

KINGS COUNTY PLANNING COMMISSION

**Regular Meeting
7:00 P.M.**

**Government Center
Hanford, California**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Agency at (559) 852-2680 by 4:00 p.m. on the Thursday prior to this meeting. Agenda backup information and any public records provided to the Commission after the posting of the agenda for this meeting will be available for public review at the Kings County Community Development Agency, Building No. 6, Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California.

AGENDA July 11, 2016

This meeting will be held in the Board of Supervisors Chambers, Administration Building No. 1, Kings County Government Center, 1400 W. Lacey Boulevard, Hanford, California. Pursuant to California Government Code Section 65009, subdivision (b), if you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

I. CALL TO ORDER - Kings County Planning Commission Meeting

- 1. REQUEST THAT CELL PHONES BE TURNED OFF**
- 2. PLEDGE OF ALLEGIANCE**
- 2. SUMMARY OF THE AGENDA - Staff**
- 3. UNSCHEDULED APPEARANCES**

Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.

- 4. APPROVAL OF MINUTES - Meeting of June 6, 2016.**

II. OLD BUSINESS None

III. NEW BUSINESS

- 1. CONDITIONAL USE PERMIT NO. 16-02 (CAETANO RIDING ACADEMY) – A** proposal to establish a riding academy for training horses and riders for riding and roping events such as barrel racing, cutting, calf roping, team roping, etc. located at 16484 Idaho Avenue, Lemoore, APN: 024-062-059. The riding academy will have three employees, a maximum of 35 horses at one given time, 50 head of working/lesson cattle, four arenas, sorting pens, three horse barns, and a hay barn. A future phase will include a shop, hay barn, and mobile home..

- A. Staff Report**

- B. Public Hearing
- C. Decision

IV. MISCELLANEOUS

1. **FUTURE MEETINGS** - The next regular meeting of the Planning Commission is scheduled for Monday, August 1, 2016.
2. **CORRESPONDENCE**
3. **STAFF COMMENTS**
4. **COMMISSION COMMENTS**

V. ADJOURNMENT

NOTICE OF RIGHT TO APPEAL: For projects where the Planning Commission's action is final, actions are subject to appeal by the applicant or any other directly affected person or party and no development proposed by the application may be authorized until the final date of the appeal period. An appeal may be filed with the Community Development Agency at 1400 W. Lacey Blvd., Building #6, Hanford, CA, on forms available at the Community Development Agency. A filing fee of \$320.00 must accompany the appeal form. The appeal must be filed within 8 days of the Planning Commission's decision date, not including the date of the decision. If no appeal is received, the Planning Commission's action is final. There is no right of appeal for projects for which the Planning Commission's action is advisory to the Board of Supervisors.

**KINGS COUNTY PLANNING COMMISSION
MINUTES**

District 1 Commissioner – Riley Jones*

District 2 Commissioner – Lupe Chavez

District 3 Commissioner – R.G. Trapnell**

District 4 Commissioner – Jim Gregory

District 5 Commissioner – Steven Dias

*Chairman

**Vice-Chairman

June 6, 2016

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Jones, on June 6, 2016, at 7:00 p.m. in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, Hanford, California. The Pledge of Allegiance was recited.

COMMISSIONERS PRESENT: R.G. Trapnell, Jim Gregory, Steven Dias, Riley Jones

COMMISSIONERS ABSENT: Lupe Chavez

STAFF PRESENT: Greg Gatzka – Director, Erik Kaeding – County Counsel, Chuck Kinney – Deputy Director – Planning, Terri Yarbrough – Executive Secretary, Sandy Roper - Principle Planner

VISITORS PRESENT: Christina Caro, Roy Skinner, James Cook, David Watkins, Megan Jennings

SUMMARY OF THE AGENDA: Mr. Gatzka summarized the agenda for the Commission.

**UNSCHEDULED
APPEARANCES:**

Ms. Christina Caro stated that she would be speaking on the Amendment to Conditional Use Permit 10-05 during the agenda item.

APPROVAL OF MINUTES: A motion was made and seconded (Gregory/Trapnell) to approve the minutes of the March 2, 2016 meeting. Motion carried unanimously.

OLD BUSINESS:

1. Amendment to Conditional Use Permit No. 10-05 (American Kings Solar, LLC)

Mr. Sandy Roper provided a review of the amendment to Conditional Use Permit NO. 10-05. He reported that that comments had been received from Adams Broadwell Joseph and Cardozo, who is representing Kings County Citizens for Responsible Development, and comments had been received from NAS Lemoore. Mr. Roper provided responses to the comments submitted prior to the closing of the public hearing on March 7, 2016. Mr. Roper also reviewed the responses to the comments. Staff recommended that the Commission resume their deliberations that were continued from their March 7, 2016 meeting, find that the amendment of CUP 10-05 will not have significant adverse impacts on the environment and approve the addendum to the adopted mitigated negative declaration, find that the Planning Commission resolution number 10-08 concerning CUP 10-05 remains in full force except for the modifications made by the amendment to the conditional use permit, and approve the amendment to the CUP 10-05 with the specified conditions of approval. Chairman Jones asked if there was anyone wanting to comment on the agenda item. Ms. Christine Caro with Adams Broadwell Joseph and Cardozo, representing Kings County Citizens for Responsible Development, stated their concerns which were significant and she felt these concerns haven't been adequately addressed in the responses to comments. Ms. Caro submitted a paper set of comments they had submitted this afternoon to Mr. Roper. Ms. Caro asked the Commission to reconsider the proposal to approve the project and to remand it to staff and ask staff to prepare an Environmental Impact Report that acknowledges and mitigates these significant impacts. Chairman Jones asked Ms. Caro when she received staff's responses to their amendment objections. Ms. Caro responded they had a week. Chairman Jones also addressed the elimination of Swainson's

Hawk foraging habitat and the receipt of comments hours before the meeting. Ms. Caro asked the commission to defer their decision and take into consideration the comments submitted today. Chairman Jones asked counsel to advise regarding deferring or making a decision. Mr. Kaeding advised that the public hearing was closed on March 7, 2016, and the Commission is not required to consider any additional information brought before the Commission after the close of the public hearing. Commissioner Trapnell asked if the staff could rebut anything presented at this meeting. Chairman Jones stated that staff had already addressed everything except what was presented tonight. Commissioner Trapnell asked if it would be acceptable to have staff comment. County Counsel stated he had read the information presented and the technical studies being rebutted are studies that are part of the addendum that members of the public had the opportunity to comment on as early as March.

A motion was made and seconded (Gregory/Dias) to approve the three year extension of CUP 10-05 and adopt resolution 16-05. Commissioner Trapnell asked if the requirement posed by NAS Lemoore had been addressed. Mr. Roper stated the supplemental staff report and the draft resolution contained NAS Lemoore's condition addressing their request. Motion passed with three in favor, Trapnell abstaining, and Chavez absent.

Commissioner Trapnell asked if there was any feedback from the FAA regarding the light on the power lines. Mr. Roper addressed his question and stated it was on page 29 of the packet, Naval Air Station Lemoore had requested condition number 1 be added requiring the applicant provide FFA notification and evaluation of the location and associated structures in accordance with Code of Federal Regulation, Title 14, part 77.9 Safe Efficient Use and Preservation of Navigable Air Space, which is what Marlena Brown asked to be added at the March meeting. Commissioner Trapnell stated that he would like to change his vote.

