduce Toxic Air Emissions From Asphalt Processing & Asphalt Roofing Manufacturing Facilities*, Environmental Protection Agency, June 2000 [EPA]. *Hazardous Substance Fact Sheet, Asphalt Fumes*. New Jersey Department of Health and Senior Services, January 2001 [NJDHSS]. Agency for Toxic Substances and Disease Registry (ATSDR). 1995. *Toxicological Profile for Polycyclic Aromatic Hydrocarbons (PAHs)*. Atlanta, GA: U.S. Department of Health and Human Services, Public Health Service[DHHS]. Blue Ridge Environmental Defense League Asphalt Health Survey, [BREDL]. Dr. R. Nadkarni developed mass balance equation to estimate total fugitive emissions and his comments to Virginia Dept. of Environmental Quality are at **www.bredl.org/pdf/DEQ072503.pdf.** [Dr. R. Nadkarni].

Primary Contributor: Lou Zeller, Blue Ridge Environmental Defense League.

BE SAFE Platform

In the 21st century, we envision a world in which our food, water and air are clean, and our children grow up healthy and thrive. Everyone needs a protected, safe community and workplace, and natural environment to enjoy. We can make this world vision a reality. The tools we bring to this work are prevention, safety, responsibility and democracy.

Our goal is to prevent pollution and environmental destruction before it happens. We support this precautionary approach because it is preventive medicine for our environment and health. It makes sense to:

- *Prevent pollution and make polluters, not taxpayers, pay and assume responsibility for the damage they cause;*
- *Protect our children from chemical and radioactive exposures to avoid illness and suffering;*
- *Promote use of safe, renewable, non-toxic technologies;*
- *Provide a natural environment we can all enjoy with clean air, swimmable, fishable water and stewardship for our national forests.*

We choose a "better safe than sorry" approach motivated by caution and prevention.
We endorse the common-sense approach outlined in the BE SAFE's four principles listed below.

Platform Principles

HEED EARLY WARNINGS

Government and industry have a duty to prevent harm, when there is credible evidence that harm is occurring or is likely to occur—even when the exact nature and full magnitude of harm is not yet proven.

PUT SAFETY FIRST

Industry and government have a responsibility to thoroughly study the potential for harm from a new chemical or technology before it is used—rather than assume it is harmless until proven otherwise. We need to ensure it is safe now, or we will be sorry later. Research on impacts to workers and the public needs to be confirmed by independent third parties.

EXERCISE DEMOCRACY

Precautionary decisions place the highest priority on protecting health and the environment, and help develop cleaner technologies and industries with effective safeguards and enforcement. Government and industry decisions should be based on meaningful citizen input and mutual respect (the golden rule), with the highest regard for those whose health may be affected and for our irreplaceable natural resources—not for those with financial interests. Uncompromised science should inform public policy.

CHOOSE THE SAFEST SOLUTION

Decision-making by government, industry and individuals must include an evaluation of alternatives, and the choice of the safest, technically feasible solutions. We support innovation and promotion of technologies and solutions that create a healthy environment and economy, and protect our natural resources.

Take precautionary action to prevent asphalt plant pollution.
Sign onto the BE SAFE Platform.

Be counted when we deliver this national platform to the White House in 2005.
Endorse the platform today at **www.besafenet.com**

BE SAFE is coordinated by the Center for Health, Environment & Justice. To sign the platform or for more information, contact us at CHEJ, P.O. Box 6806, Falls Church, VA 22040, 703-237-2249, or 518-732-4538, or visit **www.besafenet.com**

Fact No. 5: The editorial implies that the entire anti-Dutra effort is designed to further the political career of our mayor, which is unfair and untrue. I think the political circus argument is a smokescreen to hide the real issue of Dutra's bad decision to build a noisy, toxic factory next to an outstanding public park.

Fact No. 6: The people of Petaluma are connecting the dots and seeing how a mix of the above facts 1-4 will undoubtedly cause periodic significant releases of toxic chemicals and distressful noise into Shollenberger Park, producing negative, and perhaps injurious effects on park users both human and nonhuman. Spoiling the most beautiful nature park in the county and jeopardizing public health to make more asphalt when the county already has three asphalt plants meeting its needs is unconscionable and totally unacceptable. Please read www.saveshollenberger.com for more information and help us move Dutra to a safer location.

Gerald Moore, Petaluma

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Exhibit D

Winchester Informer

SATURDAY, SEPTEMBER 25, 2010

Are Asphalt Plants Dangerous to our Health?

We have been asked to do some research on the dangers of having this plant so close to housing and the citizens in the area. Here is what we have found. You be the judge in deciding if this plant would be good for both the citizens of Winchester and Swanzey in close proximity to this proposed plant. There will be a joint meeting of the Winchester ZBA and Planning Board, October 7th to discuss this proposal.

According to the federal Occupational Safety and Health Administration, exposure to asphalt fumes can cause headaches, skin rashes, fatigue, reduced appetite, throat and eye irritation, and coughing. Asphalt paving workers, for example, have reported breathing problems, asthma, bronchitis, and skin irritation, according to OSHA, and studies have reported lung, stomach, and skin cancers following chronic exposures to asphalt fumes. source: http://www.osha.gov/SLTC/asphaltfumes/index.html

According to the National Institute for Occupational Safety and Health: ***asphalt fumes are considered potential occupational carcinogens.***

Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the country. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPA]

Asphalt Fumes are Known Toxins. The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA].

According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect

Welcome to our site

Please feel free to leave your comments or questions. We ask that you post responsibly, the use of foul language and any personal attacks will not be tolerated. If you have a town matter you'd like to discuss drop us an email and we will post the subject and open it for discussion for you.

WinchesterInformer@gmail.com

Disclaimer

This web site has no affiliation, in any official or unofficial capacity, with the Town of Winchester. Meeting times listed are for information only and do not constitute legal meeting notices. Comments are the opinions of the person(s) posting and not necessarily those of the WinchesterInformer. We reserve the right to edit or remove offensive comments.

NH Route 10 bridge replacement over Ashuelot River

Bridge replacement information

Greater Monadnock Public Health Network

H1N1 Flu Information

Upcoming Meetings & Events

What's Going On In Town

reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

Flawed Tests Underestimate Health Risks. In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalt is moved around in trucks and conveyor belts, and is stored in stockpiles. A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. [Dr. R. Nadkarni] ***Stagnant*** air and local weather patterns often increase the level of exposure to local communities. In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that are released from a facility ***are estimated by computers and mathematical formulas rather than by actual stack testing***, estimates that experts agree do not accurately predict the amount of toxic fugitive emissions released and the risks they pose. According to Dr. Luanne Williams, a North Carolina state toxicologist, 40% of the toxins from asphalt plant smokestacks even meet air quality standards and for the other 60% of these emissions, the state lacks sufficient data to determine safe levels.

Even if an asphalt plant meets all air pollution standards, people living nearby are still exposed to cancer-causing substances that can cause long-term damage. These standards are based on the principle of "acceptable risk", and assume each state will enforce the standards, the plants will operate perfectly, and the owners can be trusted to operate on an honor system where they are expected to follow all the laws and regulations that apply to their facility without any government oversight. In the majority of cases, it is unknown whether the `theoretical' air emissions predicted by computer models and used by plant owners accurately reflect air emissions from a plant's daily operations. We must put safety first and shut down or overhaul the current system that fails to protect communities from the daily health hazards of asphalt plant pollution.

This would seem an easy decision based on these facts and that this plant would be in our protected Aquifer District and forbidden by zoning laws. However the ZBA has already ignored our town's Code Enforcement officer and has overturned his denial based on information given by a board member. Our advice to all who will be affected by this plant is to show up and loudly voice your concerns, let the ZBA and Planning Board know this is not good for our town our health and our children's health and we won't have it here.

Posted by the Winchester Informer at 7:25 PM

15 comments:

Anonymous said...

My suggestion is to put this in some form of a flyer or poster around town; also as a letter to the editor to the Keene Sentinel for those who don't use the Informer. The people at the town hall have totally lost it and this has gone from the insanity of Clean Power Development to the asphalt plant which is totally beyond belief. It is reaching the point where the state should remove all the town officials.

September 25, 2010 at 9:44 PM

About Me

the Winchester Informer

I am part of a group of abutters and citizens completely opposed to dirty and hazardous businesses, like asphalt and waste burning plants wanting to come into town at the expense of our quality of life. I am concerned about preserving the rural character of Winchester. These types of development have no benefits for Winchester citizens and they create many health hazards and will cause the destruction of green space. Our Winchester is known for its precious natural resources: dramatic rocky slopes, unique wetlands and abundant wildlife. I feel there are many questions concerning these proposed projects that outweigh any benefits. The increase in traffic along existing streets and noise and air pollution would be very significant. I am also concerned that the town infrastructure cannot cope with the problems these types of businesses will demand. Furthermore, I am very discouraged with the Planning Board and Zoning Boards and feel they have been negligent in their duties to protect neighboring residents from health hazards and safety issues that will surely arise and affect the lives and livelihoods of many citizens.

View my complete profile

Followers

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Safety Meeting Topics (Bilingual)

Asphalt Worker Safety

Asphalt is used for paving and surfacing roads, roofing, concrete work, and paints. It is made from petroleum products and is usually heated between 150-200 degrees F. Asphalt is often mixed with solvents (diesel, kerosene, naphtha, toluene, and xylene), binders, hardening and bonding agents (resins), crushed rock, sand, and recycled rubber. Exposure to asphalt fumes can cause serious health effects, so get training and use safe work practices.

When asphalt is heated, the fumes can cause coughing, a scratchy throat, or lung irritation. Long term exposure can lead to bronchitis or emphysema. Asphalt additives may create vapors that can cause damage to the liver, kidneys, and nervous system. Hot asphalt can release hydrogen sulfide gas (H_2S) that can cause lung irritation, suffocation, or death. Skin contact with hot asphalt can cause burns while absorbing the chemicals can lead to allergies and rashes. Eyes can be irritated by asphalt fumes or if you touch them with dirty hands.

Find out about the asphalt products you work with. Check the product label or material safety data sheet (MSDS) to get health and safety information about the specific asphalt mix and ingredients that you use. Where possible, choose asphalt products that are safer to use. Rapid cure asphalts contain solvents to help them evaporate faster, but this increases the risk of vapors and fire. Slower cure and lower temperature asphalt applications reduce the fumes and the fire hazard. The Cal OSHA permissible exposure level (PEL) for asphalt fumes is 5mg/M3. Asphalt additives may also have their own PEL limits, so check the MSDS.

Wear personal protective equipment (PPE) when working with asphalt. Thermally insulated gloves prevent asphalt burns and stop solvents from soaking into your skin. Wear long sleeves and pants or coveralls. Safety glasses and a face shield protect your eyes and face. Safety boots protect your feet. If necessary, use respiratory protection to prevent overexposure to asphalt fumes.

Avoid breathing asphalt fumes by staying upwind of application areas and enclosing kettles and mixing operations. Don't stick your head over an open tank or kettle and avoid open stirring to prevent burns and overexposure to fumes. Use your PPE to keep asphalt off of your skin and out of your eyes. Wash your hands frequently and before you eat, drink, smoke, or use the restroom.

Heated asphalt is a fire and explosion hazard. Do not allow water to splash into hot asphalt because it can bubble up explosively. Some asphalt additives can be flammable. Do not smoke around flammable vapors. Avoid heat and sparks around your asphalt work. Do not weld an asphalt tank or kettle unless you are certain that it does not contain flammable vapors. Keep the correct type of fire extinguisher handy when using asphalt.

The above evaluations and/or recommendations are for general guidance only and should not be relied upon for legal compliance purposes. They are based solely on the information provided to us and relate only to those conditions specifically discussed. We do not make any warranty, expressed or implied, that your workplace is safe or healthful or that it complies with all laws, regulations or standards.

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Supervisor's Signature: _____ Date: _____

Location: _____

Meeting Attended By:

_____ _____

_____ _____

_____ _____

_____ _____

2010 Aug. 31: CA Mendocino County: Asphalt plants produce unhealthy particulates

2010 Aug. 31: CA Mendocino County: Asphalt plants produce unhealthy particulates

Ron Epstein responds with the following info:

http://www.besafenet.com/Asphalt.htm

Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the U.S. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPAAsphalt Fumes are Known Toxins. The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

Health Impacts & Loss of Property Value. The Blue Ridge Environmental Defense League (BREDL), a regional environmental organization, has done two studies on the adverse impacts on property values and health for residents living near asphalt plants. A property value study documented losses of up to 56% because of the presence of a nearby asphalt plant. In another study, nearly half of the residents reported negative impacts on their health from a new asphalt plant. The door-to-door health survey found 45% of residents living within a half mile of the plant reported a deterioration of their health, which began after the plant opened. The most frequent health problems cited were high blood pressure (18% of people surveyed), sinus problems (18%), headaches (14%), and shortness of breath (9%). [BREDL]

Flawed Tests Underestimate Health Risks. In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalt is moved around in trucks and conveyor belts, and is stored in stockpiles. A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. [Dr. R. Nadkarni] Stagnant air and local weather patterns often increase the level of exposure to local communities. In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that are released from a facility are estimated by computers and mathematical formulas rather than by actual stack testing, estimates that experts agree do not accurately

predict the amount of toxic fugitive emissions released and the risks they pose. According to Dr. Luanne Williams, a North Carolina state toxicologist, 40% of the toxins from asphalt plant smokestacks even meet air quality standards and for the other 60% of these emissions, the state lacks sufficient data to determine safe levels.

BE SAFE: Take Precautionary Action to Protect Our Ukiah Community from Asphalt Plant Air Pollution~

~

http://www.mendocinocountry.c ıtes.html#har

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1991 Visalia General Plan Land Use Element Circulation System

The Visalia General Plan Land Use Element was adopted in 1991 and is considered to be an alternative since the Land Use Element includes a defined circulation system which differs from the adopted 1989 Circulation Element.

The modeling assessment associated with this alternative utilized the Year 2020 socioeconomic data and the Year 2020 circulation system depicted in the adopted Land Use Element. The circulation system was adjusted through the modeling process to reflect adopted revisions to the 1989 Circulation Element network.

LOS results associated with this alternative are provided in Appendix D-3 and are depicted in Figure IV-3. As indicated, there will also be several major existing or planned streets and highways in the Visalia Urban Area which would experience severe levels of congestion under this alternative. Without additional improvements or adjustments to this alternative, Visalia residents will experience severe delay along several major facilities and at numerous intersections.

Project Alternative

The project alternative focuses on constructing arterials and collectors to handle projected traffic volumes. To prevent deficient levels of service, it was necessary to reduce future traffic by reducing home-to-work trips that would be affected by the San Joaquin Valley Unified Air Pollution Control District's (SJVUAPCD) Employer Based Trip Reduction Rule. This voluntary Rule encourages employers with 100 or more employees to reduce trips made by their employees during the commute by achieving 1.5 persons per vehicle occupancy rate. The rate in 1995 for large employers in Visalia, according to the Transportation Management Association (TMA), was approximately 1.22 persons per vehicle.

To take credit in the modeling and LOS analysis process for the amount of trip reduction that is expected from the Rule by the Year 2020, a projection of employees who work for large employers within the County was made, considering the number of existing employees who work for large employers compared to the existing County population. The resulting employee per population rate was then applied to the projected population for the County resulting in the total number of future employees who are expected to be employed by large employers. The estimate was then divided by 1.25 to determine the number of trips which could be reduced. Because the rule is voluntary, a maximum vehicle occupancy rate of 1.25 was assumed by the year 2020. The number of trips was then subtracted from the number of home-to-work and work-other trips estimated by the Traffic Model. Home-to-work and work-other trips were reduced since a majority of these trips occur during the commute hour. The result of this process was a thirteen percent (13%) decrease in home-to-work and work-other trips.

To further reduce delay and congestion along deficient facilities, capacity improvement associated with the relative speed increase of signal synchronization or coordination. Street segments that signal synchronization was applied to were along the Mooney corridor south of Caldwell Avenue, along Caldwell Avenue between Shirk Road and McAuliff, Goshen Avenue between Shirk and Mooney, and along Plaza Drive between SR 198 and Riggin Avenue was applied. According to the Federal Highway Administration (FHWA), signal coordination systems have the potential to increase the existing average speed by fifteen percent (15%) or more. The relative speed or travel time variable is considered by the 1994 Highway Capacity Manual (HCM) to be the single most significant factor in determining LOS. By applying this relative increase in speed to the associated relative increase in lane capacity (approximately 3 to 5 percent), the LOS along critical facilities was improved.

The LOS results associated with the Project Alternative are provided in Table V-1 located on pages V-4 to V-14. As shown in Figure IV-4, the few deficiencies that will exist include:

- Riggin Avenue/Betty Drive from SR 99 to Road 68 (LOS F);
- Shirk Road from Riggin Avenue to Goshen Avenue (LOS F);
- Akers Street from Riggin Avenue to Goshen Avenue (LOS F);
- Goshen Avenue from Akers Street to Demaree Street (LOS F)
- Caldwell Avenue from Court Street to Ben Maddox Way (LOS F)
- Avenue 272 from Mooney Boulevard to Court Street (LOS F)

The deficient segments along Riggin Avenue/Betty Drive, Shirk Road, Akers Street, and Avenue 272 will require widening from 2 to 4 lanes. These widening projects are included within the Circulation Element update project list but are expected to reach LOS F before the projects are completed. The segment along Goshen Avenue cannot be widened from 4 to 6 lanes but a signal coordination project from Mooney Boulevard to Shirk Road will improve this section to LOS D.

The deficient segment along Caldwell Avenue cannot be widened from 4 to 6 lanes . A Major Investment Study (MIS) completed in June of 1999 recommended constructing a bypass for Caldwell Avenue. This bypass would be south along Avenue 276 and would reduce the project 2020 average daily traffic and improve this section of Caldwell Avenue to LOS B. Improvements to Avenue 276 are included in the Circulation Element update project list.

Alternatives Comparison

Appendix D-4 contains a level of service comparison for the four alternatives discussed above.

Year 2020 No-Build Alternative

This alternative was developed to determine what impacts might result if the Project (the Year 2020 Circulation Element) is not implemented. To facilitate the analysis of this alternative, the Year 2020 socioeconomic data (expected growth and development) was applied in the traffic modeling process to generate trips. The 2020 trips were then assigned to the Year 1990 circulation system depicted by the 1990 Traffic Model network. Using the 1990 network of streets and highways assumes that no additional system improvements (beyond those built, under construction since 1990, and/or contained in the 1993/94 City of Visalia Capital Improvement Program) would be provided between 1994 and Year 2020, resulting in "No-Build" conditions.

LOS results associated with this alternative are provided in Appendix D-1 and are shown in Figure IV-1. As indicated, there will be numerous existing facilities in the Visalia Urban Area which would experience severe levels of congestion under this alternative. Without planned street and highway improvements, Visalia residents will experience severe delay along streets and highways and at most intersections.

1989 Visalia General Plan Circulation Element Alternative

The 1989 Visalia General Plan Circulation Element was adopted in 1989 and is also considered to be the "No-Project" Alternative as required by the California Environmental Quality Act (CEQA). The modeling analysis utilized Year 2020 socioeconomic data (future growth and development which is applied in the modeling process to generate and attract vehicle trips) and the adopted Year 2010 Circulation Element street and highway system. The street and highway system was revised to reflect Circulation Element amendments adopted by the City since 1989.

Because the 1989 Circulation Element was developed to reflect future year 2010 traffic and circulation conditions, while the adopted Land Use Element reflects 2020 growth and development, it is necessary to update the Circulation Element to provide for General Plan element consistency. This is especially critical with respect to the impact of planned growth and development on the Circulation Element street and highway system, as well as on other modes of transporation such as transit, rail, bikeways, aviation, etc.

LOS results associated with this alternative are provided in Appendix D-2 and are depicted in Figure IV-2. As indicated, there will be several major existing or planned streets and highways in the Visalia Urban Area which would experience severe levels of congestion under this alternative. Without additional improvements or adjustments to the adopted Circulation System, Visalia residents will experience severe delay along the facilities and at numerous intersections.

TABLE V-1
YEAR 2020 SEGMENT LEVELS OF SERVICE-PROJECT ALTERNATIVE

STREET SEGMENT	CONFIGURATION	DAILY VOLUME	LOS C CAPACITY	LOS
COURT				
AVENUE 313/HOUSTON	2 LANES	3931	15200	B
HOUSTON/NE THIRD	2 LANES	3747	15200	B
BURKE				
AVENUE 320/AVENUE 313	2 LANES	5	15200	B
ST. JOHN'S PARKWAY/HOUSTON	2 LANES	3034	15200	B
CAIN				
ST JOHN'S PARKWAY/HOUSTON	2 LANES	3102	15200	B
HOUSTON/MURRAY	2 LANES	2274	15200	B
MURRAY/SR 198	2 LANES	5587	15200	C
PINKHAM				
SR 198/WALNUT	2 LANES	4707	15200	B
WALNUT/CALDWELL	2 LANES	4855	15200	B
CALDWELL/AVENUE 272	2 LANES	6896	15200	C
GODDARD				
ST JOHN'S PARKWAY/HOUSTON	2 LANES	4229	15200	B
HOUSTON/GOSHEN	2 LANES	5044	15200	B
VISTA				
AVENUE 320/RIGGIN	2 LANES	7	15200	B
McAULIFF				
SR 198/WALNUT	2 LANES	2900	15200	B
WALNUT/CALDWELL	2 LANES	2692	15200	B
CALDWELL/AVENUE 272	2 LANES	5862	15200	C
ROAD 152				
SR198/TULARE	2 LANES	2767	15200	B
AVE. 316/PRATT/RIVERWAY				
PLAZA DRIVE/SHIRK	2 LANES	12	15200	B
SHIRK/AKERS	2 LANES	22	15200	B
AKERS/DEMAREE	2 LANES	591	15200	B
DEMAREE/MOONEY	2 LANES	1931	15200	B
MOONEY/DINUBA HWY	2 LANES	2157	15200	B
RIGGIN				
BEN MADDOX/LOVER'S LANE	2 LANES	10771	15200	C
ROAD 138/McAULIFF	2 LANES	6782	15200	C
McAULIFF/ROAD 148	2 LANES	2894	15200	B
SUNNYVIEW				
KELSEY/ROEBEN ROAD	2 LANES	2176	15200	B

TABLE V-1
YEAR 2020 SEGMENT LEVELS OF SERVICE-PROJECT ALTERNATIVE

STREET SEGMENT	CONFIGURATION	DAILY VOLUME	LOS C CAPACITY	LOS
VINE/FERGUSON				
CAMP DRIVE/KELSEY	2 LANES	7126	15200	C
ROEBEN ROAD/DEMAREE	2 LANES	876	15200	B
DEMAREE/MOONEY	2 LANES	3187	15200	B
MOONEY/SANTA FE	2 LANES	2582	15200	B
DOE				
KELSEY/SHIRK	2 LANES	8336	15200	C
SHIRK/AKERS	2 LANES	6942	15200	C
MILL CREEK PKWY				
LOVERS LANE/MCAULIFF	2 LANES	5100	15200	B
HURLEY				
ROAD 76/PLAZA DRIVE	2 LANES	2200	15200	B
PLAZA/SHIRK	2 LANES	4161	15200	B
SHIRK/AKERS	2 LANES	2643	15200	B
AKERS/CHINOWTH	2 LANES	2762	15200	B
CENTER				
SANTA FE/BEN MADDOX	2 LANES	3529	15200	B
MAIN				
GIDDINGS/WILLIS	2 LANES	9590	15200	C
WILLIS/SANTA FE	2 LANES	8466	15200	C
SANTA FE/BEN MADDOX	2 LANES	9218	15200	C
ACEQUIA				
SANTA FE/BEN MADDOX	2 LANES	3588	15200	B
MINERAL KING				
AKERS/DEMAREE	2 LANES	6496	15200	B
DEMAREE/MOONEY	2 LANES	4563	15200	B
MOONEY/WILLIS	2 LANES	8906	15200	B
WILLIS/SANTA FE	3 LANES	8906	30700	B
SANTA FE/BEN MADDOX	3 LANES	12605	30700	C
BEN MADDOX/LOVERS LANE	3 LANES	5328	30700	B
LOVERS LANE/MCAULIFF	2 LANES	7748	15200	B

Appendix E
Abbreviations Used in the Circulation Element

AADT - Average Annual Daily Traffic

AIP - Airport Improvement Program

AT&SF - Atchison, Topeka, & Santa Fe

AVR - Average Vehicle Ridership

CAAP - California Aid to Airports Program

CBD - Central Business District

CDBG - Community Development Block Grant

CEQA - California Environmental Quality Act

CIP - Capitol Improvement Program

CMP - Congestion Management Program

CTC - California Transportation Commission

DOT - Department of Transportation

FCR - Flexible Congestion Relief

FDOT - Florida Department of Transportation

FHWA - Federal Highway Administration

FTA - Federal Transit Administration

HCM - Highway Capacity Manual

HCS - Highway Capacity Software

HUD - Housing and Urban Development

ISTEA - Intermodal Surface Transportation Efficiency Act

LOS - Level of Service

LTF - Local Transportation Funds

LUE - Land Use Element

MPH - Miles Per Hour

PBID - Property Based Improvement District

RTIP - Regional Transportation Improvement Program

RTP - Regional Transportation Plan

SJVUAPCD - San Joaquin Valley Unified Air Pollution Control District

SR - State Route

STA - State Transit Administration

STIP - State Transportation Improvement Program

STP - Surface Transportation Fund

TAC - Technical Advisory Committee

TAZ - Traffic Analysis Zone

TCAG - Tulare County Association of Governments

TCM - Traffic Control Measures

TDA - Transportation Development Act

TDM - Transportation Demand Management

TIP - Transportation Improvement Program

TMA - Transportation Management Agency

TPA - Transportation Planning Agency

TSM - Transportation System Management

UAB - Urban Area Boundary

VCC - Visalia City Coach

TABLE V-1
YEAR 2020 SEGMENT LEVELS OF SERVICE-PROJECT ALTERNATIVE

STREET SEGMENT	CONFIGURATION	DAILY VOLUME	LOS C CAPACITY	LOS
SHIRK				
AVENUE 320/RIGGIN	2 LANES	2898	17800	B
RIGGIN/GOSHEN	4 LANES	23094	35900	C
GOSHEN/SR 198	4 LANES	25192	35900	C
SR 198/WALNUT	4 LANES	22137	35900	C
WALNUT/CALDWELL	4 LANES	19715	35900	C
CALDWELL/AVENUE 276	2 LANES	974	17800	B
AVENUE 276/AVENUE 272	2 LANES	881	17800	B
AKERS				
AVENUE 320/RIGGIN	2 LANES	4870	17800	B
RIGGIN/GOSHEN	4 LANES	18898	35900	C
GOSHEN/SR 198	4 LANES	24897	35900	C
SR 198/WALNUT	4 LANES	30626	35900	C
WALNUT/CALDWELL	4 LANES	22954	35900	C
CALDWELL/AVENUE 272	2 LANES	13671	17800	C
DEMAREE				
AVENUE 320/RIGGIN	2 LANES	11344	17800	C
RIGGIN/HOUSTON	4 LANES	25396	35900	C
HOUSTON/SR 198	4 LANES	30350	35900	C
SR 198/WALNUT	4 LANES	27952	35900	C
WALNUT/CALDWELL	4 LANES	28696	35900	C
CALDWELL/AVENUE 276	4 LANES	31704	35900	C
AVENUE 276/AVENUE 272	4 LANES	14657	35900	B
MOONEY				
AVENUE 320/RIGGIN	2 LANES	8640	17800	C
RIGGIN/HOUSTON	2 LANES	12030	17800	C
HOUSTON/MURRAY	2 LANES	9502	17800	C
DINUBA (SR 63)				
AVENUE 320/RIGGIN	4 LANES	22204	35900	C
RIGGIN/HOUSTON	4 LANES	19094	35900	C
STONEBROOK AVENUE				
CALDWELL/AVENUE 272	4 LANES	6100	35900	B
NW 3RD/NW 2ND (SR 63)				
NE THIRD/MURRAY	3 LANES EACH DIR	19185	54000	C
COURT/LOCUST (SR 63)				
NW SECOND/COURT SO SR 198	3 LANES EACH DIR	32660	54000	C
SO SR 198/TULARE	3 LANES EACH DIR	21930	54000	B

TABLE V-1
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Attachment:

Mitigated Negative Declaration No. 2014-01

CITY OF VISALIA
315 E. ACEQUIA STREET
VISALIA, CA 93291

NOTICE OF A PROPOSED MITIGATED NEGATIVE DECLARATION

Project Title: Conditional Use Permit No. 2014-01, Asphalt Batch Plant, Visalia, Tulare County, California

Project Description: Construction of an Asphalt Batch Plant, Material Storage, Storm Pond, and 1,600 sq. ft. Modular Office as depicted in attached Exhibit "A" and "B". Details of the project are as follows:

- The subject site consists of two parcels in the Heavy Industrial zone totaling 10.96 acres.
- The project would import raw materials for the making of asphalt resulting in material storage yards for raw product.
- A material stacker/sorter to stack the raw materials up to 37'-7" feet high in preparation for processing.
- An Asphalt Batch Plant for the combining and processing of raw materials into asphalt.
- Three silos for the storage of prepared asphalt which is not dumped directly into trucks.
- The construction of Clancy Street from Sunnyview Avenue to Riggin Avenue.
- The installation of a modular 1,600 sq. ft. office with parking and site fencing.
- Site improvements including asphalt drive aisles, storm water detention basin, landscaping and related on-site infrastructure.

Project Location: The site is located at 7824 and 7732 W. Sunnyview Avenue, in the City of Visalia, Tulare County, California (APN 077-200-038, 039).

Contact Person: Andrew Chamberlain, Senior Planner Phone: (559) 713-4003

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project with mitigation will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Mitigated Negative Declaration: Initial Study No. 2014-01 has not identified any significant, adverse environmental impact(s) that may occur because of the project with mitigation measures applied.

Traffic: Traffic Engineering has reviewed the Traffic Impact Analysis Questionnaire submitted by the applicant for the Asphalt Batch Plant to be located on Sunnyview Avenue, west of Shirk Street. Due to the high volume of truck traffic traveling to and from the site, mitigation is necessary.

Mitigation: Mitigate by building out Clancy Street on the eastside of site, from Sunnyview Avenue to Riggin Avenue to accommodate two travel lanes and a stop control device at the Riggin/Clancy intersection. Additional mitigation in the form of a condition of the use permit will require that truck trips be distributed as proposed in the Traffic Assessment (TA) by limiting the number of daily truck trips on Sunnyview and Shirk as detailed in the TA, with any routes on Shirk or Riggin that do not go directly to Highways 198 or 99, to receive route approval form the City Engineer, or their designee, prior to the action.

The project is subject to the provisions of Rule 9510 as administered by the San Joaquin Valley Air Pollution Control District. The applicant was notified and encouraged to do early indirect source modeling consultation with the Air District through the Site Plan Review process, SPR No. 2013-158. The project has already received its permits to operate from the SJVAPCD which will be re-issued or transferred to this site. The project construction will be subject to City engineering standards and building codes that also reduce potentially significant impacts to a level that is less than significant.

Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 E. Acequia Ave., Visalia, CA.

Comments on this proposed Mitigated Negative Declaration will be accepted until March 19, 2014.

Date: 2-25-14

Signed: _____

Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

MITIGATED NEGATIVE DECLARATION

Project Title: Conditional Use Permit No. 2014-01

Project Description: The project consists of the construction of an Asphalt Batch Plant, Material Storage, Storm Pond, a portion of Clancy Street right-of-way improvements, and 1,600 sq. ft. Modular Office.

Location: The site is located at 7824 and 7732 W. Sunnyview Avenue, in the City of Visalia, Tulare County, California (APN 077-200-038, 039).

Project Facts: Refer to Initial Study for project facts, plans and policies, discussion of environmental effects and mitigation measures, and determination of significant effect.

Attachments:

Initial Study	(X)	SJVAPCD Permits	(X)
Environmental Checklist	(X)	Noise Analysis	(X)
Maps	(X)	Operational Statement	(X)
Mitigation Measures	(X)		
Letters	( )		
Traffic Analysis	(X)		
Greenhouse Gas Analysis	(X)		

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment, with mitigation measures applied, for the following reasons:

(a) The project, as mitigated, does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

(b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(c) The project, as mitigated, does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED
Paul Scheibel, AICP
Environmental Coordinator

By: _____

Date Approved: 2-28-14

Review Period: 20 days

INITIAL STUDY

I. GENERAL

A. Description of the Project: Construction of an Asphalt Batch Plant, Material Storage, Storm Pond, and 1,600 sq. ft. Modular Office. Details of the project are as follows:

- The subject site consists of two parcels in the Heavy Industrial zone totaling 10.96 acres.
- The project will import raw materials for making of asphalt resulting in material storage yards for raw product.
- A material stacker/sorter to stack the raw materials up to 37'-7" feet high in preparation for processing.
- An Asphalt Batch Plant for the combining and processing of raw materials into asphalt.
- Three silos for the storage of prepared asphalt which is not dumped directly into trucks.
- The construction of Clancy Street from Sunnyview Avenue to Riggin Avenue.
- The installation of a modular 1,600 sq. ft. office with parking and site fencing.
- Site improvements including asphalt drive aisles, storm water detention basin, landscaping and related on-site infrastructure.

B. Identification of the Environmental Setting: The project site currently consists of two vacant parcels in the Heavy Industrial zone. The parcels are graded and contain no physical features, or flora or fauna due to being in agricultural row crop production up until the start of this project. Agricultural operations are currently taking place north and west contagious to the project site.

The surrounding zoning and land uses are as follows:

North: Vacant/Agricultural row crops IH (Heavy Industrial).
South: Vacant and Industrial uses IH (Heavy Industrial).
East: Vacant and Industrial uses IH (Heavy Industrial).
West: Vacant/Agricultural row crops IH (Heavy Industrial).

C. Plans and Policies: The City's General Plan Land Use Element (LUE) designates the site as Heavy Industrial. The project is within the allowed and conditional uses specified for the Heavy Industrial zone. The proposed project is consistent with all other elements of the General Plan.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project that cannot be mitigated to less than significant level. The City of Visalia LUE and Zoning Ordinance contain land use mitigation measures that are designed to reduce/eliminate impacts related to light/glare, visibility screening, noise, and traffic to a level of non-significance.

III. MITIGATION MEASURES

The project is subject to the provisions of Rule 9510 as administered by the San Joaquin Valley Air Pollution Control District. The project has already received its permits to operate from the SJVAPCD. The project construction will be subject to City engineering standards and building codes that also reduce potentially significant impacts to a level that is less than significant.

Mitigation Measure: M-1 – The Traffic Assessment has determined that the installation of Clancy Street from Sunnyview Avenue to Riggin Avenue with a stop sign at Riggin Avenue will reduce truck trips at the Sunnyview/Shirk intersection by 80% to 90%. The City Engineering Department concurs and is requiring this connection as a part of the project, prior to operation.

Mitigation Measure: M-2 – The project Traffic Assessment determined that 5 vehicles or 10 total trips (6 employee vehicle trips, 4 truck trips) during peak hour will take the Sunnyview/Shirk route, with any routes on Shirk or Riggin that do not go directly to Highways 198 or 99, to receive route approval form the City Engineer, or their designee, prior to the action., these will be included as conditions of approval for Conditional Use Permit No. 2014-01.

Mitigation Measure: M-3 – The project is required to obtain all required permits to operate from the SJVAPCD for the location at 7824 and 7732 W. Sunnyview Avenue, Visalia, Tulare County, California (APN 077-200-038, 039).

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan and Zoning Ordinance as the project relates to the purpose and intent of the Heavy Industrial zone designation and Land Use designation.

V. NAME OF PERSON WHO PREPARED INITIAL STUDY

Andrew Chamberlain, Senior Planner

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Name of Proposal	Conditional Use Permit No. 2014-01		
NAME OF PROPONENT:	Papich Construction/4Creeks Inc.	NAME OF AGENT:	4Creeks Inc.
Address of Proponent:	2929 W. Main Street	Address of Agent:	2929 W. Main Street
	Visalia, CA 93291		Visalia, CA 93291
Telephone Number:	(559) 802-3052	Telephone Number:	(559) 802-3052
Date of Review	February 4, 2014	Lead Agency:	City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact 2 = Less Than Significant Impact
3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

1 a) Have a substantial adverse effect on a scenic vista?

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

2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?

2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOURCES

Would the project:

1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?

1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

1 c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

III. AIR QUALITY

Would the project:

1 a) Conflict with or obstruct implementation of the applicable air quality plan?

3 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

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

2 d) Expose sensitive receptors to substantial pollutant concentrations?

2 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

2 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 U.S. Fish and Wildlife Service?

2 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

1 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

1 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 impede the use of native wildlife nursery sites?

1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

1 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?

V. CULTURAL RESOURCES

Would the project:

1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?

1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?

1 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

2 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS

Would the project:

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

1 i) 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?

1 ii) Strong seismic ground shaking?

1 iii) Seismic-related ground failure, including liquefaction?

1 iv) Landslides?

2 b) Result in substantial soil erosion or loss of topsoil?

1 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?

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

VII GREENHOUSE GAS EMISSIONS

Would the project:

2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

VIII HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

1 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?

1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

1 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?

1 e) For a project located within 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 result in a safety hazard for people residing or working in the project area?

1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

IX HYDROLOGY AND WATER QUALITY

Would the project:

1 a) Violate any water quality standards of waste discharge requirements?

1 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table lever (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

2 e) 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?

2 f) Otherwise substantially degrade water quality?

1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

1 j) Inundation by seiche, tsunami, or mudflow?

X LAND USE AND PLANNING

Would the project:

1 a) Physically divide an established community?