A motion was made and seconded (Dias/Gregory) to reconsider the motion and revote on resolution 16-05. Motion passed unanimously.

A motion was made and seconded (Gregory/Dias) to approve the three year extension of CUP 10-05 and adopt resolution 16-05. Motion passed unanimously with Chavez absent.

NEW BUSINESS:

1. Election of Officers (for term of 7/1/16 to 6/30/17)

Mr. Gatzka asked for nominations for Chair and Vice-Chair. A motion was made and seconded (Dias/Gregory) to nominate Commissioner Trapnell for Chair. Motion carried unanimously with Chavez absent. A motion was made and seconded (Gregory/Trapnell) to nominate Commissioner Dias for Vice-Chair. Motion carried unanimously with Chavez absent.

MISCELLANEOUS

- 1. FUTURE MEETINGS:** The next regular meeting of the Planning Commission is scheduled for Monday, July 11, 2016.
- 2. CORRESPONDENCE:** None
- 3. STAFF COMMENTS:** None
- 4. COMMISSION COMMENTS:** None

ADJOURNMENT – The meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION



Greg Gatzka, Commission Secretary

KINGS COUNTY PLANNING COMMISSION STAFF REPORT

Conditional Use Permit No. 16-02 Development Code No. 668.12 July 11, 2016

APPLICANT/PROPERTY

OWNER: Dan Caetano, 16484 Idaho Ave., Lemoore, CA 93245

LOCATION: 16484 Idaho Avenue, Lemoore, CA; APN 024-062-059

GENERAL PLAN

DESIGNATION: General Agriculture 20 (AG-20)

ZONE DISTRICT

CLASSIFICATION: General Agricultural 20 (AG-20)

CONDITIONAL USE

PROPOSED: A proposal to establish a riding academy for training horses and riders for riding and roping events such as barrel racing, cutting, calf roping, team roping, etc.

DISCUSSION:

The applicant/owner is proposing to establish a riding academy for training horses and riders for riding and roping events such as barrel racing, cutting, calf roping, team roping, etc. The riding academy will have three employees, a maximum of 35 horses at one given time, 50 head of working/lesson cattle, four arenas, sorting pens, three horse barns, and a hay barn. A future phase will include a shop, hay barn, and mobile home.

The horse barns will be located along the western portion of the property and consist of two 5,500 sq. ft. enclosed buildings and one 5,500 sq. ft. open air building. A 5,500 sq. ft. open air hay barn will be located in the western portion of the property, just north of the horse barns. The arenas and sorting pens will be in the central portion of the property and encompass approximately 3.5 acres. The future shop is proposed to be 6,000 sq. ft. in size and located in the northwestern portion of the property. The future hay barn is proposed to be 5,000 sq. ft. in size and located north of the arena and sorting pens area. The applicant has indicated that during peak times the facility will be providing lessons for four clients per week.

CURRENT USE OF

THE SITE: The parcel is approximately 22 acres in size. The southern portion of the property (approximately 1.5 acres) adjacent to Idaho Avenue is developed with a single family residence and accessory residential buildings. There is an approximately 1 acre existing pen/corral area directly north of the existing residence. The remaining 19.5 acres is currently fallowed farm land.

LAND USE

SURROUNDING SITE: The entire parcel is surrounded by agricultural fields with both tree and row crops. There are two single-family residences directly adjacent to the east and a single-family residence across Idaho Avenue to the south. The subject parcel is one-half mile west of 16th Avenue.

PARCEL ZONING PERMIT HISTORY:

No zoning permits have been issued for this property.

ENVIRONMENTAL REVIEW:

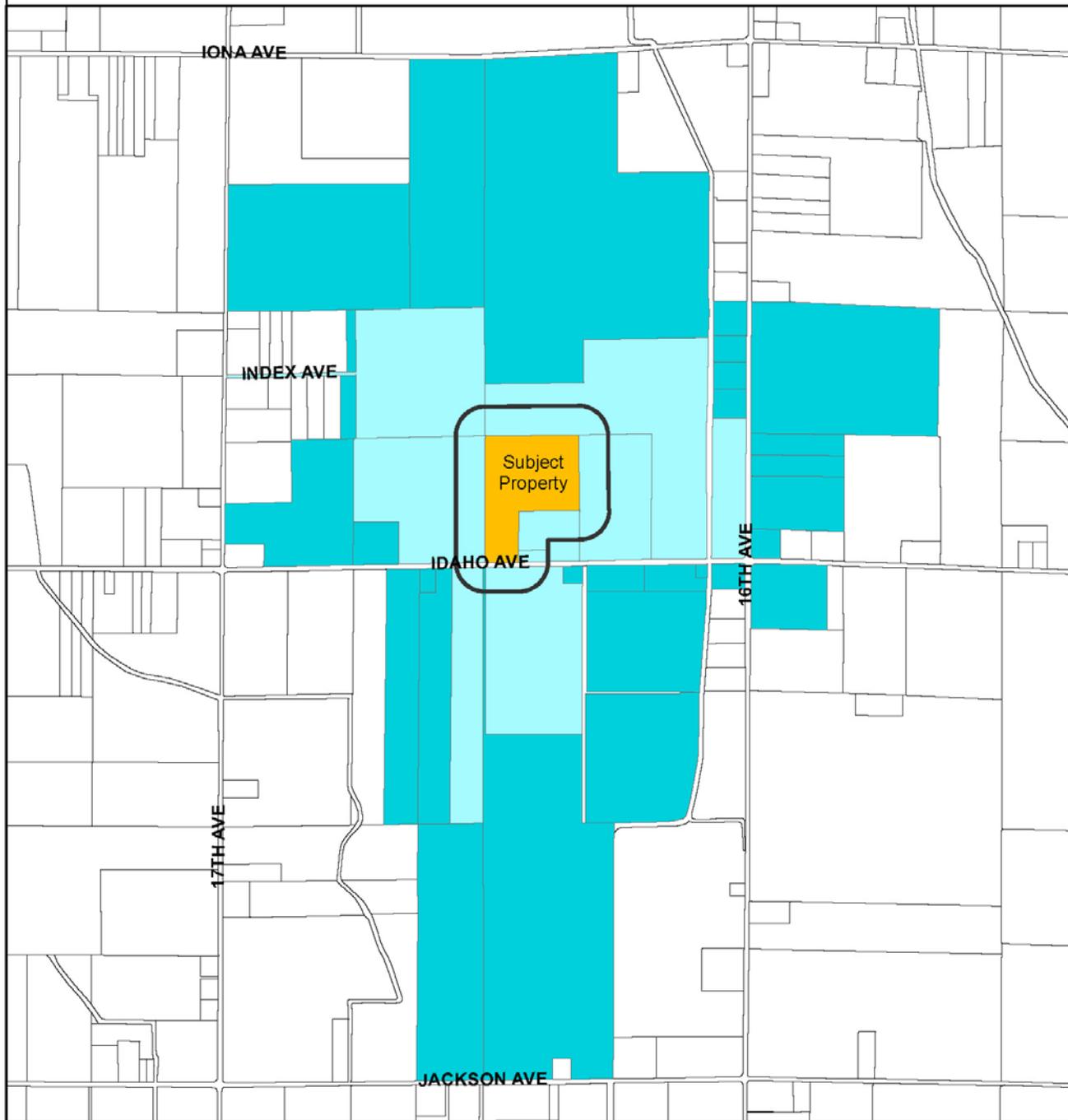
The Initial Study/Mitigated Negative Declaration (IS/MND) was circulated for public review from May 27, 2016 through June 17, 2016. Five letters were received before the end of the public review period from the Building Division of the Kings County Community Development Agency, the Kings County Fire Department, the Kings County Environmental Health Services, the Kings County Public Works Department and the San Joaquin Valley Air Pollution Control District. The letters received from these respective agencies contained comments, standards, and requirements from those agencies, which have been listed in both the staff report and the resolution for this project.