2 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XI MINERAL RESOURCES

Would the project:

1 a) 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?

1 b) 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?

XII NOISE

Would the project:

2 a) Cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

2 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

2 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

2 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

1 e) For a project located within 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?

1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working the in the project area to excessive noise levels?

XIII. POPULATION AND HOUSING

Would the project:

1 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV. PUBLIC SERVICES

Would the project:

1 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:

1 i) Fire protection?

1 ii) Police protection?

1 iii) Schools?

1 iv) Parks?

1 v) Other public facilities?

XV. RECREATION

Would the project:

1 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?

1 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?

XVI. TRANSPORTATION / TRAFFIC

Would the project:

2 a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

2 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

1 e) Result in inadequate emergency access?

1 f) Result in inadequate parking capacity?

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

1 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

1 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?

1 e) 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?

1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

2 a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

2 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

1 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

a. The Sierra Nevada mountain range is a scenic vista that can be seen from Visalia on clear days. This project will not adversely affect the view of this vista.

b. There are no scenic resources on the site.

c. The City has development and landscape standards to ensure that the visual character of the area is not significantly degraded.

d. The project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

II. AGRICULTURAL RESOURCES

a. The site is not zoned for agricultural use. The project will not involve the conversion of farmland which has not already been dedicated to9 development. The project site was identified and evaluated for heavy industrial uses in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.

b. The site is not under Williamson Act contract or not within an Agricultural Preserve.

c. The project will not involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland to nonagricultural use.

III. AIR QUALITY

a. The project in itself does not disrupt implementation of the San Joaquin Valley Unified Air Pollution Control District's air quality plan.

b. The project will not violate an air quality standard or contribute substantially to an existing or projected air quality violation. The project has already received the necessary San Joaquin Valley Air Pollution Control District permitting required to operate and is transferred to the new site from the existing temporary site located at the northwest corner of Highway 198 and Highway 99. The combustion system engineered on this equipment also achieves extremely low NOx emissions to reduce air pollutants from the operations.

c. The San Joaquin Valley is a region that is already at non-attainment status for air quality. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use (industrial).

The project is subject to the permit requirements of Rule 9510, or payment of mitigation fees to the SJVAPCD. The project has already received the necessary San Joaquin Valley Air Pollution Control District permitting required to operate and is transferred to the new site from the existing temporary site located at the northwest corner of Highway 198 and Highway 99.

Attached are the 3 permits received from the SJVAPCD to Papich Construction for operation of the asphalt batch plant. The permits are required by the Air District for operation of the plant equipment, asphalt storage/filling of trucks, and receiving/storage of sand/aggregate/Reclaimed asphalt pavement. The permits that were issued allows for a portable plant and allows the transfer from the existing site to the new proposed location. The project is subject the list of requirements as seen on the attached permits. Air District Permitting – Robert Gilles (Robert.gilles@valleyair.org).

d. The project will increase vehicle trips and associated air emissions, however, such exposure is considered to be less than significant with the amount of traffic anticipated.

e. The project's Gencor's Ultraplant is the most fuel efficient, environmentally clean and lowest maintenance design available in the hot mix industry. Gencor's plant is the only hot mix plant with a positive volatile capture and recovery system that totally eliminates blue smoke, and asphalt odors from the process and feeds them to the combustion process as fuel. Exposure to substantial pollution concentrations is considered to be less than significant.

IV. BIOLOGICAL RESOURCES

a. The site has no known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. City-wide biological resources were evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.

b. The project site is not located within or adjacent to an identified sensitive riparian habitat or other natural community.

c. The project site is not located within or adjacent to an identified sensitive riparian habitat or other natural community.

d. The development will not act as a barrier to potential animal movement. This site was included in the evaluation in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.

e. The City has a municipal ordinance in place to protect oak trees. There are no Valley Oak Tree on the site.

f. There are no local or regional habitat conservation plans for the area.

V. CULTURAL RESOURCES

a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.

b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.

c. There are no known unique paleontological resources or geologic features located within the project area.

d. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

VI. GEOLOGY AND SOILS

a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.

b. The development of this site will require movement of topsoil. However, the proposed use is a modular office and the related actions will be done with a mobile batch plant, therefore no significant excavations will occur on the site. Fugitive Dust - To mitigate potential dust from the piles, the site will include automatic sprinklers that will be directed onto the piles. The sprinkler system will be used to keep the dust down during use of each of the piles for drop off and loading. The site will also have a water truck on-site to be utilized for internal road dust control.

c. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area generally have low expansion characteristics.

d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.

VII. GREENHOUSE GAS EMMISSIONS

a. Based on the Analysis prepared for the project, it will not result in a significant generation of GHG emissions, for construction, or operations. This conclusion is based on the facts that construction activities will be completed before 2020 when the City is required to reduce GHG emissions to 1990 standards. Further, the method of construction and standards required for the site and the building meet the standards prescribed as best available practice.

b. The State of California has enacted the Global Warming Solutions Act of 2006, which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020. The California Air Resources Board (CARB) is required to identify the state's GHG emissions levels in 1990, and adopt emission limits and reduction measures to take effect in 2012. To date, CARB has not adopted GHG emissions limits and emission reduction measures that apply to industrial land uses. The development will comply with all required federal, state, regional, and local requirements in association with the construction and regular operations associated with the site. As concluded in the GHG Analysis, compliance with these requirements will not result in a significant impact.

VIII. HAZARDS AND HAZARDOUS MATERIALS

a. No hazardous materials are anticipated with the project.

b. There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment.

c. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites or areas within one-quarter mile of school sites.

d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.

e. The project area is not located within any airport land use plan or within 2 miles of a public airport.

f. The project area is not within the vicinity of any private airstrip.

g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.

h. There are no wildlands within or near the project area.

IX. HYDROLOGY AND WATER QUALITY

a. The project itself will not violate any water quality standards of waste discharge requirements.

b. The project will not substantially deplete groundwater supplies in the project vicinity.

Estimated Water use by Papich Construction and GENCOR: The plant uses 1.75 to 2.0 gpm when in high fire and no water during low heat preheat. It is estimated the plant to be mixing approximately 10/hr per day x 150 days per year and using 180,000 gallons/year or 1.35 ac ft/yr.

c. The project will not result in substantial erosion on- or off-site.

d. Existing drainage patterns will not be altered with the project.

e. The project itself does not create a new source of polluted runoff.

f. The project is not a source which would otherwise create substantial degradation of water quality.

g. The project area is located within FEMA Zone X. The project does not propose any habitable structures.

h. The project area is located within FEMA Zone X. The project will not redirect or obstruct flood flows.

i. The project will not expose people or structures to risks from failure of a levee or dam.

j. Seiche and tsunami impacts do not occur in the Visalia area. Mudflows are not generally known to occur in the area.

X. **LAND USE AND PLANNING**

a. The project will not physically divide an established community.

b. The site is within the current Urban Development Boundary of the City of Visalia. The City's General Plan designates the subject site for Heavy Industrial uses which includes the proposed batch plant.

The project does not conflict with any applicable conservation plan.

XI. **MINERAL RESOURCES**

a. No mineral areas of regional or statewide importance exist within the Visalia area.

b. There are no mineral resource recovery sites delineated in the Visalia area.

XII. **NOISE**

a. The project proposes a land use that is in accordance with the underlying General Plan land use and zoning designations for the site.

Attached are the noise study exhibits that display the noise results of the plant. The loudest area is associated with the exhaust fan on the baghouse and the fans on the burner located centrally on the plant design. The noise has been measured from the silos, since this is closest point to the property line and displays the following information: Noise at 50'(69dBA), 100' (65dBA), 150' (62dBA), and 200'(58dBA).

The Visalia Noise Element and Ordinance contain criterion for acceptable noise levels. Construction and operation of the project will be required to comply with standards established by the Noise Element and Noise Ordinance.

b. Construction and operation of the project will be required to comply with standards established by the Noise Element and Noise Ordinance.

c. Noise levels will increase beyond current levels as a result of the project. These levels will be typical of noise levels associated with industrial uses and traffic in the industrial park. 80% to 90% of the truck trips will be on arterial streets to Highway 198. Therefore, the increase is considered to be less than significant.

d. The project will result in an increase in ambient noise levels in the area. The City's Noise Ordinance contains standards and guidelines. Operations and construction in the industrial park are commonly 24 hours and produce associated truck trips. Such increase in existing noise levels is considered to be less than significant in impacting the surrounding industrial neighbors.

e. The project area is not within an airport land use plan, nor is it within 2 miles of a public airport.

b. There is no private airstrip near the project area.

XIII. **POPULATION AND HOUSING**

a. The project will not have an effect upon population or housing.

b. Development of the site will not displace any housing on the site.

c. Development of the site will not displace any people on the site.

XIV. **PUBLIC SERVICES**

a.

i. The project will not result in substantial or adverse impacts to public services.

ii. The project will not result in substantial or adverse impacts to public services.

iii. The project will not result in substantial or adverse impacts to public schools.

iv. The project will not result in substantial or adverse impacts to public parks.

v. The project will not result in substantial or adverse impacts to other public facilities.

XV. **RECREATION**

a. The project will not result in substantial or adverse impacts to recreational facilities or parks.

b. The project will not require the construction of new or expanded recreational facilities.

XVI. **TRANSPORTATION AND TRAFFIC**

a. Both the Land Use Element Program EIR and the Circulation Element EIR identify roadways in the area as adequate to meet circulation needs. The project will cause average annual daily traffic levels to increase in the vicinity, though not beyond levels identified in the Circulation Element Update. The project includes mitigation in the form of a roadway connection form Sunnyview Avenue to Riggin Avenue via the construction of a section of Clancy Street. The Traffic Assessment identified a maximum of 24 daily trips for employees and 64 truck trips per day (equates to maximum of 256 total one way trips) which has been determined to be less than significant based upon the extension of Clancy Street to Riggin Avenue.

b. Average annual daily traffic levels will increase in the vicinity, though the project as proposed should not increase Levels of Service of streets and intersections beyond what has been identified in the Circulation Element Update. The project includes mitigation in the form of a roadway connection form Sunnyview Avenue to Riggin Avenue via the construction of a section of Clancy Street.

c. The project will not result in nor require a need to change air traffic patterns.

d. The project's trip generation and mitigation measures will result in a less than significant increase in hazards.

e. The project will have no effect upon emergency access.

f. The project has adequate parking.

XVII. **UTILITIES AND SERVICE SYSTEMS**

a. The project will not effect current waste water treatment requirements.

b. The project will not facilitate any new water or waste water treatment facilities.

c. The project will have no effect upon storm water drainage or ponding facilities. There will be an on-site storm water retention pond, whereby impacts will be less than significant.

d. The project will not significantly impact water supplies.

e. The project will not significantly impact domestic waste water treatment.

f. The project will not significantly impact solid waste disposal needs.

g. The project will meet regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE**

a. The project, with mitigation measures applied, will not affect the habitat of a fish or wildlife species or a plant or animal community.

b. The project, with mitigation measures applied, will not cumulatively adversely impact the environment.

c. The project will not create adverse environmental effect to a human population directly or indirectly.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

__ I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**

_X_ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**

__ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required

__ I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 90020160). The Environmental Impact Report prepared for the City of Visalia Land Use Element (Amendment No. 90-04) was certified by Resolution NO. 91-105 adopted on September 3, 1991. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

City of Visalia

2-25-14
Date

Mitigation Measures

Conditional Use Permit No. 2014-01

Due to the volume of truck traffic traveling to and from the site, mitigation is necessary, the applicant has included the following mitigation as a part of the project to reduce the number of truck trips through the Sunnyview/Shirk intersection and roadways. The project is also required to obtain all required permits from the SJVAPCD for this project site as a mitigation measure:

M-1 - Mitigate by building out Clancy Street on the eastside of site, from Sunnyview Avenue to Riggin Avenue. This will include lane widths adequate to provide two-way truck traffic, and a stop control device (stop sign) on Clancy Street at Riggin Avenue per City of Visalia Engineering Standards.
Timing: The construction of Clancy is required prior to the operation of the batch plant. The City of Visalia will require permits and final approval of the roadway and related infrastructure prior to batch plant operation.

M-1 Monitoring Program: The City of Visalia will be required to certify the installation of Clancy from Sunnyview to Riggin with the appropriate related infrastructure prior to the batch plant operating for any type of contract or commercial purposes. No building permit final for the batch plant will be given until the roadway connection is approved for use by the City of Visalia.

M-2 - The project Traffic Assessment determined that up to 20% of the truck trips will use the Sunnyview/Shirk intersection. To not exceed this estimated number of trips at the Sunnyview/Shirk intersection, the batch plant operator will be required to apply for alternative truck route approval for any truck trips through the community that are not directly to Highways 198 or 99 via Shirk or Riggin. The approval is required from the City Engineer, or their designee, prior to the action. This will be included as a condition of approval for Conditional Use Permit No. 2014-01.

M-2 Monitoring Program: The batch plant operator is responsible for filing and receiving alternate truck route approvals from the City Engineer prior to the action.

M-3 - The project is required to obtain all required permits to operate from the SJVAPCD for the location at 7824 and 7732 W. Sunnyview Avenue, in the City of Visalia, Tulare County, California (APN 077-200-038, 039). This will be included as a condition of approval for Conditional Use Permit No. 2014-01.

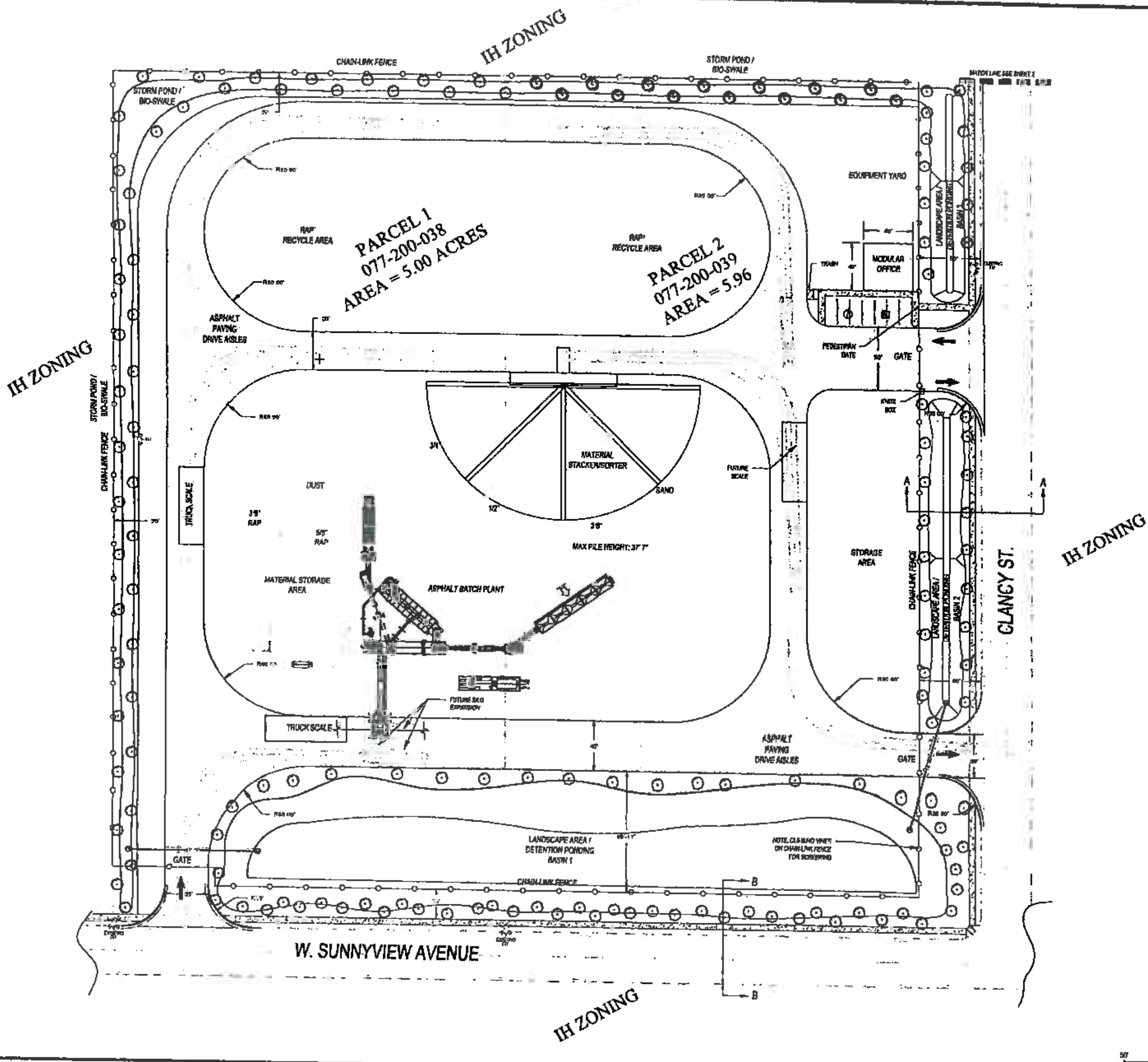
M-3 Monitoring Program: The batch plant operator is responsible for obtaining and maintaining all required permits from the SJVAPCD.

Exhibit "A"

SUNNYVIEW YARD
CONDITIONAL USE PERMIT

BEING PARCEL 3, & 4 OF PARCEL MAP 4452, RECORDED IN BOOK 45 OF MAPS, AT PAGE 57, TCR, LOCATED IN THE SECTION 21, TOWNSHIP 18 SOUTH, 24 EAST, MDB&M, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA

JANUARY 2013



SITE DATA:

APN:	077-200-038, 077-200-039
AREA:	10.96 AC. ±
CURRENT ZONING:	IH
PROPOSED ZONING:	IH
DESIGN DISTRICT:	H
EXISTING USE:	VACANT
PROPOSED USE:	INDUSTRIAL USE
SEWER SERVICE:	CITY OF VISALIA
WATER SERVICE:	CALIFORNIA WATER SERVICE COMPANY
STORM SERVICE:	CITY OF VISALIA
GAS SERVICE:	SOUTHERN CALIFORNIA GAS COMPANY
ELEC. SERVICE:	SOUTHERN CALIFORNIA EDISON COMPANY
REFUSE SERVICE:	CITY OF VISALIA
TELEPHONE:	SBC
FLOOD ZONE:	X AND X(SHADED)

BUILDING AND PARKING:

OFFICE FOR INDUSTRIAL USE:	1,600 SF.
SPACES REQUIRED: 1/250SF.(OFFICE)	7 STALLS (1 H.C.)
TOTAL REQUIRED:	7 STALLS
PROPOSED:	7 STALLS

VICINITY MAP

NORTH

PREPARED BY:

4CREEKS

SHEET 1 OF 2

Exhibit "A"

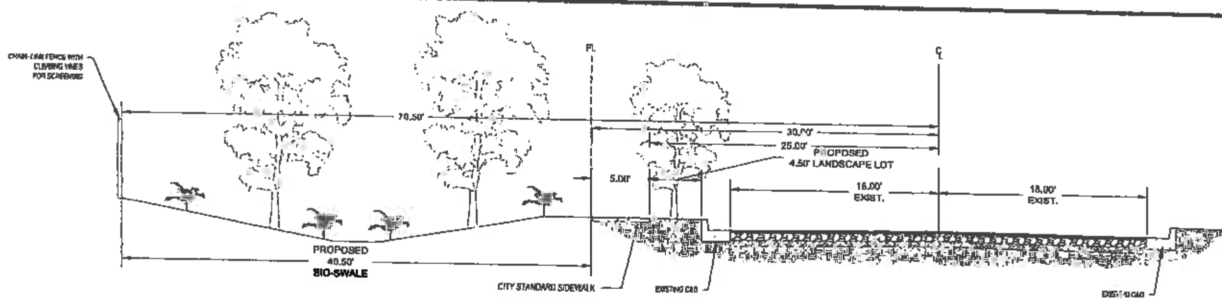
SUNNYVIEW YARD
SITE PLAN

BEING PARCEL 2,3, & 4 OF PARCEL MAP 4452, RECORDED IN BOOK 45 OF MAPS, AT PAGE 57, TCR, LOCATED IN THE SECTION 21, TOWNSHIP 18 SOUTH, 24 EAST, MDB&M, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA

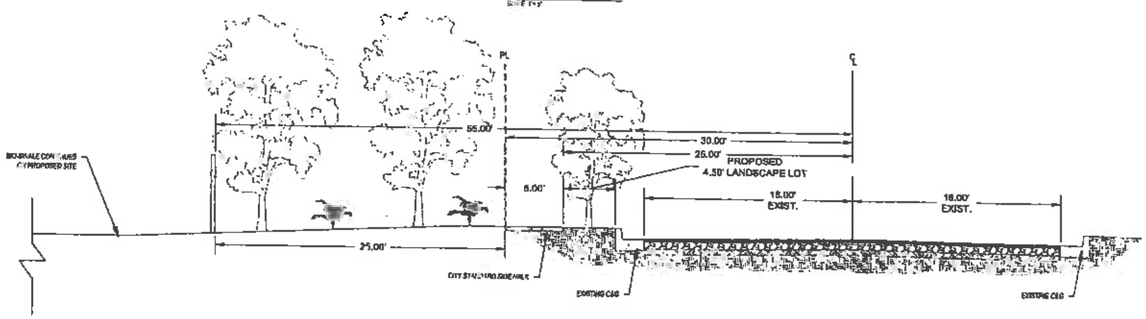
JANUARY 2013

PREPARED BY: 4 CREEKS, INC.

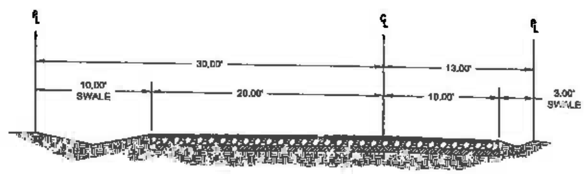
Exhibit "B"



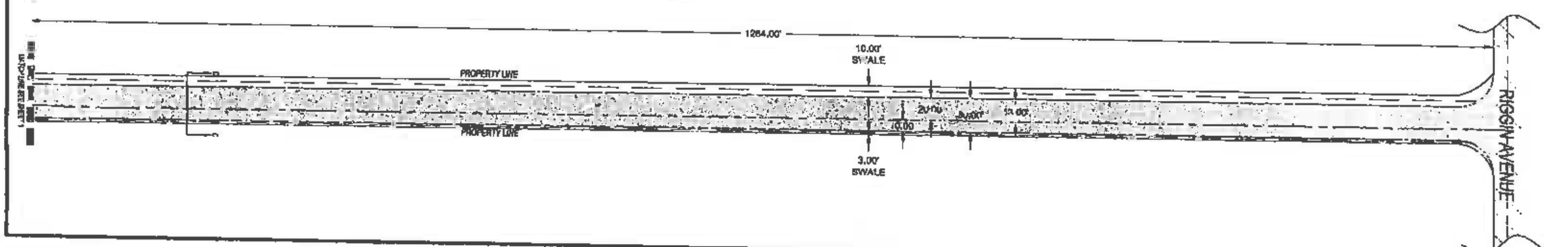
SECTION A-A
EXISTING CLANCY ST. CROSS-SECTION

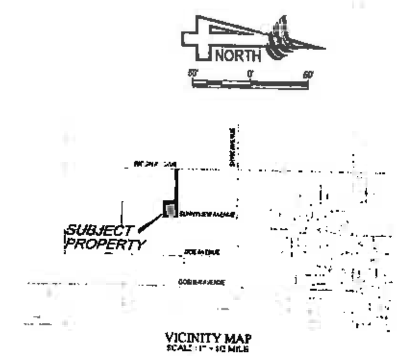


SECTION B-B
EXISTING SUNNYVIEW AVE. CROSS-SECTION



SECTION C-C
PROPOSED EXTENSION TO RIGGIN AVE.
CLANCY ST. CROSS-SECTION





VICINITY MAP

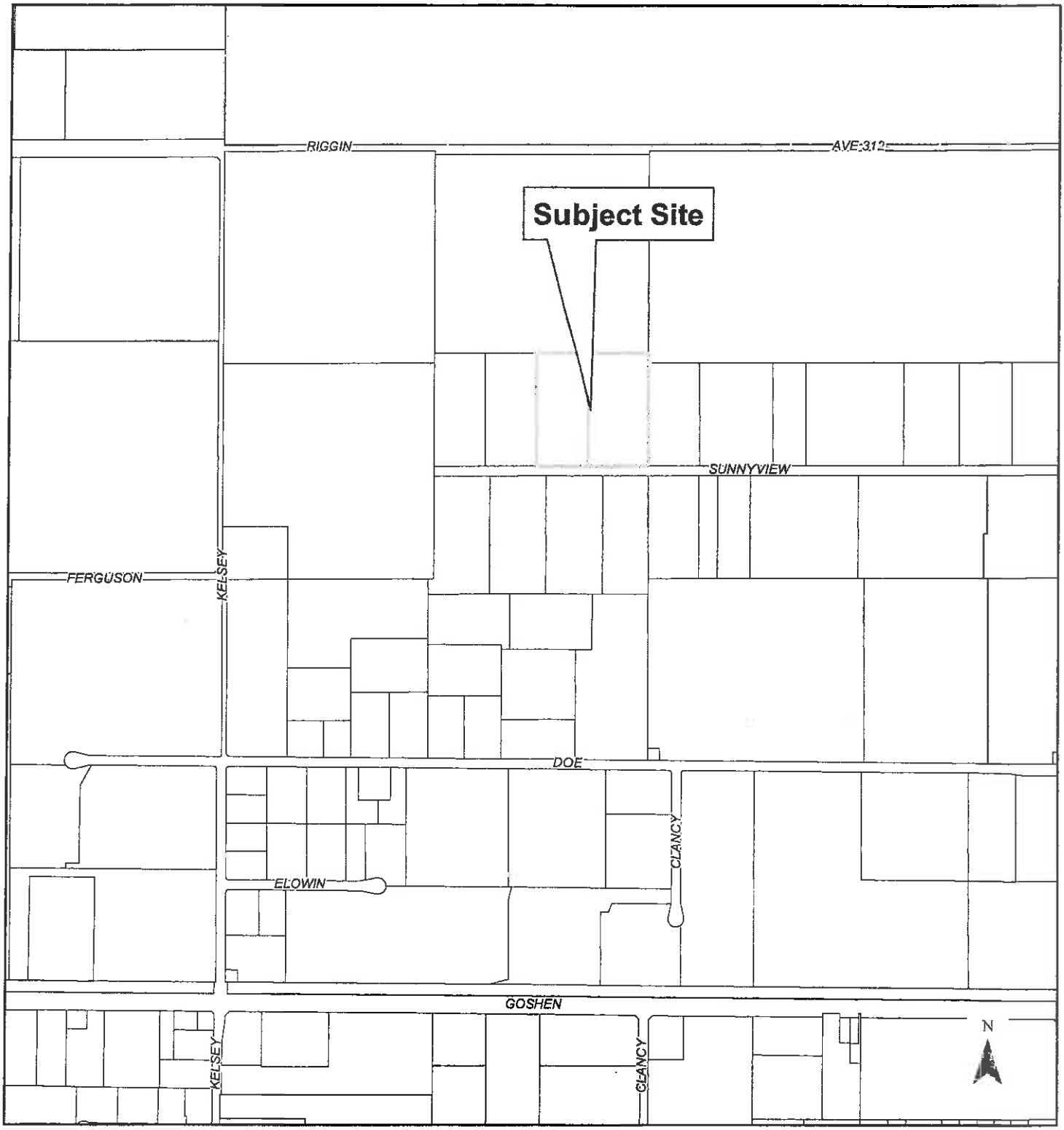
PREPARED BY:

4CREEKS

SHEET 2 OF 2

Exhibit "B"

City of Visalia



Location Map

4CREEKS

OPERATIONAL STATEMENT: Sunnyview Yard Asphalt Batch Plant

APN's: 077-200-038; 077-200-039 (11 acres)

The proposed asphalt batch plant, Sunnyview Yard, will be located at 7922 West Sunnyview Avenue in the northwest area of the City of Visalia. Sunnyview Yard includes a centrally located processing plant, 1,600 square foot office building, and equipment storage areas. The project includes 3 points of access onto the surrounding public streets, with 1 access point on the south side of the project onto Sunnyview Avenue and the other 2 access points located on the east side of the property onto Clancy Street. A highly landscaped area surrounds the entire project and incorporates several sections of bio-swales for on-site drainage collection.

The proposed Sunnyview Yard asphalt batch plant is within a Heavy Industrial (IH) Zoning District and requires the filing of a conditional use permit to operate at the location. Heavy Industrial (IH) zones surround the site in all directions.

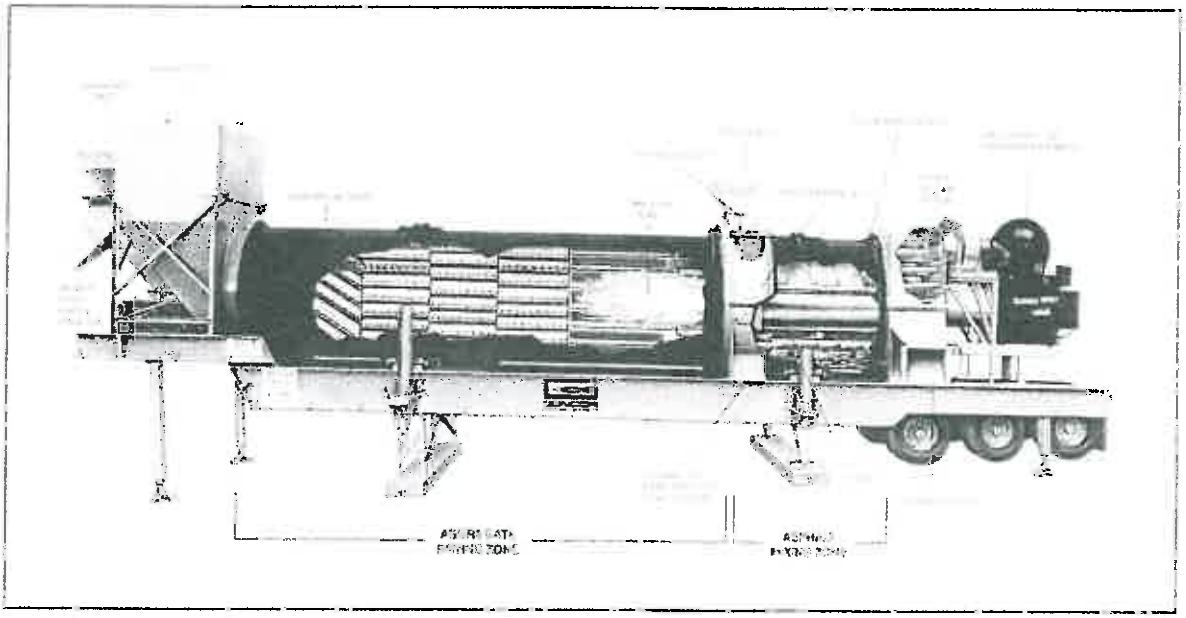


Figure 1: Production of Hot Mix Asphalt

The raw materials for the plant will be brought in from Orosi and consists of 3/8"- 5/8" crushed gravel that will be dumped on a conveyor and sent to the stock piles. The recycled asphalt paving (RAP) will also be delivered to the site and crushed to a 3/8"- 5/8" size then moved to stock piles on the north end of the project site. The aggregate is loaded into the mixer, dried, mixed with oil and RAP to be sent on a conveyor and into the storage silos. Figure 1 depicts the

4CREEKS

asphalt production process. Silos are programmed to release a specific weight into asphalt trucks which will be positioned under the silos.

The asphalt plant will operate 24-hours a day, 7 days per week, with a majority of the trips occurring between 10:00 pm – 7:00 am. The site will include 2 types of truck trips consisting of materials import and asphalt export. Material import tricks will nearly all arrive and depart to the north utilizing Clancy Street and Riggin Avenue. Asphalt truck trips will largely (80-90%) travel to/from the north via State Route (SR) 99. The remaining projects (10-20%) will require truck trips to exit the site via Sunnyview Avenue and south on Shirk Street. A more in depth analysis of the traffic flow to/from the site has been provided in the attached Traffic Impact Statement.

Noise measurements have been recorded for this type of operation and produces noise levels at 58 decibals (dBA) from 200 feet away, which is the distance from the plant to the nearest property line. When the plant is not running, ambient noise level has been recorded at 54 dBA. The asphalt plant site will also include piles of recycled asphalt and aggregate materials.

Gencor's Ultraplant is the most fuel efficient, environmentally clean and lowest maintenance design available in the hot mix industry. Gencor's plant is the only hot mix plant with a positive volatile capture and recovery system that totally eliminates blue smoke, and asphalt odors from the process and feeds them to the combustion process as fuel. To mitigate potential dust from the piles, the site will include automatic sprinklers that will be directed onto the piles. The sprinkler system will be used to keep the dust down during use of each of the piles for drop off and loading. The site will also have a water truck on-site to be utilized for internal road dust control. The combustion system engineered on this equipment also achieves extremely low NOx emissions to reduce air pollutants from the operations.

The business has already received the necessary San Joaquin Valley Air Pollution Control District permitting required to operate and is transferred to the new site from the existing temporary site located at the northwest corner of Highway 198 and Highway 99.

January 10, 2014

Mr. Nick Mascia, City Engineer
City of Visalia
315 E. Acequia Avenue
Visalia, CA 93291

RE: Traffic Assessment for Papich Construction's Sunnyview Yard Asphalt Batch Plant

Dear Mr. Mascia

This Traffic Assessment has been prepared for the proposed Sunnyview Yard Asphalt Batch Plant. The information included here is based upon our conversation on Thursday, January 9, 2014 and the Project data presented in the Project's Traffic Impact Questionnaire.

Project Description

The Project will be located on the northwest corner of Clancy Street at Sunnywiew Avenue in the City of Visalia. The Project site is approximately 11 acres and is currently vacant. The Project will consist of an asphalt batch plant, material yard, and small modular office building.

Traffic Generation

The Project will operate 24-hours per day, 7 days per week.

The Project will operate two shifts with 3 employees each. Therefore, there will be a maximum of 24 daily trips for employees (3 employees * 2 trips * 2 directions * 2 shifts). This maximum daily trip generation assumes that each employee drives their own vehicle and also leaves the site once per day, such as for lunch.

Truck trips include 2 types of trips: material import and asphalt export. There will be a maximum of 64 trucks per day for each type. This equates to a maximum of 256 total one-directional trips per day. Site production speed limits truck movement to 3 of each truck trip types within a one-hour period.

The peak one-hour trip generation would occur during an employee shift change and a maximum arrival and departure, thus generating 9 vehicles and 18 total trips during a 1-hour period. This estimate is for the entire proposed project. This would equate to 3 employee vehicles and 6 trucks. For worst case scenario, lets include 3 employee trips to exit/enter Sunnyview and 20% of 6 trucks to utilize Sunnyview (rounded to 2 trucks), therefore 5 vehicles or 10 total trips (6 employee vehicle trips, 4 truck trips) during peak hour that will take Sunnyview/Shirk route.

Trip Distribution

Employee trips may come from anywhere in the area. The material import trucks will nearly all arrive and depart to the north of Visalia. Asphalt truck trips will largely (80-90%) travel to/from the north via State Route (SR) 99 as well. In order to arrive at the site they will exit SR 99 at Betty/Elder Drive in Goshen and travel to Riggin Avenue, where they will access the site via the extension of Clancy Street (as discussed below). The remaining truck trips will depart to roadway projects south, east, or west of Visalia. Those traveling west and south will follow the route described above. Those traveling to the east will exit the site via Sunnyview Avenue, traveling south on Shirk Street to SR 198 to travel east of Visalia. Again, the majority of the Project truck trips are anticipated to travel to/from the north.

Roadway Improvements

As discussed above, the majority of the Project truck trips are anticipated to access the Project site via Clancy Street. Clancy Street does not currently extend from Sunnyview Avenue to Riggin Avenue. Therefore, the Project will be responsible for constructing Clancy Street along this segment at a 30 foot cross section sufficient to handle the anticipated truck traffic. A stop sign will be located on Clancy Street at Riggin Avenue. No additional improvements to Riggin Avenue are necessary.

Conclusion

As discussed with the City, this Traffic Assessment will serve in place of a full Traffic Impact Study for the proposed Project. If the City or anyone else should have any questions regarding the information included here, please feel free to contact David Duda at 559-802-3052.