A review of this Project in compliance with the *California Environmental Quality Act (CEQA)* indicates that there may be significant adverse impacts to the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Program, which is attached to the Planning Commission Resolution for this project as Exhibit "A". There is no evidence in the record that indicates that the Project has potential for adverse effects on wildlife, resources or habitat for wildlife. A copy of the Initial Study is attached.

PROJECT REVIEW:

April 7, 2016	Application submitted
April 8, 2016	Application certified complete
May 27, 2016	Begin 20-day review period for environmental review
June 17, 2016	20 day environmental review period ends
July 11, 2016	Planning Commission hearing

CUP 16-02 Site and Notification Map



Map prepared by
Dan Kassik
Kings County Community Development Agency
May 23, 2016
1400 W. Lacey Blvd., Hanford, CA 93230

Legend

- 300' Notice Radius
- Properties within 300'
- Next Adjacent Properties
- Subject Property

STAFF ANALYSIS:

In order to approve this permit, the Commission is required to make the following findings:

1. The proposed use is consistent with the General Plan.
2. The approval of the conditional use permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA).
3. There will be no potential significant negative effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring or (b) there will not be potential significant negative effects upon environmental quality and natural resources that could not be mitigated to the extent feasible, and a Statement of Overriding Considerations is adopted explaining why the benefits of the project outweigh the impacts that cannot be mitigated to a less than significant level.
4. The proposed conditional use complies with all applicable standards and provisions of this Development Code and the purposes of the district in which the site is located.
5. The design, location, size and operating characteristics of the proposed conditional use and the conditions under which it would be operated or maintained will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to the public health, safety, or welfare, or materially injurious to other permitted uses, properties, or improvements in the vicinity.
6. That no process, equipment or materials shall be used which, are found by the Planning Commission, to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.
7. That no waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.
8. That all uses shall comply with the emission standards of the San Joaquin Valley Air Pollution Control District.
9. The site plan includes all applicable information as described in Article 16, Section 1602.A.5.

With regard to these required findings, staff comments that:

1. The proposed use is consistent with the General Plan.

Finding: The proposal conforms with the policies of the Kings County General Plan, specifically:

- Figure LU-11, the Kings County Land Use Map, of the Land Use Element of the *2035 Kings County General Plan* designates this site as General Agriculture (AG-20).
- Page LU-13, Section III.A.1. of the “Land Use Element” states that the AG-20 designation is applied to rural areas of the county north of Kansas Avenue, excluding the Urban Fringe areas of Hanford and Lemoore, Communities of Armona and Home Garden, the Naval Air Station Lemoore, the Santa Rosa Rancheria Tribal Trust Land, and other small Rural Interface pockets of urban uses. Generally characterized by extensive and intensive agricultural uses, farms within this designation have historically been smaller in size. These areas should remain reserved for commercial agricultural uses because of their high quality soil, natural and manmade waterways, scenic nature with larger concentrations of orchards, vineyards, and valley oak trees.

- Page LU-13, Section III.A.1. of the “Land Use Element” states that agricultural land use designations account for a vast majority of the County’s land use. Included within this land use type are four agricultural type land use designations, Limited Agriculture, General Agriculture 20 Acre Minimum, General Agriculture 40 Acre Minimum, and Exclusive Agriculture. The major differences between the four Agriculture designations relate to minimum parcel size, animal keeping, and agricultural service businesses. These designations preserve land best suited for agriculture, protect land from premature conversion, prevent encroachment of incompatible uses, and establish intensity of agricultural uses in a manner that remains compatible with other uses within the County. The development of agricultural service and produce processing facilities within the Agricultural areas of the County shall develop to County standards.
- Page LU-27, Section IV.B of the “Land Use Element” of the *2035 Kings County General Plan* states Agriculture Open Space is the most extensive environment category that displays the rural agricultural nature of the County. This environment category covers the vast agricultural resources of the County that accounted for \$1.76 billion in 2008 gross agricultural production. The Agricultural land use designations (Limited Agriculture, General Agriculture 20 Acre, General Agriculture 40 Acre, and Exclusive Agriculture) are used to define distinct areas of agricultural intensity, and protect agricultural land from the encroachment of incompatible uses. Limited and General Agriculture designated areas provide appropriate locations for agricultural support businesses, while Exclusive Agriculture provides a safety and noise buffer around the Naval Air Station Lemoore. The physical development of agricultural properties is regulated and implemented by the *Zoning Ordinance*.

2. The approval of the conditional use permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA).

Finding: A Mitigated Negative Declaration has been recommended for this Project and meets the requirements of CEQA.

3. There will be no potential significant negative effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring or (b) there will not be potential significant negative effects upon environmental quality and natural resources that could not be mitigated to the extent feasible, and a Statement of Overriding Considerations is adopted explaining why the benefits of the project outweigh the impacts that cannot be mitigated to a less than significant level.

Finding: A Mitigated Negative Declaration has been recommended for this Project. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit “A.” On the bases of the whole record (including the initial study and all comments received), there is no substantial evidence that the project will have a significant effect on the environment. The Mitigated Negative Declaration reflects the Planning Commission’s independent judgment and analysis.

4. The proposed conditional use complies with all applicable standards and provisions of this Development Code and the purposes of the district in which the site is located.

Finding: Article 4, Section 407, Table 4-1, General Agriculture (AG-20) District, lists commercial stables and riding academies as a conditional use subject to Planning Commission approval.

5. The design, location, size and operating characteristics of the proposed conditional use and the conditions under which it would be operated or maintained will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to the public health, safety, or welfare, or materially injurious to other permitted uses, properties or improvements in the vicinity.

Finding: An Initial Study/Mitigated Negative Declaration was prepared for this Project and evaluated all the areas indicated above. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit "A." On the bases of the whole record (including the initial study and all comments received), there is no substantial evidence that the project will have a significant effect on the environment.

6. That no process, equipment or materials shall be used which, are found by the Planning Commission, to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.

Finding: An Initial Study/Mitigated Negative Declaration was prepared for this Project and evaluated all the areas indicated above. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit "A."

7. That no waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.

Finding: The proposed use is for a riding academy and the operation of the academy will not require any waste discharge and will not be connected to any private or public sewage disposal system.

8. That all uses shall comply with the emission standards of the San Joaquin Valley Air Pollution Control District.

Finding: All requirements of the San Joaquin Valley Air Pollution Control District will be met as outlined in the Mitigated Negative Declaration and conditions of approval.

9. The site plan includes all applicable information as described in Article 16, Section 1602.A.5.

Finding: The site plan met all criteria required by Section 1602.A.5

STATEMENT OF FINDINGS OF CONSISTENCY:

1. LAND CONSERVATION (WILLIAMSON) ACT FINDINGS:

California Land Conservation Act of 1965 (Williamson Act) consistency: The proposed project, as recommended for approval, is consistent with the *Williamson Act*.

A. The proposed riding academy is consistent with the *Uniform Rules for Agricultural Preserves in Kings County*.

(1) Section B.11 of the *Uniform Rules for Agricultural Preserves in Kings County* lists Riding academies, including such activities as horse shows, and such riding and roping events as barrel racing, cutting, lumpings, pole bending, calf roping, team roping, team penning, trail, and similar non-“rough stock” riding and roping activities as a compatible use within an agricultural preserve.

B. Section 51238.1 of the *California Government Code* requires that uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

(1) The use will not significantly compromise the long-term productive agricultural capability of the subject-contracted parcel or parcels or on other contracted lands in agricultural preserves.

(a) The applicant is proposing to riding academy. Since the proposed facility will be a Compatible Use, the long-term productive agricultural capability of the subject-contracted parcels will not be significantly compromised.

(2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

(a) The applicant is proposing to establish a riding academy. Since the proposed facility will be a Compatible Use, the proposed facility will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcels or on other contracted lands in agricultural preserves.

(3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

(a) The applicant is proposing to establish a riding academy. Since the proposed facility will be a Compatible Use, the proposed facility will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

2. FLOOD PLAIN FINDINGS:

- A. The site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0170C, dated September 15, 2015. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.

3. AIRPORT COMPATIBILITY ZONE FINDINGS:

- A. The project site is not located within an Airport Compatibility Zone.

RECOMMENDATIONS:

It is recommended that the Commission approve Conditional Use Permit No. 16-02 as described above and adopt Resolution No. 16-06. Approval of this Resolution will:

1. Find that the proposed project will not have significant adverse impacts on the environment, and approves a *Mitigated Negative Declaration*.
2. Find that the project is consistent with the *2035 Kings County General Plan, Kings County Development Code, and the California Land Conservation Act of 1965 (Williamson Act)*.
3. Approve the project with specified conditions of approval.

This permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted unless the Board of Supervisors shall act to review the decision of the Planning Commission.

A Conditional Use Permit shall lapse and shall become null and void one (1) year following the date on which the Conditional Use Permit became effective, unless prior to the expiration of one (1) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion of the site which was subject of the Conditional Use Permit application. A Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Planning Commission prior to the permit's expiration date.

For the information of the applicant, compliance with other adopted rules and regulations of any local or state regulatory agency shall be required by the Planning Commission. This includes but is not limited to the following:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY – PLANNING DIVISION Contact Dan Kassik of the Kings County Community Development Agency – Planning Division at (559) 852-2655 regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
2. The site plan for the project is approved in concept. However, it is understood that during the actual design of the project that either of the following minor alterations to the site plan may be necessary: 1)

structural alterations; and/or 2) alterations to the location of structures. Any minor alterations shall comply with the following requirements:

- a. The site shall be developed in substantial compliance with the conceptually approved site plan. Development of the site shall be considered substantially consistent with the approved conceptual site plan if any minor structural alteration is within ten (10) percent of the square footage shown on the conceptually approved site plan or up to a 2,500 square foot increase in structural size, whichever is less, and the minor structural alteration complies with coverage standards.
 - b. A minor alteration of the location of a structure shall be considered substantially consistent with the approved conceptual site plan if the new location of the structure complies with all setback requirements for the zone district that the project site is located in.
 - c. Any minor alteration that would make it necessary to modify or change any condition of approval placed on the project would require resubmittal of the application to amend the approval of the Conditional Use Permit.
 - d. No expansion of use, regardless of size, which would increase the projected scale of operations beyond the scope and nature described in this Conditional Use Permit application, will be allowed. Any expansion that is a substantial change from the conceptually approved site plan, will require either an amendment to the approved Conditional Use Permit or a new zoning permit.
3. The development shall comply with all regulations of *Development Code No. 668.12*, with particular reference to the General Agriculture 20 (AG-20) Zone District standards contained in Article 4.
 4. A minimum of seven (7) off-street parking spaces shall be provided in accordance with Article 13, Section 1302.F of the *Kings County Development Code* and shall be installed in accordance with *Kings County Improvement Standards* and the approved site plan. (Note: Accessible parking requirements are listed under Other Standards and Regulatory Requirements, Building Division Requirement No. 8.
 5. All drive approaches, parking areas, aisles, and driveways shall be provided prior to either: 1) initial occupancy of the site or 2) the final inspection (Note: The applicant is responsible for contacting the Building Division to request a final inspection of the structure prior to startup of the operation).
 6. Pursuant to Section 303.G of the *Kings County Improvement Standards* all parking areas, aisles, and driveways shall be surfaced and maintained so as to provide a durable, dustless surface. Section 303.G. and Drawing 3036 of the *Kings County Improvement Standards* requires four (4) inches of decomposed granite with a penetration seal of SC 250 @ 0.50 gallons per square yard under "Light Use Conditions." An alternate material which provides a durable dust free surface may be used only with prior approval of the Director of Public Works. (Note: The Kings County Zoning Administrator hereby reserves the authority to require additional improvements to the parking area and driveway if at any time in the future the decomposed granite surface deteriorates and either a dust problem is created due vehicles driving on the decomposed granite surface, or a mud problem is created due to vehicles tracking mud onto County Roads.)
 7. The parking areas, aisles and access drives shall be so graded and drained as to dispose of surface water on the project site, with the design and specifications of such work subject to the approval of the Director of Public Works.

8. Pursuant to Article 13, Section 1306.A.3 of the *Kings County Development Code*, each parking space shall be not less than twenty (20) feet in length and nine (9) feet in width, exclusive of aisles and access drives.
9. Accessible parking spaces shall be located so as to minimize the travel distance to the use's primary entrances for access. Required off street accessible parking spaces, and standards for those spaces, shall meet state standards.
10. Signage shall comply with Article 4, Section 418.H Table 4-3 of the *Kings County Development Code*.
11. Any exterior lighting shall be hooded so as to be directed only on-site.
12. The minimum yard setback requirements for any new structures shall be as follows:
 - a. Front yard minimum setback requirements:
 1. Occupied structures including residential dwellings; public and quasi-public uses of an educational type; community facilities and institutions; public uses of an administrative, public service or cultural type; and dairy milk barns shall be not less than fifty (50) feet from the public road right-of-way line or the property line if not fronting on a public road right-of-way.
 2. Non-occupied uses shall be not less than thirty-five (35) feet from the public road right-of-way line or property line if not fronting on a public road right-of-way. Any portion of a carport which is constructed within the area of the front yard that exists between the thirty-five (35) foot front yard setback and the fifty (50) foot front yard setback must have open sides within that setback area
 3. The front yard setbacks noted above prevail except along those streets and highways where a greater setback is required by other ordinances or standards of the County, including, but not limited to, the *Kings County Improvement Standards*.
 4. All minimum setback requirements shall be measured from the public road right-of-way. Public road right-of-way shall be verified with the Kings County Public Works Department to ensure that required setbacks are met.
 - b. Rear yard minimum setback requirement: Ten (10) feet from property lines.
 - c. Side yard minimum setback requirements:
 1. Interior sites: Ten (10) feet from property lines.
 2. Corner sites: Twenty (20) feet from the public road right-of-way line on the street side of the corner site.
 3. The side yard setbacks noted above prevail except along those streets and highways where a greater setback is required by other ordinances or standards of the County, including but not limited to, the *Kings County Improvement Standards*.
 4. Required yard areas may be used for the growing of agricultural crops, horticultural specialties or for aesthetic landscaping.
13. The minimum distance between a residence and a structure housing livestock or poultry shall be 40 feet.
14. The land upon which this project is located is subject to California Land Conservation Contract No. 1876, in Agricultural Preserve No. 551. All land uses and structures located on this contracted land

must comply with the “*Uniform Rules for Agricultural Preserves in Kings County*” and the requirement of the “*California Land Conservation ‘Williamson’ Act*”, specifically sections 51231, 51238, 51238.1 and 51250. Failure to comply with said *Uniform Rules and Act* may result in action taken by Kings County or the State of California to enforce the conditions of the contract. Such enforcement may result in substantial monetary penalties and termination of that portion of the *Williamson Act Contract* determined to be incompatible.