Sincerely,

Wally Hutcheson, TE

City of Visalia

Memo

To: Planning Department

From: Leslie Blair PE, Traffic Engineering

CC: Nick Mascia, Jason Huckleberry

Date: January 14, 2014

Re: Asphalt Batch Plant, Sunnyview Avenue

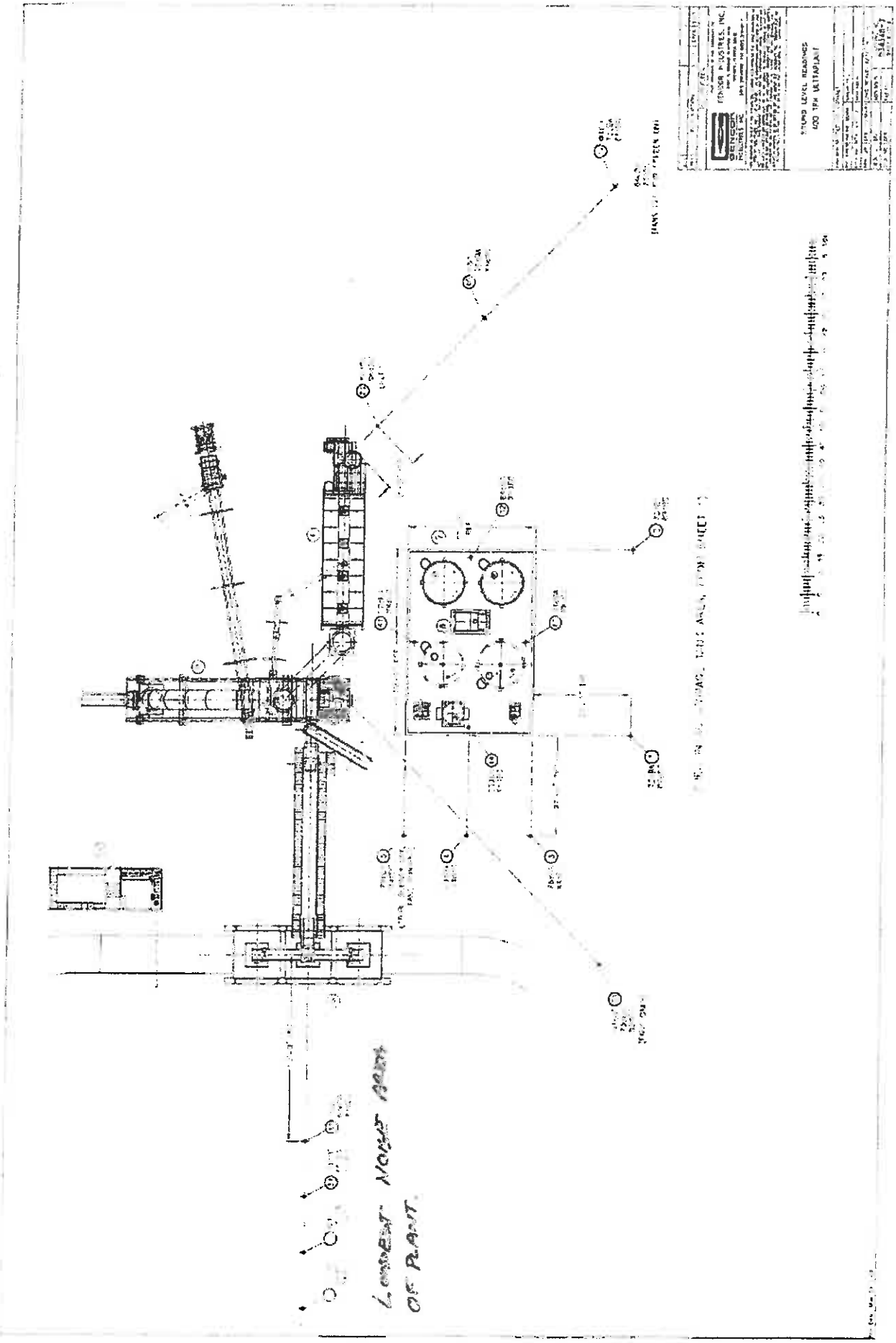
Traffic Engineering has reviewed the Traffic Impact Analysis Questionnaire submitted by the applicant for the Asphalt Batch Plant to be located on Sunnyview Avenue, west of Shirk Street. Due to the high volume of truck traffic traveling to and from the site, mitigation maybe necessary and the applicant complies with either of the two following options:

1. Complete a Traffic Impact Analysis per City standard. Specifically address the road segments and intersections from Sunnyview Avenue to Shirk to 198 FWY. Study shall determine impact and provide mitigation, or

2. Mitigate by building out Clancey Street on the eastside of site, from Sunnyview Avenue to Riggin Avenue.

Noise Exhibit – XII NOISE – a

MND No. 2014-01



San Joaquin Valley
Air Pollution Control District

PERMIT UNIT: S-8277-1-1 **EXPIRATION DATE:** 05/31/2018

EQUIPMENT DESCRIPTION:
SAND, AGGREGATE AND RECLAIMED ASPHALT PAVEMENT (RAP) RECEIVING AND STORAGE OPERATION CONSISTING OF FIVE SAND AND COARSE AGGREGATE TRUCK UNLOADING POINTS EACH SERVED BY DUST SUPPRESSION WATER SPRAYS; AND TWO ACRES OF SAND, AGGREGATE AND RECLAIMED ASPHALT PAVEMENT (RAP) STOCKPILES

PERMIT UNIT REQUIREMENTS

1. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
2. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
3. All haul roads and other roadways traversed by mobile equipment and/or motor vehicles shall be adequately moistened with water at such a frequency as required to prevent visible emissions equal to or in excess of 20% opacity from such roads. [District Rule 2201]
4. The maximum quantity of sand, aggregate and reclaimed asphalt pavement (RAP) unloaded from trucks shall not exceed 3,700 tons/day and 300,000 tons/year. [District Rule 2201]
5. The area of active and inactive stockpiles for the asphaltic concrete manufacturing plant shall not exceed 2.0 acres. [District Rule 2201]
6. PM10 emission rate from the truck unloading operation shall not exceed 0.00010 lb/ton of sand, aggregate and reclaimed asphalt pavement (RAP). [District Rule 2201]
7. PM10 emission rate from the stockpiles for the asphaltic concrete manufacturing plant shall not exceed 0.1666 pounds per acre of storage area per day. [District Rule 2201]
8. All stockpiled sand, aggregate and reclaimed asphalt pavement (RAP) shall be maintained adequately moist to prevent visible emissions in excess of 20% opacity. [District Rule 2201]
9. When handling bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, wind barriers with less than 50% porosity shall also be used. [District Rules 8011 and 8031]
10. When storing bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, all bulk material piles shall also be either maintained with a stabilized surface as defined in Section 3.58 of District Rule 8011, or shall be protected with suitable covers or barriers as prescribed in Table 8031-1, Section B, of District Rule 8031. [District Rules 8011 and 8031]
11. When transporting bulk materials outside an enclosed structure or building, all bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

12. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]
13. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]
14. Water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure shall be applied to unpaved vehicle travel areas as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]
15. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]
16. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]
17. The permittee shall maintain daily records of total amount of sand, aggregate and recycled asphalt pavement (RAP) unloaded from trucks, and total area of active and inactive stockpiles for the asphaltic concrete manufacturing plant. [District Rules 1070 and 2201]
18. The permittee shall maintain a record of the cumulative annual amount of sand, aggregate and recycled asphalt pavement (RAP) unloaded from trucks. The cumulative total shall be updated monthly. [District Rules 1070 & 2201]
19. Records shall be retained on-site for a period of at least five years and made available for District inspection upon request. [District Rule 2201]

San Joaquin Valley
Air Pollution Control District

PERMIT UNIT: S-8277-2-1 **EXPIRATION DATE:** 05/31/2018

EQUIPMENT DESCRIPTION:
PORTABLE HOT MIX ASPHALTIC CONCRETE DRUM MIX PLANT INCLUDING; FIVE SAND/AGGREGATE FEED BINS WITH FIVE BELT FEEDERS, TWO RECLAIMED ASPHALT PAVEMENT (RAP) HOPPERS WITH TWO FEED CONVEYORS, VIBRATING SCREENS, CONVEYORS, 30,000 GALLON ASPHALT CEMENT TANK, 30,000 GALLON SPLIT ASPHALT CEMENT TANK, 2.0 MMBTU/HR HOT OIL HEATER (PERMIT EXEMPT), 600 GALLON 0.1 CALIBRATION TANK, AND A 135 MMBTU/HR GENCOR MODEL PORTABLE ULTRAPLANT 400 NATURAL GAS/PROPANE FIRED HOT MIX DRUM DRYER WITH A GENCOR EQUINOX 135 LOW NOX BURNER AND RH 1000 VAPORIZER SERVED BY A GENCOR MODEL CFP-182 REVERSE AIR FLOW BAGHOUSE

PERMIT UNIT REQUIREMENTS

1. This permit unit shall not operate within 500 meters of the nearest receptor. [District Rule 4102]
2. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
3. Particulate matter emissions from the baghouse shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
4. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
5. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201]
6. The facility shall not manufacture or use cut back, slow cure, or emulsified asphalt containing organic compounds in excess of three percent by volume, which evaporates at 500 F or lower at this facility. [District Rule 4641]
7. The baghouse shall be maintained and operated according to manufacturer's specifications. [District Rule 2201]
8. Visible emissions from the baghouse serving the asphaltic concrete rotary drum dryer/mixer shall not equal or exceed 5% opacity for a period or periods aggregating more than three minutes in any one hour. [District Rule 2201]
9. The baghouse shall provide 99.9% or better control efficiency. [District Rule 2201]
10. The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District Rule 2201]
11. The baghouse shall operate at all times with a minimum differential pressure of 1 inches water column and a maximum differential pressure of 5 inches water column. [District Rule 2201]
12. Replacement bags numbering at least 10% of the total number of bags in the largest baghouse using each type of bag shall be maintained on the premises. [District Rule 2201]
13. Material removed from the baghouse shall be disposed of in a manner preventing entrainment into the atmosphere. [District Rule 2201]
14. The baghouse cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District Rule 2201]
15. This unit is subject to the requirements of 40 CFR Part 60, Subpart I: Standards of Performance for Asphalt Concrete Plants. [District Rule 4001 and 40 CFR §60.90]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

16. Particulate matter emissions from the exhaust stack of the baghouse shall not exceed 0.04 grains/dscf. [District Rule 4001and 40 CFR §60.92(a)(1)]
17. The drum dryer/mixer burner shall be fired only on PUC quality natural gas or propane. [District Rule 2201]
18. NOx emissions from the drum dryer/mixer shall not exceed 0.012 lb/ton or 4 ppmvd @ 19% O2 (referenced as NO2). [District Rules 2201 and 4309]
19. SOx emissions from the combustion of natural gas or propane shall not exceed 0.0024 lb/ton of asphaltic concrete produced. [District Rule 2201]
20. PM10 emissions (measured at the baghouse outlet) shall not exceed 0.007 lb/ton of asphaltic concrete produced. [District Rule 2201]
21. CO emissions from the drum dryer/mixer shall not exceed 0.054 lb/ton of asphaltic concrete produced, or 42 ppmvd @ 19% O2 (referenced as NO2). [District Rules 2201 and 4309]
22. VOC emissions from the drum dryer/mixer shall not exceed 0.0043 lb/ton of asphaltic concrete produced, or 4 ppmvd @ 19% O2. [District Rule 2201]
23. Asphalt processing rate of drum dryer/mixer burner shall not exceed 3,700 tons in any one day or 300,000 tons in any one calendar year. [District Rule 2201]
24. The total quantity of sand, aggregate and reclaimed asphalt pavement (RAP) processed shall not exceed 3,700 tons in any one day. [District Rule 2201]
25. PM10 emissions rate from each conveyor transfer point for sand, aggregate and reclaimed asphalt pavement (RAP) shall not exceed 0.000046 lb-PM10/ton. [District Rule 2201]
26. PM10 emissions rate from front loader to bins for sand, aggregate and reclaimed asphalt pavement (RAP) shall not exceed 0.000046 lb-PM10/ton. [District Rule 2201]
27. PM10 emissions rate from sand, aggregate and reclaimed asphalt pavement (RAP) screening operation shall not exceed 0.00074 lb-PM10/ton. [District Rule 2201]
28. All sand, aggregate and reclaimed asphalt pavement (RAP) conveyor transfer points shall be equipped with spray nozzles installed and maintained in proper working condition at all times. [District Rule 2201]
29. All sand, aggregate and reclaimed asphalt pavement (RAP) bins shall be equipped with spray nozzles installed and maintained in proper working condition at all times. [District Rule 2201]
30. The sand, aggregate and reclaimed asphalt pavement (RAP) screens shall be equipped with spray nozzles installed and maintained in proper working condition at all times. [District Rule 2201]
31. All spray nozzles shall be turned on prior to operation of the line and shall remain on through the process to limit visible dust emissions. [District Rule 2201]
32. Source testing to demonstrate compliance with the particulate matter emissions concentration (grains/dscf) and particulate matter emission rate (lb/ton) from the exhaust stack of the baghouse shall be conducted within 60 days of achieving maximum production rate but no longer than 180 days after initial startup. [District Rule 4001 and 40 CFR §60.8(a)]
33. Compliance with the requirements of 40 CFR Part 60, Subpart I shall be verified by the test methods given in the Subpart. [District Rule 4001 and 40 CFR §60.93]
34. Source testing to determine the particulate matter concentration from the baghouse as required by 40 CFR Part 60, Subpart I: Standards of Performance for Asphalt Concrete Plants shall be conducted using EPA method 5. [District Rule 4001 and 40 CFR §60.93(b)(1)]
35. Source testing to determine opacity as required by 40 CFR Part 60, Subpart I: Standards of Performance for Asphalt Concrete Plants shall be conducted using EPA method 9. [District Rule 4001 and 40 CFR §60.93(b)(2)]
36. Source testing to measure NOx and CO emissions from this unit shall be conducted at lease once every 24 months thereafter. [District Rules 2201 & 4309]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

37. All test results for NOx and CO shall be reported in ppmv @ 19% O2 (or no correction if measured above 19% O2), corrected to dry stack conditions. [District Rule 4309]

38. Source testing to measure NOx and CO emissions from the asphaltic concrete batch plant shall be conducted utilizing one of the following options: (a). Test the unit using locally mined aggregate in the dryer. If the source test using locally minded aggregate fails, the operator may re-run the source test using aggregate from a different source; (b). Test the unit using aggregate from a source different form the source used during normal operations; (c). Test the unit using a heat-absorbing material in the dryer, but no aggregate; (d). Test the unit with no material in the dryer. [District Rule 4309]

39. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified at least 30 days prior to any compliance source test, and a source test plan must be submitted for approval at least 15 days prior to testing. [District Rule 1081]

40. The results of each source test shall be submitted to the District within 60 days thereafter. [District Rule 1081]

41. NOx emissions for source test purposes shall be determined using EPA Method 7E or ARB Method 100 on a ppmv basis. [District Rule 4309]

42. CO emissions for source test purposes shall be determined using EPA Method 10 or ARB Method 100. [District Rule 4309]

43. Stack gas oxygen (O2) shall be determined using EPA Method 3 or 3A or ARB Method 100. [District Rule 4309]

44. Source testing to measure PM10 emissions shall be conducted using EPA method 201 and 202, or EPA method 201A and 202, or CARB method 501 and 5. [District Rule 1081]

45. In lieu of performing a source test for PM10, the results of the total particulate test may be used for compliance with the PM10 emission limit provided the results include both the filterable and condensable (back half) particulates, and that all particulate matter is assumed to be PM10. If this option is exercised, source testing shall be conducted using CARB Method 5 or EPA Method 5 (including condensible (back half) particulates). [District Rule 1081]

46. All emissions measurements shall be made with the unit operating either at conditions representative of normal operations or conditions specified in the Permit to Operate. No determination of compliance shall be established within two hours after a continuous period in which fuel flow to the unit is shut off for 30 minutes or longer, or within 30 minutes after a re-ignition as defined in Section 3.0 of District Rule 4309. [District Rule 4309]

47. For emissions source testing, the arithmetic average of three 30-consecutive-minute test runs shall apply. If two of three runs are above an applicable limit the test cannot be used to demonstrate compliance with an applicable limit. [District Rule 4309]

48. The permittee shall monitor and record the stack concentration of NOx, CO, and O2 at least once every month in which asphalt is produced on at least five days or for at least 32 hours, whichever comes first (and in which a source test is not performed), using a portable emission monitor that meets District specifications. Monitoring shall not be required if the unit is not in operation, i.e. the unit need not be started solely to perform monitoring. Monitoring shall be performed within 5 production days of restarting the unit unless monitoring has been performed within the last month. [District Rule 4309]

49. If either the NOx or CO concentrations corrected to 19% O2 (or no correction if measured above 19% O2), as measured by the portable analyzer, exceed the allowable emissions concentration, the permittee shall return the emissions to within the acceptable range as soon as possible, but no longer than 1 hour of operation after detection. If the portable analyzer readings continue to exceed the allowable emissions concentration after 1 hour of operation after detection, the permittee shall notify the District within the following 1 hour and conduct a certified source test within 60 days of the first exceedance. In lieu of conducting a source test, the permittee may stipulate a violation has occurred, subject to enforcement action. The permittee must then correct the violation, show compliance has been re-established, and resume monitoring procedures. If the deviations are the result of a qualifying breakdown condition pursuant to Rule 1100, the permittee may fully comply with Rule 1100 in lieu of performing the notification and testing required by this condition. [District Rule 4309]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

50. All alternate monitoring parameter emission readings shall be taken with the unit operating either at conditions representative of normal operations or conditions specified in the Permit to Operate. The analyzer shall be calibrated, maintained, and operated in accordance with the manufacturer's specifications and recommendations or a protocol approved by the APCO. Emission readings taken shall be averaged over a 15 consecutive-minute period by either taking a cumulative 15 consecutive-minute sample reading or by taking at least five (5) readings, evenly spaced out over the 15 consecutive-minute period. [District Rule 4309]

51. When handling bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, wind barriers with less than 50% porosity shall also be used. [District Rules 8011 and 8031]

52. When transporting bulk materials outside an enclosed structure or building, all bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]

53. All outdoor chutes and conveyors shall be controlled by any of the following options: 1) full enclosure, 2) operation with water spray equipment that sufficiently wets materials to limit VDE to 20% opacity, or 3) the concentration of particles having an aerodynamic diameter of 10 microns or less in the conveyed material shall be sufficiently small to limit VDE to 20% opacity. [District Rules 8011 and 8031]

54. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]

55. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]

56. Water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure shall be applied to unpaved vehicle travel areas as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]

57. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]

58. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]

59. The permittee shall maintain records of: (1) the date and time of NOx, CO, and O2 measurements, (2) the O2 concentration in percent and the measured NOx and CO concentrations corrected to 19% O2 (or no correction if measured above 19% O2), (3) make and model of exhaust gas analyzer, (4) exhaust gas analyzer calibration records, and (5) a description of any corrective action taken to maintain the emissions within the acceptable range. [District Rule 4309]

60. Differential operating pressure shall be monitored and recorded on each day that the baghouse operates. [District Rule 2201]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

61. A daily log shall be maintained and shall include the following: (a). Total quantity of sand processed (in tons); (b). Total quantity of aggregate processed (in tons); (c). Total quantity of reclaimed asphalt pavement (RAP) processed (in tons); (d). Total quantity of asphaltic concrete produced (in tons); (e). Type of fuel consumed in the drum dryer/mixer; and (f). Total hours of operation. [District Rules 1070 & 2201]

62. The permittee shall maintain a record of the cumulative annual amount of asphaltic concrete produced. The cumulative total shall be updated monthly. [District Rules 1070 & 2201]

63. All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070]

San Joaquin Valley
Air Pollution Control District

PERMIT UNIT: S-8277-3-1 **EXPIRATION DATE:** 05/31/2018

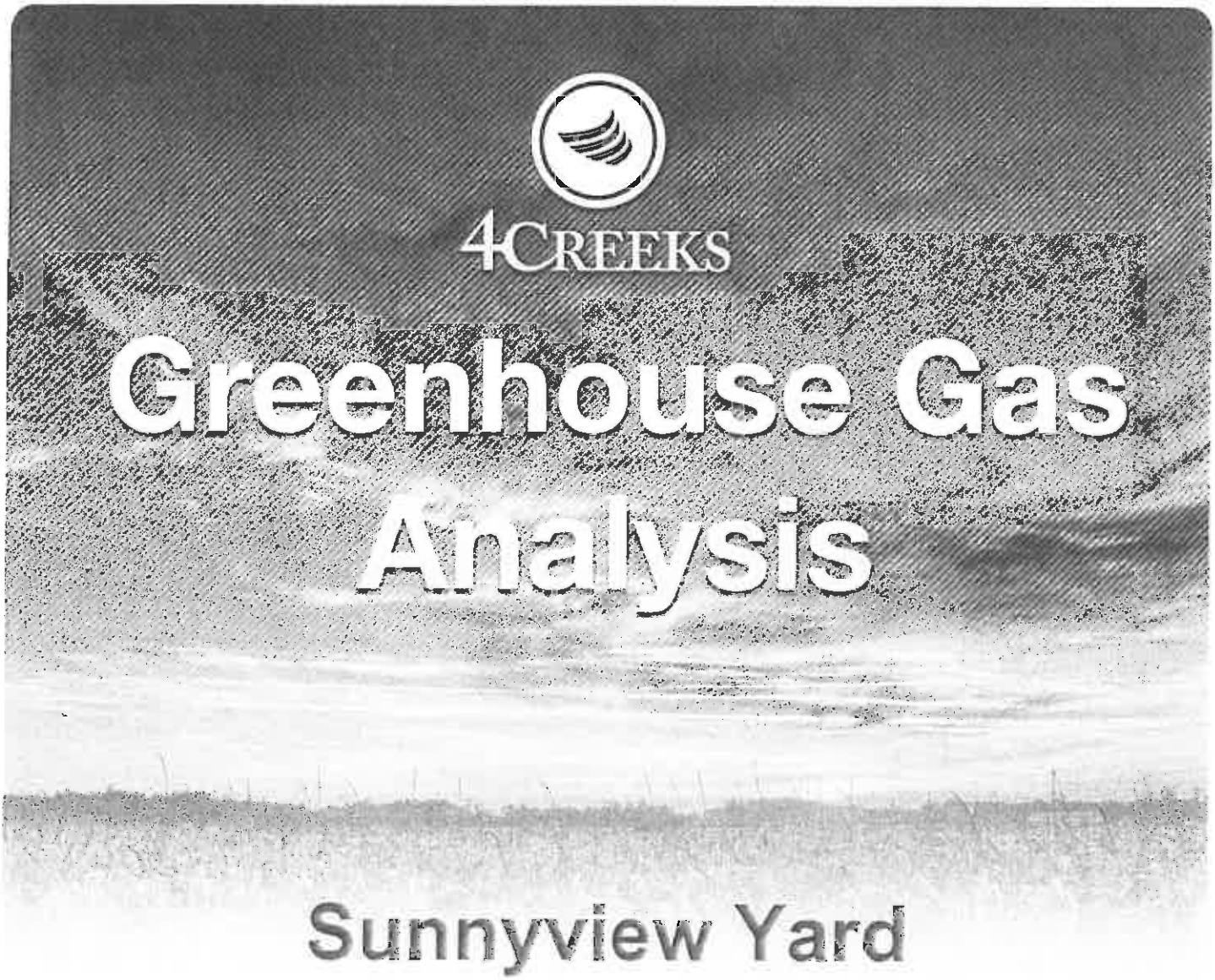
EQUIPMENT DESCRIPTION:
SILO FILLING AND LOAD-OUT OPERATION CONSISTING OF ONE 200 TON ASPHALT STORAGE CONCRETE SILO WITH A BATCHER, A DRAG SLAT CONVEYOR, AND UNDER-SILO TRUCK LOADING WITH A SKIRTING AROUND LOADOUT TO HOLD BLUE SMOKE THAT VENTS TO A HOT MIX DRUM BURNER (UNDER PERMIT UNIT S-8277-1)

PERMIT UNIT REQUIREMENTS

1. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
2. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
3. All haul roads and other roadways traversed by mobile equipment and/or motor vehicles shall be adequately moistened with water at such a frequency as required to prevent visible emissions equal to or in excess of 20% opacity from such roads. [District Rule 2201]
4. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201]
5. Maximum quantity of asphaltic concrete transferred into the storage silo and loaded into trucks shall not exceed 3,700 tons/day and 300,000 tons/year. [District Rule 2201]
6. Emissions from the silo filling and truck loading of the produced asphaltic concrete shall not exceed any of the following limits: 0.001349 pounds of CO per ton of asphaltic concrete transferred, 0.004159 pounds of VOC per ton of asphaltic concrete transferred, or 0.00052 pounds of PM10 per ton of asphaltic concrete transferred. [District Rule 2201]
7. All outdoor chutes and conveyors shall be controlled by any of the following options: 1) full enclosure, 2) operation with water spray equipment that sufficiently wets materials to limit VDE to 20% opacity, or 3) the concentration of particles having an aerodynamic diameter of 10 microns or less in the conveyed material shall be sufficiently small to limit VDE to 20% opacity. [District Rules 8011 and 8031]
8. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]
9. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]
10. Water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure shall be applied to unpaved vehicle travel areas as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]
11. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

12. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]
13. A daily log shall be maintained and shall include the following: (a). Total quantity of asphaltic concrete transferred into the storage silo (in tons); and (b). Total quantity of asphaltic concrete loaded into trucks (in tons). [District Rules 1070 & 2201]
14. All records shall be retained with the equipment for a minimum of five years, and shall be made available for District inspection upon request. [District Rules 1070 and 2201]



4CREEKS

Greenhouse Gas Analysis

Sunnyview Yard

Papich Construction

01/17/2014

(Revised 02/24/2014)

Greenhouse Gas Analysis Report

PREPARED FOR:

Papich Construction
800 Farroll Road
Grover Beach, CA 93433

COMPLETED BY:

2929 W. MAIN ST., SUITE A
VISALIA, CA 93291
(559) 802-3052

Greenhouse Gas Analysis Report

Sunnyview Yard
Visalia, CA

Prepared for:
Papich Construct
800 Faroll Road
Grover Beach, CA 93433
(805) 473-3016

Greenhouse Gas Analysis Preparation Date:

01/17/2014 (Revised 02/24/2014)

Estimated Construction Dates:
Construction Start Date: 04/01/2014 Construction Completion Date: 05/30/2014

Prepared By:

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Table of Contents

ACRONYMS AND ABBREVIATIONS

$\mu g/m^3$	micrograms per cubic meter
°C	degrees Celsius
AB	Assembly Bill
ARB	California Air Resources Control Board
BPS	Best Performance Standards
CalEEMod	California Emissions Estimator Model
CCAP	Climate Change Action Plan
CEQA	California Environmental Quality Act
CH_4	methane
CO	carbon monoxide
CO_2	carbon dioxide
EPA	U.S. Environmental Protection Agency
GHG	greenhouse gas
GWP	global warming potential
IPCC	Intergovernmental Panel on Climate Change
ITE	Institute of Traffic Engineers
KBTU	thousand British thermal unites
$MTCO_2e$	metric tons of carbon dioxide equivalent
$MMTCO_2e$	million metric tons of carbon dioxide equivalent
NOx	nitrogen oxides
N_2O	nitrogen oxide
PM10	fine particulate matter less than 10 micrometers in diameter
PM2.5	fine particulate matter less than 2.5 micrometers in diameter
ppm	parts per million
ppt	parts per trillion
SB	Senate Bill
SCE	Southern California Edison
So_x	oxides of sulfur
SJVAPCD	San Joaquin Valley Air Pollution Control District
sf	square foot, square feet
VOC	Volatile Organic Compound

SECTION 1: EXECUTIVE SUMMARY

1.1 ANALYSIS METHOD

The following Greenhouse Gas (GHG) analysis provides an estimate of the amount of GHGs emitted to and removed from the atmosphere by human activity associated with the construction of a 10.96 acre asphalt plant, located on Sunnyview Avenue west of Shirk Avenue in Visalia, CA, and determine whether the generated emissions would cause a significant impact on the environment. The project is within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and follows its recommended procedure.

1.2 PROJECT SUMMARY

1.2.1 PROJECT LOCATION

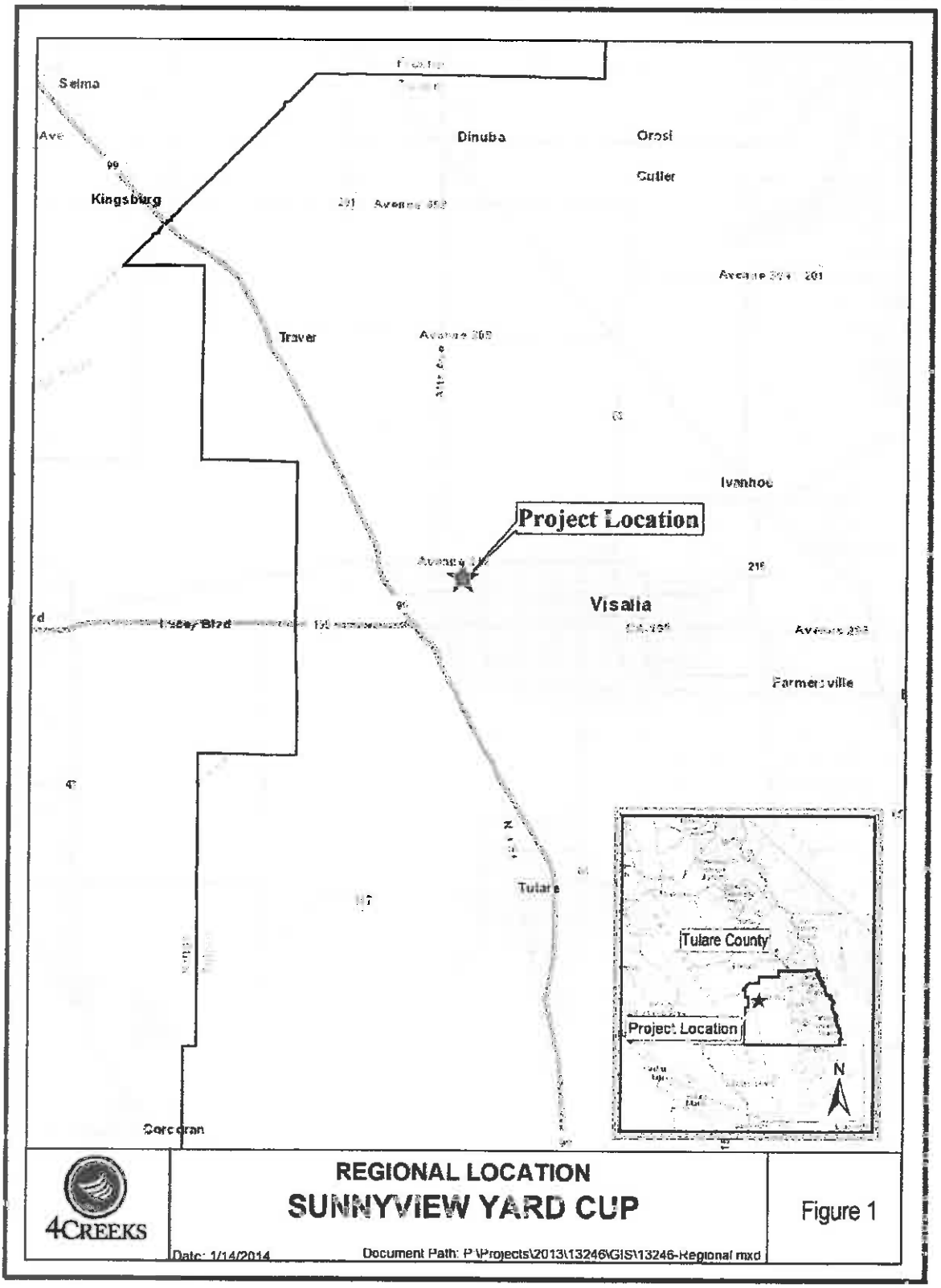
Residing in Tulare County, on Sunnyview Avenue and Clancy Street, west of Shirk Avenue in the City of Visalia, Sunnyview Yard will be residing in the San Joaquin Valley Air Basin displayed in Figure 1: Regional Location.

1.2.2 PROJECT DESCRIPTION

The construction of Sunnyview Yard in Visalia, CA will comprise of 10.96 acres which will include an Asphalt Batch Plant, Material Storage, Storm Pond, and a single 1,600 S.F. Modular Office. Located on Sunnyview Avenue and Clancy Street, West of Shirk Avenue the project is approximately located at Latitude 36° 21' 6.90" N and Longitude: 119° 22' 45.36"W and is identified on Figure 2: Local Vicinity Map.

1.2.3 LAND USE CLASSIFICATION

In compliance with the California Emissions Estimator Model (CALEEMod), all projects must properly define the specific land uses that will occur at the project site. The land use and land use subtypes assist in the proper estimate of GHGs emitted due to the construction and operations of the new facility. CALEEMod uses land use classifications consistent with the Institute of Transportation Engineers (ITE) Trip Generation 9th Edition. The discussed project is most accurately classified as ITE land use code 120, General Light Industrial. Modifications have been made to the equipment and construction phases to most represent this proposed asphalt plant.



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REGIONAL LOCATION

SUNNYVIEW YARD CUP

Figure 1

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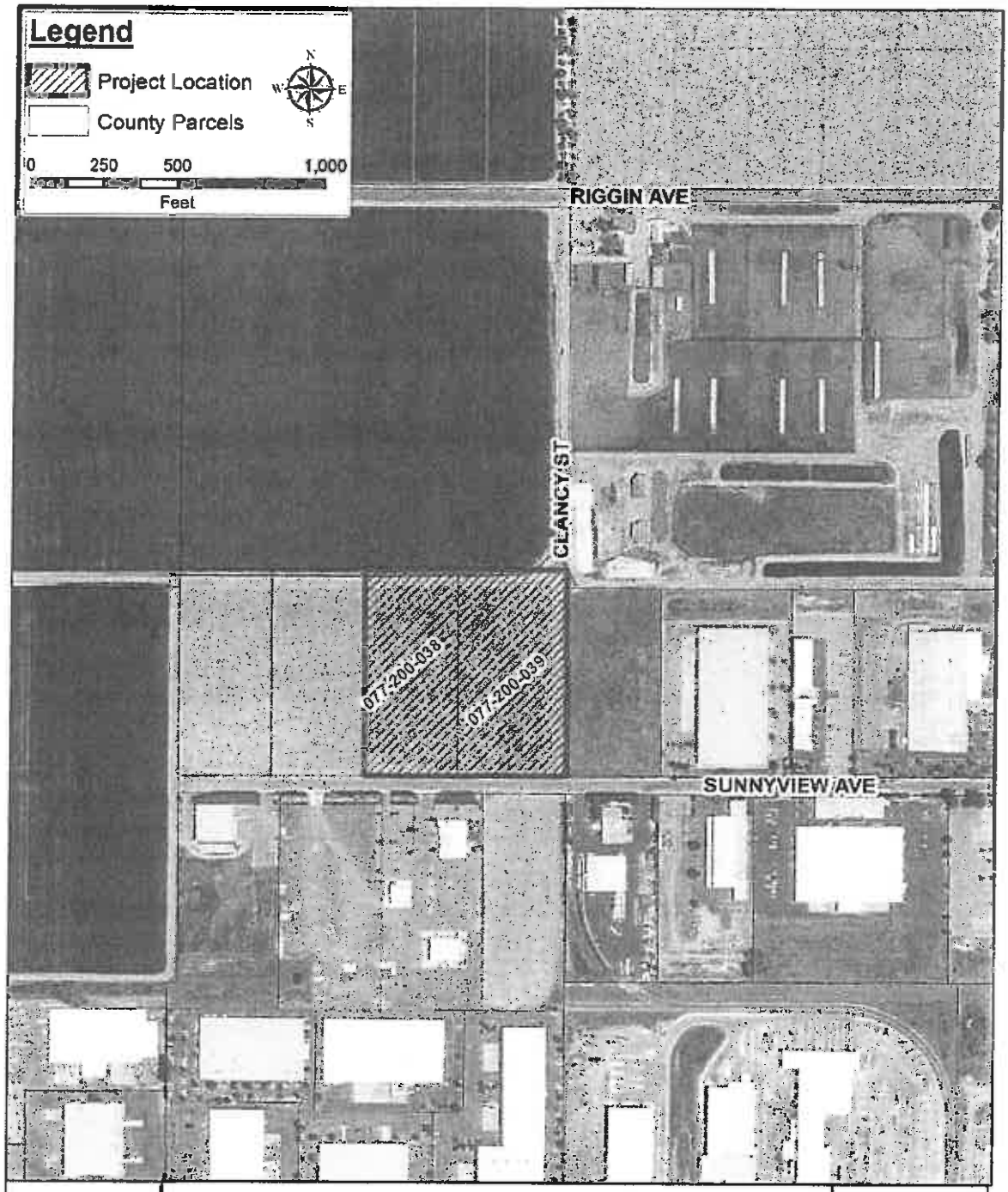