15. The applicant shall obtain any necessary federal, state or local regulatory licensing permits.
16. The applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and Department of Environmental Health Services, and all other local and state regulatory agencies.
17. No process, equipment or materials shall be used which are found by the Planning Commission to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.
18. Pursuant to Section 14-38(d) of the *Kings County Code of Ordinances*, a “Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings” shall be signed, notarized, and recorded.
19. Pursuant to Section 66020(d)(1) of the *California Government Code*, the owner is hereby notified that the 90-day approval period in which the applicant may protest the imposition of fees, dedications, reservations, or other exactions, begins on the date that this resolution is adopted.
20. Within eight (8) days following the date of the decision of the Kings County Planning Commission, the decision may be appealed to the Kings County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
21. This Conditional Use Permit shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year the proposed use has been established. A Conditional Use Permit involving construction shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site that was subject of the Conditional Use Permit application.
22. This Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Kings County Community Development Agency prior to the permit’s expiration date. It is the responsibility of the applicant to file an extension of time prior to the permit’s expiration date. No further notice will be provided by the Community Development Agency prior to the permit’s expiration date.
23. This approved conditional use permit shall run with the land and shall continue to be valid upon change of ownership of the site which was the subject of the conditional use permit approval.

OTHER STANDARDS AND REGULATIONS:

In addition to the above Zoning Ordinance requirements, other standards and regulations affecting this project are listed below. These requirements are not part of this zoning approval. However, compliance is required by the departments and agencies listed below. Appeals for relief of these standards and regulations must be made through that department's or agency's procedures, not through the Zoning Ordinance procedures.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - BUILDING DIVISION Contact Darren Verdegaal at the Kings County Community Development Agency - Building Division at (559) 852-2683, regarding the following requirements:

1. Building permits must be obtained from the Building Division of the Kings County Community Development Agency for any structures, plumbing, electrical, or mechanical work.
2. Failure to obtain a building permit for any structure, prior to commencing construction, which requires a building permit, will result in the payment of a double fee. Payment of such double fee shall not relieve any person from fully complying with the requirements of Kings County Code of Ordinances, Chapter 5 in the execution of the work or from any other penalties prescribed therein.
3. Pursuant to Kings County Code of Ordinances, Chapter 5, Section 5-9 agricultural exemptions for building permits may only be obtained if the applicant, **before commencing construction**, files an application with the Building Official, together with the fee established by resolution of the Board of Supervisors to offset the building department's cost of processing the application, and secures from said Building Official a determination in writing that such construction is exempt for the requirements of Chapter 5.
4. Failure to obtain a building permit for a structure, prior to commencing construction, which would otherwise be considered agriculturally exempt will result in the loss of the agricultural exemption and the building permit shall be processed in accordance with Kings County Code of Ordinances, Chapter 5.
5. A minimum of (2) sets of plans and calculations signed by an architect or engineer licensed to practice in the State of California shall be required for all structures.
6. The applicant is responsible for contacting the Building Division to request a final inspection of the structures prior to occupying the structures and prior to startup of the operation. No building or structure shall be used or occupied until the Building Division has issued a Certificate of Occupancy.
7. All drive approaches and durable dustless surfaces shall be installed prior to the final inspection and maintained as per County Standards.
8. Pursuant to Section 1129B of the *California Building Code* one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided. The parking space shall be 9' x 20' with an 8' wide loading and unloading aisle placed on the side opposite the driver's side. The surfacing of the parking space, loading and unloading aisle and the accessible path from the space to the entrance of the building shall be either asphalt concrete or concrete.

9. The development shall comply with all applicable *Americans with Disability's Act (ADA)* requirements, especially Section 1127B of the *California Building Code*, which states that site development and grading shall be designed to provide access to all entrances and exterior ground-floor exits, and access to normal paths of travel. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible site facilities and the accessible entrance to the site, including but not limited to access from the accessible parking space to accessible building entrances.
10. Pursuant to Section 1115B of the *California Building Code* an accessible restroom shall be provided.
11. School fees based on square footage of building shall be added to the cost of the building permit, unless the school district provides an exemption from the school fees.
12. All special inspection reports shall be provided to the Building Division prior to requesting a final inspection.
13. The site, as well as the buildings, shall be made accessible and usable by the disabled according to the *California Building Code Chapter 11B*.
14. The tenant, lessee and/or owner are responsible for compliance with the Americans with Disabilities Act, ADA. By federal law the facility shall be made accessible to the highest degree possible.
15. Public Facilities Impact Fees for the building shall be payable prior to the issuance of the building permit.
16. A soils report, prepared by a qualified soils engineer, shall be provided to the Building Division prior to issuance of building permits.
17. A septic system design, prepared by a qualified soils engineer, shall be provided to the Building Division prior to issuance of building permits.
18. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. If landscaping is proposed then landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.
19. All construction shall conform to the 2013 California Building Standards Code which consist of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code, California Fire Code and California Green Building Standards Code.

KINGS COUNTY PUBLIC WORKS DEPARTMENT Contact Mike Hawkins of the Kings County Public Works Department at (559) 852-2708 regarding the following requirements:

1. All requirements required hereafter conform to the Kings County Improvement Standards.
2. All other alternative to Public Works requirements must be approved by the Kings County Public Works Department.

3. Applicant shall secure an encroachment permit for any work within the County right-of-way.
4. Asphalt concrete approaches shall be provided.
5. On-site traffic circulation and parking shall be per the site plan and the parking area shall be constructed to Kings County improvement standards section 303G, "Light Use" standard.
6. Durable and dustless drive shall be constructed.

KINGS COUNTY FIRE DEPARTMENT Contact Rick Smith of the Kings County Fire Department at (559) 852-2881 regarding the following requirements:

1. The Fire Department requires a supply of firefighting water available in a storage tank on the site. The amount of water required will be in accordance with NFPA 1142, and is dependent on building volume, construction type, and exact use.
2. The tank must be equipped with a pressure system and float valve device to keep the tank full at all times.
3. The tank is to have a minimum 4 ½ inch pipe installed in a manner to permit fire apparatus to be connected and draft water from the tank. Connection for fire apparatus to be in an area easily accessible in all weather conditions and shall be protected from obstruction. Fire department connection shall be 4 ½ inch male national standard hose thread and be provided with a cap.
4. All weather access roads, of not less than twenty feet width and thirteen feet six inches of vertical clearance, must be provided. Roads must comply with the California Fire Code.
5. That a 2A:10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point in the structure. The location of fire extinguishers must be easily accessible, be easily visible, and be near entrances or exit doors. All extinguishers shall be mounted to walls or columns with securely fastened hangers so that the weight of the extinguisher is adequately supported, and at a height compliant with the California Fire Code. Additional extinguishers may be required based upon special hazards or conditions.
6. Employees should be familiar with the use of fire safety equipment.
7. A set of building plans must be reviewed by the Kings County Fire Department.
8. The plans comply with the California Fire Code and all regulations of the Kings County Fire Department.
9. Property must be equipped with a Knox Box for Fire Department access.
10. Project designer shall meet with the Fire Marshal to determine means of meeting firefighting water supply prior to permit issuance.