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VICINITY MAP

SUNNYVIEW YARD CUP

Figure 2

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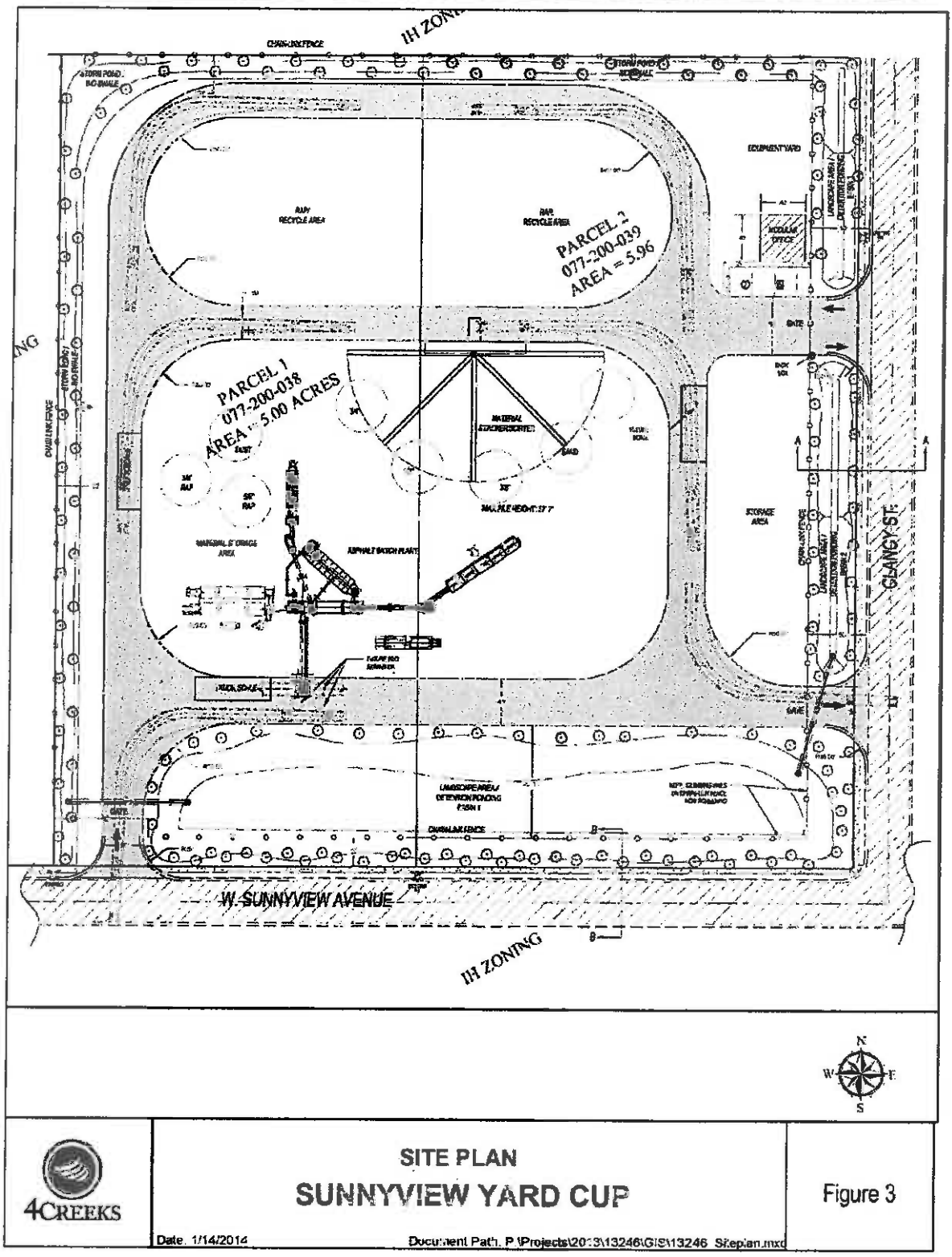
PROPOSED PROJECT

The total project area consists of 10.96 acres consisting of an Asphalt yard. As showing in Figure 3: Site Plan, the project would construct an asphalt plant, a 1,600 S.F. Modular Building and a Storm Pond .The following is a breakdown of the total acreage of the project site:

TABLE 1:
SITE ACREAGE

Description	Acres
Storm Pond/Landscape	5.13
Asphalt Plant	2.88
Recycle Area	1.55
Storage Area	0.87
Equipment Yard	0.5
Modular Building	0.03
Total Site Density	10.96



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SITE PLAN

SUNNYVIEW YARD CUP

Figure 3

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1.3 Analysis Summary

GHG-1 Impact:	The project would generate direct and indirect GHG emissions; however, the emissions would result in a **less than significant impact** on the environment.
GHG-2 Impact:	The project would not conflict with any applicable plan; policy or regulation of an agency adopted to reduce the emissions of greenhouse gases and would result in a **less than significant impact.**

1.4 Greenhouse Gas Emissions Reduction

The project has incorporated the following design features that reduce GHG emissions. GHG reduction occurs in many variations, on being Carbon Storage. Carbon Storage is the act of trees and other vegetation, taking on carbon dioxide and storing them.

Landscaping

The project will have onsite landscaping and a retention ponding basin to house runoff water from the project site. One hundred and fifty trees will be planted within the 10.96 acre project site. Shade provided would reduce the heat island effect thereby potentially reducing the cooling requirements for the buildings. The onsite landscaping will assist in counter-balancing the project's contribution of GHG by providing onsite carbon storage within the trees and shrubs. The incorporation of trees and other vegetation throughout the project will provide a benefit to the project site both visually and environmentally.

Project Location

Central location and within a close proximity to Highway 99, the project will require less vehicle mileage and less stop signs/stop lights which will reduce its corresponding GHG emissions. The site will include 2 types of truck trips consisting of materials import and asphalt export. A majority, (80-90%) of truck trips will be from the north utilizing Riggin Avenue and access to HWY 99.

State of the Art Equipment to achieve Best Performance Standards

The proposed project will include Hyway Aspalt equipment through Gencor, a leading manufacturer of asphalt plants. Gencor has worked with highway Contractors in innovating technologies that have shaped highway construction industry standards. The San Joaquin Valley Air District has created a Draft of Best Performance Standards (BPS) for continuous mix asphalt plant driers as a reference for evaluating greenhouse gas emissions. The project has included GHG Emission Control measures that achieve best performance standards and have been described in detail below.

Warm Mix Asphalt

Warm-mix asphalt is a technique producers use to lower the temperature at which hot-mix asphalt is mixed at. Reductions of 50 to 100 degrees Fahrenheit have been documented. Heat reduction lowers emissions through the reduction of fuel consumption and decreasing the production of greenhouse gases emitted by 12%. This procedure is currently considered technically feasible for facilities processing asphalt for projects that are not regulated by Caltrans. Currently, Caltrans only allows Warm Mix Asphalt on certain construction projects.

Separate Dryer Drum and Mixing Chamber

In typical dryer/mixer drum dryers, the aggregate is heated and dried in the first part of the dryer drum and this is mixed with binder to create the final product in the second part of the drum. By separating the drying

and mixing portions of the drum, the aggregate can be dried along the entire length of the drum. The use of the entire drum length for drying allows for a longer more efficient drying of the aggregate. The separate mixing chamber will be solely hated from the heat captured from the drying drum. A thicker layer of insulation surrounding the drum is needed to help retain the heat from the drying/mixing operation. This practice results in a three percent reduction in fuel an increase output of asphalt material.

Use of Premium Efficiency Motors and Speed Control

Control of a fan operation by use of a variable speed electric motor provides substantial energy savings when compared to a fan which is operated at a fixed speed and controlled by throttling the discharge flow.

The Variable Frequency Drive provided especially significant energy savings when a fan is operated at substantial turndown ratios which can result in throttling away more than half the rated energy output of the motor. The use of premium efficiency motors on all fans and electric motors and variable speed drives on induced draft fans significantly reduced electric power consumption by the drying operation, particularly during periods of reduced-rate operation

Recycling

The City of Visalia has incorporated recycle bins as part of the solid waste collection requirements. By providing alternative bins for separate classifications of waste the City has been able to achieve a 50 percent diversion rate. The reduction in waste leads to fewer GHG emissions generated at landfills.

1.5 STANDARD CONDITIONS

State

The project is required to comply with Title 24 of the California Code of Regulations established by the Energy Commission regarding energy conservation standards. The project is also required to comply with the California Green Building Standards

Title 24

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. All buildings for which an application for a building permit is submitted on or after January 1, 2011 must follow the 2008 standards. The upcoming standards are anticipated in 2013. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions.

California Green Building Standards

On January 12, 2013, the State Building Standards Commission unanimously adopted updates to the California Green Building Standards Code. The Code is a comprehensive regulatory code to all residents, commercial and school buildings.

The California Green Building Standards Code does not prevent a local jurisdiction from adopting a more stringent code 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 they provide a minimum of 50 percent diversion requirement. The code also provides exemptions for areas not served construction and demolition recycling infrastructure. State

building code provides the minimum standard that buildings need to meet in order to be certified for occupancy. Enforcement is generally through the local building official.

The California Green Building Code requirements are stated below and how their requirements are being implemented into the project site.

TABLE 2:
CALIFORNIA GREEN BUILDING CODE REQUIREMENTS

Code Requirement	Section of Standards Code	Requirements	Project Implementation
Water Efficiency and Conservation (Outdoor)	4.304.1	Automatic irrigation system controllers for landscaping.	The project will implement weather based controllers with a separate wired or wireless rain sensor which connects or communications with the controllers
Construction Waste Reduction of at least 50 percent	4.408.1 – 4.408.5	Recycle and/or salvage for reuse a minimum of 50 percent of the nonhazardous construction and demolition waste	Project will be except to meet the 50 percent requirement through recycling of excavated soil and land-clearing debris.
Materials Pollution	4.504.1 – 4.504.6	Low-pollutant emitting interior finish materials such as paint, carpet, vinyl flooring and particleboard.	Project will comply will all regulations using low pollutant materials within the interior of the building.
Installer and Special Inspector Qualifications	702.1 – 702.1	Mandatory special installer inspector qualifications for installation and inspection of energy systems.	The City of Visalia has certified inspectors which will be overseeing the project and installation of the air conditioner, mechanical equipment, etc.

Source: CalGreen Code

Local

The project is required to comply with regulations and standards established by the San Joaquin Valley Air Pollution Control Board regarding air pollution. The project is also required to comply with measure implemented by the City of Visalia.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

The SJVAPCD implemented Regulation VIII (Fugitive PM10 Prohibitions) to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Several rules were established to assist in the reduction of PM10. The Rules contained in this Regulation have been developed pursuant to United States Environmental Protection Agency guidance for Serious PM10 Nonattainment Areas. The rules are applicable to specified anthropogenic fugitive dust sources. Fugitive dust contains PM10 and particles larger than PM10. Controlling fugitive dust emissions when visible emissions are detected will not prevent all PM10 emissions,

but will substantially reduce PM10 emissions. All applicable rules will need to be implemented as necessary in regards to the project.

City of Visalia

The City of Visalia imposed the following measures for all development projects.

- Pedestrian Connects: The following measures shall be implements to encourage bicycle and pedestrian access and reduce motor vehicle emissions:
  - Site plan submitted to the City o Visalia shall include sidewalks approximately sized for anticipated future pedestrian use on all adjacent and interior roadways.
  - Physical barriers such as walks, berms, landscaping and slopes between the project and pedestrian or bicycle access shall be avoided at locations that interfere with access to primary pedestrian and bicycle routes serving the project.
- Landscape Plan: Prior to issuance of building permits, a landscape plan shall be prepared and submitted to the City of Visalia for review and approval pursuant to the City's normal planning process that provide shade tree and foliage to reduce building and surface lot heating/cooling needs, and conform to landscape standards established by the City of Visalia. The landscape plan shall be designed to comply with the Model Water Efficient Landscape Ordinance and California Green Building Measures.
- City of Visalia; Street Tree Standards for Residential, Commercial and Industrial Development
  - In new residential, commercial and industrial developments the developer shall plant street trees in the size, manner by the guidelines and the Civil improvement standards.
  - Developer shall provide a street tree plan for all new developments. This plan shall specify tree species, location and spacing. The plan shall be submitted to the City of Visalia with the improvement plans. Street trees shall be managed through a Landscape and Lighting District is a district is created. Improvement and street tree plans shall show locations of any overhead utility lines.
  - The City shall require all street trees meet city specifications for container grown trees. City specification for nursery stock quality is attached.
- The proposed project is located in the Design District 'H' and will require implementing an assortment of development standards.
  - Trees: Spacing of trees to be variable depending on type and eventual size, but that there be a general minimum standard of fifteen (15) gallon tree for each 20 feet of frontage of a required landscaped setback.
  - Shrubs: At least seventy-five (75) percent of shrubs planted to be of five-gallon minimum size. One-gallon plants may be used if planted with approved low-water varieties. Shrubs within the setback to be spaced in such a way so that at maturity the plants will provide eighty percent coverage.
  - In areas susceptible to foot traffic, the use of long lived low-growing shrubs and ground covers shall be used.
  - Water efficient systems (drip, minispray, bubbler type, etc., shall be used whenever feasible.
  - Landscaping to be required in setback areas along frontage of minor and major roadways. Frontage on a minor road shall be 25'.

SECTION 2: CLIMATE CHANGE

Climate Change is a change in the average weather of the earth that may be measured by alterations in wind patterns, storms, precipitation, and temperatures. These changes are assessed using historical records of temperatures 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 a 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 GHG needed to stabilize global temperatures and climate change impacts. The IPCC predicted that global mean temperatures change from 1990 to 2100, given six scenarios, could range from 1.1 degree Celsius (°C) to 6.4°C. Regardless of analytical methodology, global average temperatures and sea levels are expected to rise under all scenarios (IPCC 2007).

In California, climate change may result in consequences such as the following from (CCCC 2006 and Moser et al. 2009).

1. A reduction in the quality and supply of water to the State from the Sierra snowpack.
2. Increased risk of large wildfires.
3. Reduction in the quality and quantity of certain agriculture products.
4. Exacerbation of air quality problems.
5. A rise in sea levels resulting in the displacement of coastal businesses and residence.
6. Damage to marine ecosystems and that natural environment.
7. An increase in infections, disease, asthma, and other health-related problems.
8. A decrease in the health and productivity of California's forest. (CCCC 2006 and Moser et al. 2009)

2.1 GREENHOUSE GASES

Greenhouse Gases (GHG) are gases that trap heat in the atmosphere are called greenhouse gases. The effect is equivalent to the way a greenhouse retains heat. Common GHGs include water vapor, carbon dioxide, methane, nitrous oxide, ozone, chlorofluorocarbons, hydro chlorofluorocarbons, and hydro fluorocarbons, per fluorocarbons, sulfur and hexafluoride. However, it is believed that 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. Some greenhouse gases can remain in the atmosphere for over hundreds of years.

Some gases are more effective than other and for each greenhouse gases, a GWP, has been calculated to reflect how long it remains in the atmosphere, on average, and how strongly it absorbs energy. Gases with a higher GWP absorb more energy, per pound, than gases with a lower GWP, and thus contribute more to global warming. For example one pound of methane is equivalent to twenty-one pounds of carbon dioxide.

Natural processes and human activities emit greenhouse gases. The presence of GHGs in the atmosphere affects the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 34°C cooler (CAT 2006). However, it is believed that 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. Some GHGs can remain in the atmosphere beyond

the level of naturally occurring concentrations. Some GHGs can remain in the atmosphere for hundreds of years.

GHGs as defined by AB 32 include the following gases: carbon dioxide, methane, nitrous oxide, hydruocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs as defined by AB 32 and sources are summarized in Table 3.

TABLE 3:
GREENHOUSE GASES

Greenhouse Gas	Description and Physical Properties	Lifetime	Global Warming Potential (GWP)	Sources
Nitrous oxide	Also known as laughing gas and is a colorless gas.	114 years	310	Microbial processes in soil and water, fuel combustion and industrial processes
Methane (CH_4)	Is a flammable gas and is the main component of natural gas	12 years	21	Emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.
Carbon dioxide (CO_2)	An odorless, colorless, natural greenhouse gas.	30-95 years	1	Enters the atmosphere through burning fossil fuels (coal, natural gas and oil), solid waste, trees and wood products, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
Chloro-fluorocarbons	Gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are non-toxic nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	55-140 years	3,800 to 8,100	Were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone.
Hydro-fluorocarbons	A man-made greenhouse gas. It was developed to replace ozone-depleting gases found in a variety of appliances. Composed of a group of greenhouse gases containing carbon, chlorine an at least one hydrogen atom.	14 years	140 to 11,700	Powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances. These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases.
Nitrous oxide (N_2O)	Commonly known as laughing gas, is a chemical compound with the formula N_2O. It is an oxide of	120 years	310	Emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.

	nitrogen. At room temperature, it is a colorless, non-flammable gas, with a slightly sweet odor and taste. It is used in surgery and dentistry for its anesthetic and analgesic effect s.			
Pre-fluorocarbons	Has a stable molecular structure and only breaks down by ultraviolet rays about 60 kilometers above Earth's surface.	50,000 years	6,500 to 9,200	Two main sources of pre-fluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride	An inorganic, odorless, colorless, and nontoxic nonflammable gas.	3,200 years	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.

Source: Compiled from a variety of sources, primarily Intergovernmental Panel on Climate Change 2007a and 2007b.

Each gas's effect on climate change depends on three main factors. The first being the quantity of these gases are in the atmosphere, followed by how long they stay in the atmosphere and finally how strongly they impact global temperatures.

In regards to the quantity of these gases are in the atmosphere, we first must establish the amount of particular gas in the air, known as Concentration, or abundance, which are measured in parts per million, parts per billion and even parts per trillion. To put these measurement in more relatable terms, one part per million is equivalent to one drop of water diluted into about 13 gallons of water, roughly a full tank of gas in a compact car. Therefore, it can be assumed larger emission of greenhouse gases lead to a higher concentration in the atmosphere.

Each of the designated gases described above can reside in the atmosphere for different amounts of time, ranging from a few years to thousands of years. All of these gases remain in the atmosphere long enough to become well mixed, meaning that the amount that is measured in the atmosphere is roughly the same all over the world regardless of the source of the emission.

Emissions Inventories

The development of a complete emission inventory is an important step in an air quality management process. Emission inventories are used to help determine significant sources of air pollutants, establish emission trends over time, target regulatory actions, and estimate air quality through computer dispersion modeling. An emission inventory includes estimates of the emissions from various pollution sources in a specific geographical area. A complete inventory typically contains all regulated pollutants.
The City of Visalia conducted a GHG emissions inventory and developed a preliminary Local Climate Action Plan. The GHG emissions inventory for the City of Visalia calculated GHG emissions from both municipal operations and community activities for Visalia for the year 2000. Currently, a recommended emissions reduction target, and a number of reduction measures that the City can potentially implement to help meet the reduction target is being drafting for the City's Preliminary Action Plan (CAP).

Table 4 shows global greenhouse gas emission in metric ton (MT) of CO2e generated worldwide, within the United State, within California, and within Visalia, Visalia data coming from the City's Draft Preliminary CAP.

TABLE 4:
GLOBAL GREENHOUSE GAS EMISSIONS

Locations	Emissions ($MMTCO_2e$)	Population (Millions)	Average Per Capita Emission (MTCO2e)
World	33,712.9	6,055	5.6
United States	7033	281	25.0
California	458.45	33.9	13.5
Visalia Community (Preliminary CAP Inventory)	1.14	0.09	12.5
Visalia Municipal (Preliminary CAP Inventory)	0.0174	N/A	0.19

Source: World emissions from World Resource Institute; U.S. emissions Inventory of U.S. Greenhouse Gas Emissions and Sinks; 1990-2006, USEPA; California Air Resources Board; City of Visalia Draft Preliminary Climate Action Plan; U.S. Census

2.2 REGULATORY BACKGROUND

Climate changes is a global, national, state and local issue involving greenhouse gas emissions from all around the world; therefore countries around the world, including the Unite d States, have established regulations to assist in the emissions of GHGs. Tables 5, 6, 7 and 8 gives a brief explanation of both international, national, state and local regulations.