KINGS COUNTY ENVIRONMENTAL HEALTH SERVICES Contact Troy Hommerding of the Kings County Environmental Health Services at (559) 852-2627 regarding the following requirements:

1. Valley Fever: As per the Kings County Public Health Officer, *Coccidioides immitis*, the fungus that causes valley fever, a serious and potentially long-term respiratory illness, is endemic in the soils of Kings County. Construction activities that disturb soils containing the spores of the fungus can put workers and the nearby public at risk. Effective dust control must be maintained on the job site at all times in order to reduce the risk of valley fever to workers and nearby residents. More information regarding the prevention of work related valley fever is available at www.cdph.ca.gov/programs/hesis/Documents/CocciFact.pdf and <http://www.cdph.ca.gov/programs/ohb/Documents/OccCocci.pdf>. Contact the San Joaquin Valley Air Pollution Control District for more information on dust control techniques.
2. A public drinking water permit is required from facilities that meet the definition of a small public water systems as per Section 116275 of the California Safe Drinking Water Act which is contained in Part 12, Chapter 4 of the California Health and Safety Code. Facilities that serve 5 or more residential units or provide water to 25 or more people for 60 or more days per year fall under this requirement. A completed and approved application package is required prior to operating a public water system. Please contact Liliana Stransky ((559) 584-1411) from our office for additional guidance on this issue.
3. If the future shop will be storing hazardous materials at or above threshold reporting quantities (55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a gas), the facility must file a Hazardous Materials Business Plan online at <http://cers.calepa.ca.gov> within 30 days of beginning operations. Hazardous materials are broadly defined, and include fuel, lubricants, antifreeze, motor vehicle batteries, welding gases, paints, solvents, glues, agricultural chemicals, etc. Please contact our office if you require assistance with the online registration process.
4. If a septic system is installed for the future trailer house, the onsite sewage disposal system must comply with the Kings County Community Development minimum setbacks, or a waiver must be obtained from our office prior to construction.
5. If this facility will be selling food (including beverages) or contracting with catering services for special events, the proponents must submit a temporary and/or special event application to our office with sufficient detail to demonstrate that the facility will be able to comply with the requirements of the California Retail Food Code (H&S Code 113700 et seq.). The application can be obtained from our website www.countyofkings.com/ehs.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT Contact Georgia Stewart of the SJVAPCD at (559) 230-5937 regarding the following requirements:

1. Based on information provided to the District, the proposed project would equal or exceed 2,000 square feet of commercial space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review). District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District.

2. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). The above list of rules is neither exhaustive nor exclusive.

PREPARATION:

Prepared by the Kings County Planning Agency (Dan Kassik) on June 15, 2016. Copies are available for review at the Kings County Community Development Agency, Government Center, Hanford, California, or at the Kings County Clerk's Office, Government Center, Hanford, California.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

PROJECT TITLE: Conditional Use Permit No. 16-02 (Caetano Riding Academy)

LEAD AGENCY NAME AND ADDRESS: Kings County Community Development Agency, 1400 W. Lacey Blvd., Hanford, CA 93230

CONTACT PERSON AND PHONE NUMBER: Dan Kassik, (559) 852-2655

PROJECT LOCATION: 16484 Idaho Avenue, Lemoore, CA (APN 024-062-059)

PROJECT OWNER'S NAME AND ADDRESS: Dan Caetano, 16484 Idaho Ave, Lemoore, CA 93245

GENERAL PLAN DESIGNATION: General Agriculture 20 (AG-20)

ZONE DISTRICT: General Agriculture 20 (AG-20)

DESCRIPTION OF PROJECT: A proposal to establish a riding academy for training horses and riders for riding and roping events such as barrel racing, cutting, calf roping, team roping, etc. The riding academy will have three employees, a maximum of 35 horses at one given time, 50 head of working/lesson cattle, four arenas, sorting pens, three horse barns, and a hay barn. A future phase will include a shop, hay barn, and mobile home.

CURRENT USE OF THE SITE: The parcel is approximately 22 acres in size and is developed with a single family residence and accessory residential buildings. The single-family residence is in the southern portion of the property and the remaining property is vacant with no agricultural uses.

SURROUNDING LAND USES AND SETTING: Agricultural lands (farm fields) surround the parcel with a single-family residence adjacent to the east, two single-family residences across Idaho Avenue to the south. The subject parcel is located adjacent to Idaho Avenue to the south.

PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED: Kings County Planning Commission

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature

5/23/16

 Date

Dan Kassik

 Printed Name

Kings County Community Development Agency

 For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to project like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effect from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

I. <u>AESTHETICS</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation for Section I. a), b), c), and d):

- a) There are no scenic vistas in the vicinity of the project site. The project site is bounded by agricultural fields.
- b) There are no scenic resources in the vicinity of the project site.
- c) The proposed project will be consistent with the existing visual character of the surrounding area.
- d) No lighting is being proposed as part of this application however, should the applicant install lighting for any of the corrals/riding areas the following mitigation measure would reduce the impact to less than significant.
Mitigation Measure: All lighting shall be hooded and directed on site to prevent glare onto surrounding properties and roadways.
Effectiveness of Measure: This measure will assure that light and glare produced from this project will be directed on site and reduce this impact to a less than significant level.
Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the construction contractors and the applicant. Monitoring shall be performed by the Building Division of the Kings County Community Development Agency during project construction.

II. <u>AGRICULTURAL RESOURCES</u> –Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

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

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

Substantiation for Section II. a), b), c), d), and e):

- a) The parcel is approximately 22 acres in size and developed with a single family residence and accessory residential buildings. The single-family residence is in the southern portion of the property. The proposed project will not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses since the parcel is not in agricultural crop production and the the proposed use of a riding academy is listed as an agricultural use in the Kings County Development and as a compatible use in the UniformRules for Agricultural Preserves in Kings County. The property is located within a General Agricultural 20 zone district.
- b) The proposed project could not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production since no such zoning designations exist in Kings County.
- c) The proposed project could not result in the loss of forest land or conversion of forest land to non-forest use since there is no forest land within Kings County.
- d) The proposed project could not result in conversion of forest land to non-forest use since there is no forest land within Kings County.

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation for Section III. a), b), c), d), and e):

- a) On April 14, 2016, the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) was sent a Project Review – Consultation Notice requesting that the SJVUAPCD review the project and provide comments concerning any regulatory requirements that their agency would be placing on the project. The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) submitted a comment letter on April 28, 2016. The SJVUAPCD has determined that the pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. Therefore, the District concluded that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

The SJVUAPCD has previously stated that the entire San Joaquin Valley is nonattainment for ozone and fine particulate matter (PM₁₀) and thus the project may be subject to Regulation VIII (Fugitive PM₁₀ Prohibitions).

Mitigation Measure: The applicant will be required to contact the SJVUAPCD prior to commencing operations in order to determine whether or not the project would result in any significant adverse air quality effects, comply with all applicable requirements of the SJVUAPCD, and obtain any permits required by the SJVUAPCD. This may include complying with the requirements of Regulation VIII (Fugitive PM₁₀ Prohibitions).