TABLE 5:
INTERNATIONAL GREENHOUSE GAS REGULATIONS

Regulation	Adopted	Protocol
International Regulations		
Intergovernmental Panel on Climate Change	1998	The United Nations and the World Meteorological Organization established the Intergovernmental Panel on Climate Change to assess the scientific, technical and socio-economical information relevant to understanding the scientific basis of risk of human-induced climate change and its potential impacts.
United Nations Framework Convention on Climate Change	March 21, 1994 - A number of countries from around the world joined in signing the Convention	Governments gather and share information on GHG emissions, national polices and best practices; launch national strategies for addressing GHG emissions and adapting to expected impacts.
Kyoto Protocol	Adopted: December 1, 1997 Entered into Force: February 16, 2005	Sets binding targets for 37 industrialized countries and the European community for reducing GHG emissions at an average of 5% against 1990 levels over the five year period of 2008-2012

TABLE 6:
NATIONAL GREENHOUSE GAS REGULATIONS

Regulation	Adopted	Protocol
National Regulations		
Greenhouse Gas Endangerment	December 7, 2009	The EPA Administrator signed two distinct findings regarding GHG emissions under section 2029(a) of the Clean Air Act. 1. **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases — carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF6) 2. **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.
Corporate Average Fuel Economy (CAFE)	Adopted: 1975 Revised: July 29, 2011	An agreement with thirteen large automakers to increase fuel economy to 54.5 miles per gallon for cars and light-duty trucks by model year 2025. He was joined by Ford, GM, Chrysler, BMW, Honda, Hyundai, Jaguar/Land Rover, Kia, Mazda, Mitsubishi, Nissan, Toyota, and Volvo, which together account for over 90% of all vehicles sold in the United States, as well as the United Auto Workers (UAW), and the State of California, who were all participants in the deal. The agreement will result in new CAFE regulations for model year 2017-2025 vehicles which were finalized on August 28, 2012. The major increases in stringency and the changes in the structure of CAFE create a need for research that incorporates the demand and supply sides of the new vehicle market in a more detailed manner than was needed with static fuel economy standards
Mandatory Reporting for Greenhouse Gases	September 22, 2009	Requires reporting of GHG emissions from large sources and suppliers in the United States. Any facility that emits 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to the EPA.
New Source Review	May 13, 2013	Tailors the requirements of the Clean Air Act permitting programs to limit which facilities will be required to obtain Prevention of Significant Deterioration and Title V permits.
Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electrical Utility Generating Units	March 27, 2012	The EPA proposed new performance standards for emissions of carbon dioxide for new affected fossil fuel-fired electrical utility generated units. New sources greater than 25 megawatt would be required to meet an output-based standard of 1,000 pound of carbon dioxide per megawatt-hour, based on the performance of widely used natural gas combined cycle technology
Proposed Energy Tax Prevention of 2011	Passed the house of Representatives in 2011 Has yet to pass the Senate	If passed, this bill would amend several core components of the Clean Air Act (CAA). Title III of the CAA would be amended to have the term "greenhouse gas" include: water vapor, carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, perfluorocarbons and any other substance subject to, or proposed to be subject to, regulation, action, or consideration under this Act to address climate change.
Cap and Trade	*Yet to be formally adopted.*	An environmental policy tool that delivers results with a mandatory cap on emissions while providing sources flexibility in how they comply. Successful cap and trade programs reward innovation, efficiency, and early action and provide strict environmental accountability without inhibiting economic growth.
Western Climate Initiative Partner	*Yes to be formally adopted*	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. Its cap and trade program is estimated to be fully implemented by 2012

TABLE 7:
CALIFORNIA GREENHOUSE GAS REGULATIONS

[illegible]	[illegible]	[illegible]
California Regulations		
Title 24	Adopted: 1978 2008 Standards Effective: January 1, 2010	California's Energy Efficiency Standards for Residential and Non-Residential Buildings. Their standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods
California Green Building Standards	January 12, 2010	A comprehensive and uniform regulatory code for all residential, commercial and K-14 school buildings.
Pavley Regulations	July 22, 2002	Reduce GHG emissions in new passenger vehicles from 2009 through 2016. These amendments are part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. ARB's September amendments will cement California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility.
Low Carbon Fuel Standard-Executive Order S-01-07	January 18, 2007	Calls for a reduction of at least 10 percent in the carbon intensity of California's transportation fuels by 2020. It instructed the California Environmental Protection Agency to develop and propose a draft compliance schedule to meet the 2020 target.
SB 1368	2006	The law limits long-term investments in base load generation by the state's utilities to power plants that meet an emissions performance standard (EPS)..
SB 97	February 16, 2010	The Natural Resources Agency adopted Amendments to the CEQA Guidelines for greenhouse gas emissions..
AB 32	2006	Set the 2020 greenhouse gas emissions reduction goal into law. It directed the California Air Resources Board to begin developing discrete early actions to reduce greenhouse gases while also preparing a scoping plan to identify how best to reach the 2020 limit. The reduction measures to meet the 2020 target are to be adopted by the start of 2011.
SB 375	August 30, 2008	Enhances California's ability to reach its AB 32 goals by promoting good planning with the goal of more sustainable communities. Sustainable Communities requires ARB to develop regional greenhouse gas emission reduction targets for passenger vehicles. ARB is to establish targets for 2020 and 2035 for each region covered by one of the State's 18 metropolitan planning organizations
Executive Order S-13-08	2009	A comprehensive "Climate Adaptation Strategy" that would identify the state's vulnerabilities and plan accordingly. State agencies will take this report into account, due in December 2010, when planning new infrastructure such as roads, bridges, and water treatment facilities. The executive order noted that the country's longest continuously operating sea level gauge, San Francisco Bay's Fort Point, recorded a seven-inch rise in sea level over the 20th century.
SB 1078, SB 107 and Executive Order S-14-08	September 12, 2002	Requires California to generate 20% of its electricity from renewable energy by 2017. SB 107 then changes the 2017 deadline ot 2010. Executive Order S-14-08 required that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020.
CEQA Guidelines Update	Adopted: April 13, 2009 Updated: May 2011	These Thresholds are designed to establish the level at which the District believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on the Air District's website and included in the Air District's updated CEQA Guidelines

TABLE 8:
REGIONAL GREENHOUSE GAS REGULATIONS

REGULATION	ADOPTED	PROTOCOL
Regional Regulations		
San Joaquin Valley Air Pollution Control District		The San Joaquin Valley Air Pollution Control District is made up of eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and Kern. The Valley Air District is governed by an fifteen member Governing Board consisting of representatives from the Board of Supervisors of all eight counties, one Health and Science member, one Physician, and five Valley city representatives.
Climate Change Action Plan		A climate change action plan lays out a strategy, including specific policy recommendations that a state will use to address climate change and reduce its greenhouse gas emissions. The following states have completed a climate change action plan.
SJVAPCD CEQA Greenhouse Gas Guidance		The SJVAPCD approach is intended to streamline the process of determining if project specific GHG emissions would have a significant effect. Best Performance Standards would be established according to performance-based determinations.
San Joaquin Valley Carbon Exchange	November 2008	Intended to quantify, verify, and track voluntary GHG emissions reductions generated within the San Joaquin Valley
Rule 2301	January 19, 2012	Emission Reduction Credit Banking. Provided an administrative mechanism for sources to bank GHG emissions, mechanism for sources to transfer GHG reductions to other users and defines eligibility standards, quantitative and procedures.
San Joaquin Valley Blueprint Planning Process (2010)		A plan for the future of the San Joaquin valley and is used to guide growth over the next 50 years.
Tulare County Regional Blueprint		A plan for the future of the San Joaquin valley and is used to guide growth over the next 50 years with the incorporation of the Tulare County Association of Governments (TCAG) through extensive public outreach to develop Tulare Counties vision statement, guiding principles, goals and objectives.

TABLE 9:
LOCAL GREENHOUSE GAS REGULATIONS

REGULATION	ADOPTED	PROTOCOL
Local Regulations		
City of Visalia General Plan		The City has several goals established within its General Plan which are applicable to GHG reduction. Goals include to the improvement of air quality through proper land use planning in Visalia. Conserve, restore and enhance significant natural, cultural and historical resources to sustain the Visalia planning area's environmental quality.
Preliminary Draft Climate Action Plan	*Drafted May 2010*	The GHG emissions inventory for Visalia calculated GHG emissions from both municipal operations and community activities for Visalia for the year 2000. SEI conducted this inventory using ICLEI's Clean Air and Climate Protection software and the new standardized Local Government Operations Protocol recently developed by the California Air Resources Board, ICLEI, California Climate Action Registry, and The Climate Registry.
Visalia Climate Change Initiatives	January 2007	The City of Visalia signed the "Cool Cities" pledge, part of the U.S. Mayors Climate Protection Agreement. The City adopted the goal of reducing citywide emissions to 7% below 1990 by 2012. The City is also a member of the Cities for Climate Protection (CCP). The CCP campaign is a global coalition of local governments working to reduce GHG at the community level.

SECTION 3: MODELING METHOD AND ANALYSIS

3.1 MODEL SELECTION

Air pollution emissions can be estimated by using emission factors and examining the level of activity occurring. Emission factors are the emission rate of a pollutant given the activity over time; for example, grams of No_x per horsepower hour. The ARB has published emission factors for on-road equipment and vehicles in the OFFROAD emission model. An air emissions model (or calculator) combines the emission factors and the various levels of activity and outputs the emissions for the various pieces of equipment.

The California Emissions Estimator (CalEEMod) version 2011.1.1.1 is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations, including vehicle use, as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use.

The model incorporates Pavley standards and Low Carbon Fuel standards into the mobile source emission factors. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The GHG mitigation measures were recently developed and adopted by the California Air Pollution Control Officers Association (CAPCOA).

3.2 CONSTRUCTION

The project would emit GHGs from upstream emission sources and direct sources. An upstream emission source, also known as life cycle emissions, refers to emissions that were generated during the manufacture of products to be used for construction of the project. Upstream emission sources for the project include, but are not limited to the following: emissions from the manufacture of cement; emissions from the manufacture of steel; and/or emissions from the transportation of building materials to the seller. The upstream emissions were not estimated because they were not within the control of the project and to do so would b speculative. Additionally, the California Air Pollution Control Officer Association White Paper on CEQA and Climate change supports the conclusion by stating, "The full life-cycle of GHG emissions from construction activities is not accounted for...and the information needed to characterize [life-cycle emissions] would be speculative at the CEQA analysis level" (CAPCOA 2008). Therefore, pursuant to CEQA Guidelines Section 15144 and 15145, upstream /life cycle emissions are speculative; no further discussion is necessary.

Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. Construction emissions result from onsite and offsite activities. Onsite emissions principally consist of exhaust emissions (NO_x, SO_x, CO, CO_2, CH_4, N_2O, VOC, PM10 and PM2.5) from delivery vehicles, worker traffic and road dust (PM10 and PM2.5).

The paving required for the project will be provided from the on-site asphalt plant and will reduce trips that would have otherwise been required.
The project is estimated to start construction in April 2014 and to be completed by May 30, 2014. The estimated construction schedule is provided in Table 10.

TABLE 10: CONSTRUCTION SCHEDULE			
Construction Phase	**Start Date**	**End Date**	**Total Days Taken**
Grading	April 1, 2014	April 4 2014	4
Machine Installation	April 5, 2014	April 24, 2014	19
Modular Installation	April 15, 2014	May 9, 2014	18
Paving	May 10, 2014	May 22, 2014	9
Storm Pond	April 14, 2014	May 23, 2014	25
Landscape Planting	May 14, 2014	May 30, 2014	13

Source: CalEEMod

The construction equipment list is shown in Table 11. The equipment list was generated using the CalEEMod defaults for a project of this size. The activity for construction equipment is based on the horsepower and load factors of the equipment. In general, the horsepower is the power of the engine, the greater the horsepower, the greater the power. The load factor is the average power of a given piece of equipment while in operation compared with its maximum-rated horsepower. The load factor of 1.0 indicates that a piece of equipment continually operates at its maximum operating capacity.

TABLE 11: CONSTRUCTION EQUIPMENT ASSUMPTION					
Construction Phase	**Equipment**	**Unit Amount**	**Usage Hours**	**Horsepower**	**Load Factor**
Grading	Rubber Tired Dozers	3	8	358	0.59
	Tractors/Loaders/Backhoes	4	8	75	0.55
Machine Installation	Cranes	1	7	208	0.43
	Forklifts	3	8	149	0.3
	Generator Sets	1	8	84	0.74
	Rubber Tired Dozers	3	8	358	0.59
	Tractors/Loaders/Backhoes	4	8	75	0.55
	Welders	1	8	46	0.45
Storm Pond Construction	Air Compressors	1	6	78	0.48
Modular Installation	Cranes	1	7	208	0.43
	Forklifts	3	8	149	0.3
	Generator Sets	1	8	84	0.74
	Tractors/Loaders/Backhoes	3	7	75	0.55
	Welders	1	8	46	0.45
Paving	Pavers	2	8	89	0.62
	Paving Equipment	2	8	82	0.53
	Rollers	2	8	84	0.56
Landscape Planting	Concrete/Industrial Saws	1	8	81	0.73

	Excavators	3	8	157	0.57
	Graders	1	8	162	0.61
	Rollers	2	8	84	0.56
	Rubber Tired Dozers	1	8	358	0.59
	Scrapers	2	8	356	0.72
	Tractors/Loaders/Backhoes	2	8	75	0.55

Source: CalEEMod

The construction trip assumptions are show in Table 12. The CalEEMod default trip lengths are used in the analysis and are 10.8, 7.3, and 20 miles for worker, vendor and haul trips respectively.

TABLE 12:
CONSTRUCTION TRIPS

Construction Phase	Worker		Vendor		Hauling	
	# of Trips	Trip Length (miles)	# of Trips	Trip Length (miles)	# of Trips	Trip Length (miles)
Grading	18	10.8	0	7.3	0	20
Machine Installation	201	10.8	0	7.3	0	20
Storm Pond Construction	3	10.8	0	7.3	0	20
Modular Installation	201	10.8	78	7.3	0	20
Paving	0	10.8	0	7.3	0	20
Landscape Planting	10	10.8	0	7.3	0	20

Source: CalEEMod

3.3 OPERATION

3.3.1 SCENARIOS

Operational emissions typically represent the majority of a project's air quality impacts. After a project is built, operational emissions are anticipated to occur continuously throughout the project's lifetime. Due to their long-term nature, operational emissions would continually contribute to the criteria air pollutant (CAP) emissions inventory for Tulare County. Operational activities also have the potential to create concentrations of air pollutants that exceed the California and National Ambient Air Quality Standards (AAQS) and/or expose sensitive receptors to substantial pollutant concentrations.

Land use development projects typically include the following sources of operational CAP and precursor emissions:

- Motor vehicle trips generated by the particular land use (i.e., vehicles arriving and leaving the project site), including those by residents, shoppers, workers, and vendors;
- Fuel combustion from landscape maintenance equipment;
- Natural gas combustion emissions used for space and water heating;

- Evaporative emissions of ROG from application of architectural coatings as part of building maintenance.

3.3.2 GREENHOUSE GASES EVALUATED

This analysis is restricted to greenhouse gases identified by AB 32, which include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The project would generate a variety of greenhouse gases, including several defined by AB 32 such as carbon dioxide, methane and nitrous oxide.

The project may emit greenhouse gases that are not defined in AB 32. For example, the project may generate aerosols through emissions of diesel particulate matter from the vehicles and trucks that will be accessing the project site. Aerosols are short-lived particles, as they remain in the atmosphere for about one week.

Water vapor could be emitted from evaporated water from the landscaping, but this I not a significant impact because water vapor concentrations in the upper atmosphere are primarily due to climate feedbacks rather than emission from project-related activities.

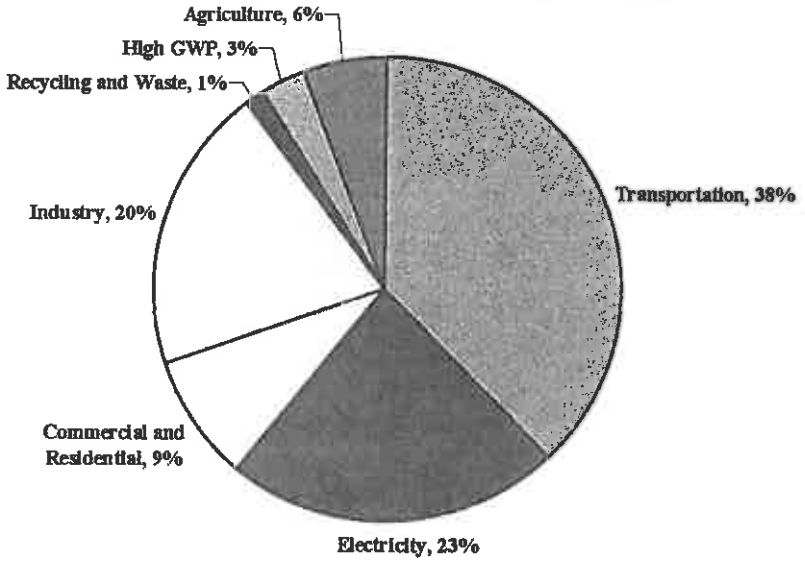
The project would emit nitrogen oxides and volatile organic compounds, which are ozone precursors. Ozone is a greenhouse gas; and found in two regions of the Earth's atmosphere – at ground level and in the upper regions of the atmosphere. Both types of ozone have the same chemical composition (O3). While upper atmospheric ozone protects the earth from the sun's harmful rays, ground level ozone is the main component of smog.

Troposheric, or ground level ozone, is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NOx) and volatile organic compounds (VOC). Ozone is likely to reach unhealthy levels on hot sunny days in urban environments. Ozone can also be transported long distances by wind. For this reason, even rural areas can experience high ozone levels.

3.3.3 SOURCES

California is the fifteenth largest emitter of greenhouse gases on the planet, representing about two percent of the worldwide emissions. Figure 1 show 2002 to 2004 average emissions and estimates for projected emissions in 2020 without any greenhouse gas reduction measures, business as usual.

Figure 1: California's Greenhouse Gas Emissions (2002-2004 Average)



Motor Vehicles

Motor vehicle emissions refer to exhaust and road dust emissions from the automobiles that would travel to and from the project site. The Transportation sector, largely the cars and trucks that move goods and people, is the largest contributor with 38 percent of the state's total greenhouse gas emissions. New motor vehicle trips associated with the project are calculated using the ITE Trip Generation Manual (as discussed below) The emissions for motor vehicles were estimated using CALEEMod.

Trip Generation Rates

Truck trips include 2 types of trips: material import and asphalt export. It is estimated to have a maximum of 64 trucks per day for each type. This equates to a maximum of 256 total one-directional trips per day. Site production speed limits truck movement to 3 of each truck trip types within a one-hour period.

The peak one-hour trip generation would occur during an employee shift change and a maximum arrival and departure, thus generating 9 vehicles and 18 total trips during a 1-hour period.

Vehicle trips generated by the Project were calculated using information provided by the CalEEMod. The Project most closely resembles ITE Land Use code 110: *General Light Industrial.* Vehicle trips are calculated using ITE average rates and Project-related independent variables (seats, square footage, employees, etc.). The estimates represent these default values to provide worst case scenario for emission analysis.

Trips can be classified into three main categories. First being primary trips, those that travel to the project as the primary destination. Second, diverted trips are those that have another primary destination, but detour some small distance (up to a couple blocks) to reach the project on the way to the primary destination. Lastly, pass-by trips are those that have another primary destination and pass directly by the project site, thus requiring no change in travel patterns to patronize the project before continuing on to the primary destination.