Effectiveness of Measure: This measure will assure that dust produced from this project will be reduced to a less than significant level.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the applicant. Monitoring shall be performed by the Building Department Division of the Kings County Planning Agency and the SJVUAPCD during project construction.

- b) See Substantiation for Section III.a) above.
- c) See Substantiation for Section III.a) above.
- d) The proposed project will not create pollution concentrations.
- e) The proposed project will not create any odors that would affect a substantial number of people. The property is located within an agricultural area and the proposed use will not emit odors in excess of what is typical for agricultural properties as the animal uses are not considered confined animal uses.

IV. <u>BIOLOGICAL RESOURCES</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Dept. of Fish & Game or US Fish & Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Dept. of Fish & Game or US Fish & Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section IV. a), b), c), d), e), and f):

- a) A Biological Resources Assessment for the 22 acres of the property under consideration for the establishment of a riding academy was prepared by Quad Knoff dated March 22, 2016 (Biological Report). Page 8 of the Biological Report stated that based upon the findings of the database searches and field effort, it is not anticipated that project permitting through the United State Fish and Wildlife Service, California Department of Fish and Wildlife, United State Army Corps of Engineers, or the Regaional water Quality Contraol Board would be needed.

Page 7 of the Biological Report states that no special status species were observed on or within 100 feet of the project site. The project site could potentially support habitat for three special status wildlife species; the Swainson's hawk, white-tailed kited, and San Joaquin kit fox. Other sensitive species such as nesting migratory birds and ground nesting raptors could also occur.

Pages 7 and 8 of the Biological Report recommends mitigation measures (MMs) to help the Applicant avoid or reduce potential impacts to Special Status species.

Page 7 of the Biological Report states general recommendations that can be implemented by the Applicant to avoid or reduce potential impacts to the raptor or migratory bird nests include:

The construction and installation of buildings on the project site have a higher probability of affecting nesting migratory birds and raptors. A pre-construction survey should be conducted within the footprint and a 100 foot buffer of the footprint of all building sites. The survey is required only if construction would occur during the breeding season (February 15 to August 31). The survey should be conducted within 14 days of the start of construction. If active raptor nests are found, nests should be avoided by a 500-foot no-disturbance buffer. If active migratory bird nests are found, nests should be avoided by a 250-foot no-disturbance buffer. If active migratory bird nests are found, nests should be avoided until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival or until the regulating wildlife agency provided direction otherwise.

Page 8 of the Biological Report states general recommendations that can be implemented by the applicant to avoid or reduce potential impacts to the San Joaquin kit fox include:

It is recommended that a pre-construction survey for the San Joaquin kit fox be conducted by a qualified biologist no more than 14 days prior to the start of construction of proposed buildings. The survey should include the building footprints plus a 100 foot buffer. No survey should be required for the installation of fencing, but standard measures to protect the San Joaquin kit fox should be implemented during all project construction activities, including the installation of fences. Measures to protect the San Joaquin kit fox should be implemented as described in the *USFWS Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011). Implementation of these measures would protect the San Joaquin kit fox from direct mortality and protect den structures.

- b) The Proposed Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Dept. of Fish & Game or US Fish & Wildlife Service. See Substantiation for Section IV(a) above.
- c) The Proposed Project will not 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. No wetlands or other waters of the U.S. were observed within the study area. See Substantiation for Section IV(a) above.
- d) The Proposed Project will not 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. See Substantiation for Section IV(a) above.
- e) The Proposed Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. See Substantiation for Section IV(a) above.
- f) The Proposed Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat Conservation plan. There are no applicable Habitat Conservation Plans in Kings County.

V. <u>CULTURAL RESOURCES</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section V. a), b), c), and d):

- a) Figure RC-24 Kings County Historical Sites, on Page RC-35 of the Resource Conservation Element of the *2035 Kings County General Plan*, shows that there are no known historical structures or monuments on the site.
- b) A Cultural Resources Assessment was prepared for the property under consideration for the Caetano Riding Academy by Krintina Roper, Sierra Valley Cultural Planning, dated April 5, 2016.

Efforts to identify prehistoric properties/historical resources at the project site included records search, field survey, and coordination with the Santa Rosa Rancheria Tachi Yokut Tribe. As a result of these efforts, no historic or prehistoric archaeological resources were identified within the Direct Area of Potential Effect (Direct APE).

Although there is no evidence of archaeological sites on the project site, there is the potential during project-related excavation and construction for the discovery of cultural resources. This impact is potentially significant, but can be mitigated to a less than significant level.

Mitigation Measure: If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall cease. A qualified archaeologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Kings County Community Development Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project.

Effectiveness of Measure: This measure will assure that any cultural resources are properly evaluated, and reduce this impact to a less than significant level.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the construction contractors and the applicant. Monitoring shall be performed by the Building Department Division of the Kings County Community Development Agency during project construction.

- c) The project will involve limited grading or excavation. There are no unique geological features within the vicinity of the project area. There are no known fossil-bearing surficial sediments in the project area.
- d) There are no known burials within the project area.

VI. <u>GEOLOGY AND SOILS</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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? (Refer to Division of Mines & Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section VI. a), b), c), d), and e):

- a)** The project site is located in a V1, Liquefaction Seismic Zone (Figure HS-2 on Page HS-10 of the Health and Safety Element, *2035 Kings County General Plan*). Amplification of shaking that would affect low to medium-rise structures is relatively high but the distance to either of the fault systems that are expected sources of the shaking is sufficiently great that the effect should be minimal. The greatest potential for geologic disaster in Kings County is posed by the San Andreas Fault, which is located approximately four (4) miles west of the Kings County line (as shown in Figure HS-1 of the *2035 Kings County General Plan*). The San Andreas Fault is located approximately 40 miles southwest of the project site.
- i)** Section II, Page HS-6 of the “Safety Element” states that the potential for extensive rupture is considered to be minimal, since no major fault systems are known to exist in Kings County.
- ii)** Moderate to moderately high ground shaking has occurred, and will occur periodically, from earthquakes. Section II, Page HS-8 of the “Safety Element” states that damage and injury resulting from geologic hazards can be reduced acceptable levels through zoning and building permit review procedures and construction standards. New construction conforming to the standards of the Uniform Building Code will provide adequate protection.
- iii)** Section II, Page HS-10 of the “Safety Element” states that the danger of secondary natural hazards such as liquefaction, settlement, landslides, and seiches, which result from the interaction of groundshaking with existing ground instabilities, is considered to be minimal.
- iv)** Section II, Page HS-10 of the “Safety Element” states that the danger of secondary natural hazards such as liquefaction, settlement, landslides, and seiches, which result from the interaction of groundshaking with existing ground instabilities, is considered to be minimal.
- b)** Construction of the proposed project will not encourage erosion or the loss of topsoil.
- c)** See Substantiation for Items VI (a) and (b) above.
- d)** As identified by the USDA Soil Survey of Kings County, prepared in 1980, the site soil is Course Sandy Loam. Figure H-4 on Page HS-13 of the Health and Safety Element of the *2035 Kings County General Plan* does not identify the project site as having expansive soils.
- e)** The project will not utilize a septic system.

VII. <u>GREENHOUSE GAS EMISSIONS</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation for Section VII. a) and b):

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and proactive approach to dealing with GHG emissions and climate change at the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations applied to automobiles and light trucks beginning with the 2009 model year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the year 2020, and 3) 80% below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that ARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state's Climate Action Team.

Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change.

Temporary Project construction emissions would be minimal and Project operations would not exceed SJVAPCD thresholds of significance since Project operations will not generate emissions. In addition, Regulation VIII measures would be implemented, further decreasing potential emissions. The proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Project would not significantly contribute to the emission of GHGs. These impacts are less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk or loss injury or death involving wildland fires, including where, wildlands area adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section VIII. a), b), c), d), e), f), g), and h):

- a) The project will not involve the use of hazardous materials during construction or operation.
- b) See Substantiation for Item VIII (a) above.
- c) See Substantiation for Item VIII (a) above.
- d) The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e) The project site is not located within the *Kings County Airport Land Use Compatibility Plan* and is located more than two miles from a public airport or public use airport.
- f) The project site is not within the vicinity of a private airstrip.
- g) The proposed project will not alter any of the existing traffic routes.
- h) There are no wildlands adjacent to the project site.

IX. <u>HYDROLOGY AND WATER QUALITY</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place housing within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section IX. a), b), c), d), e), f), g), h), i), and j):

- a) The proposed project will not require water or sewer service. Therefore, the project will not violate any water quality standards or waste discharge requirements. There is no impact.
- b) The proposed project will not require water service. Therefore, the proposed project will not deplete groundwater supplies. There is no impact. Water used will be less than if the entire parcel were in crop production.
- c) No changes to the existing storm drainage pattern will be required.
- d) See Substantiation for Item IX (c) above.
- e) See Substantiation for Item IX (c) above.
- f) The proposed project will not require water or sewer service. Therefore, the project will not violate any water quality standards or waste discharge requirements.
- g) The project does not propose any housing and is therefore no impact.
- h) See Substantiation for Item IX (g) above.
- i) The proposed project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows.
- j) There is no potential seiche or tsunami due to the lack of a significant water body near the project site. The project site is on hilly terrain; however due to minimal annual rainfall the possibility of mud flow is essentially eliminated.

X. <u>LAND USE AND PLANNING</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section X. a), b), and c):

- a) The proposed project will not physically divide an established community.
- b) The proposed project is consistent with the *2035 Kings County General Plan* and the *Kings County Zoning Ordinance*. The applicable general plan policies are found in the *2035 Kings County General Plan*. Figure LU-11 designates this site as General Agriculture (AG-20). Article 4, Section 407 Table 4-1 of the Kings County Development Code lists riding academies as a conditional use subject to Planning Commission approval within the General Agriculture (AG-20) zoning district.
- c) There are no applicable habitat conservation plans or natural community conversation plans.

XI. <u>MINERAL RESOURCES</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section XI. a) and b):

- a) No known mineral resources exist below the project site surface.
- b) See Substantiation for Item XI (a) above.

XII. <u>NOISE</u> - Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generations of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section XII. a), b), c), d), e), and f):

- a) The proposed development is a riding academy which will not have any adverse noise effects.
- b) See Substantiation for Item XII (a) above.
- c) See Substantiation for Item XII (a) above.
- d) The existing use is a single family residence and accessory residential buildings with animal corals/pens. The proposed use will have the residence with the number of animals increasing slightly. However, the increase will not be above what is typical of an agricultural zoned property and will not increase ambient noise above levels existing without the project.
- e) The project site is not located within two miles of a public or public use airport.
- f) See Substantiation for Item XII (e) above.

XIII. <u>POPULATION AND HOUSING</u> - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by processing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section XIII. a), b), and c):

- a) The proposed project will not induce population growth in the area. The project site is bounded by agricultural field crops. The applicant proposes a riding academy. The proposed project does not propose any new residential uses.
- b) The proposed project will not displace existing housing units.
- c) See Substantiation for Item XIII (b) above.

XIV. <u>PUBLIC SERVICES</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section XIV. a):

- a) The applicant proposes a conditional use permit to establish a riding academy. The proposed project will not create any housing units or require the need to develop additional infrastructure related to water and sewer services. No increase in population will occur as a result of this project.
- i) The proposed project will not create a significant demand for public safety services as no additional housing units are being constructed, thus no increase in population will occur as a result of the project.
- ii) See Substantiation for Item XIV (a) above.
- iii) See Substantiation for Item XIV (a) above.
- iv) See Substantiation for Item XIV (a) above.
- v) See Substantiation for Item XIV (a) above.

XV. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have been an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section XV. a) and b):

- a) The proposed project will not alter the existing use of recreation facilities.
- b) The proposed project does not include recreational facilities and does not require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section XVI. a), b), c), d), e), f), and g):

- a) The proposed project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. The proposed project traffic demand is no greater than other agricultural uses allowed by the Development Code.
- b) See Substantiation for Item XV (a) above.
- c) The proposed project will not result in a change in air traffic patterns.
- d) The proposed project will not substantially increase hazards due to a design feature or incompatible uses. The use is compatible with the zone district that it is proposed and does not have any design features that would increase hazards.
- e) The proposed project will not result in inadequate emergency access.
- f) The proposed project will not conflict with adopted policies, plans, or programs supporting alternative transportation or result in inadequate parking capacity since the use is a wireless communication facility which does not create consumer demand thus the need for parking or use of public facilities is not necessary.

XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation for Section XVII. a), b), c), d), e), f), and g):

- a)** The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- b)** The proposed project will not require the construction of new water or wastewater treatment facilities or expansion of existing facilities.
- c)** The proposed project will not require the construction of new storm water drainage facilities or expansion of existing facilities.
- d)** The proposed project is a riding academy and will require less water demand than if the property were in crop production.
- e)** The proposed project is a riding academy and will require less water demand than if the property were in crop production.
- f)** The proposed project will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- g)** The proposed project complies with federal, state, and local statutes and regulations related to solid waste.

XVIII. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 pre-history?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation for Sections XVIII. a), b), and c):

- a) There will be no impact to biological resources as the subject parcel is already disturbed with agricultural and residential uses.
- b) All project impacts listed will be reduced to less than significant by implementing the mitigation measures identified above. See Substantiation for Sections III.a), V.b), and XII.d) above.
- c) See substantiation for Section XVIII.b) above.

SITE INFORMATION:

CURRENT USE OF SITE:	
SURROUNDING LAND USES:	
HYDROLOGY: (Source: Department of Water Resources, Groundwater Query Results for “362800N1197610W001” http://wdl.water.ca.gov)	Depth to Groundwater has ranged from 216 feet to 225 feet, averaging 220 feet from 10/7/91 to 1/9/12 (See Attachment).
SOILS:	Kimberlina Fine Sandy Loam. Low Alluvial Fans and Basin Rims. Lethent, Lethent-Garces-Panoche, and Lethent-Excelsior soil associations.
SEISMICITY: (Page HS-10 of the Safety Element, <u>Kings County General Plan</u>)	The site is located in a V1, Liquefaction Seismic Zone
FLOOD HAZARD:	The site is not located in a Special Flood Hazard Area (FIRM Map 06031C0170C, dated June 16, 2009).
LAND CLASSIFICATION: (Kings County Assessor)	The project site is classified as Prime farmland.
WILLIAMSON ACT:	The project site is within an established Agricultural Preserve.

RIGHT TO FARM NOTICE:

Pursuant to Section 14-38(d)(1) of the *Kings County Code of Ordinances*, a “Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings” shall be signed, notarized, and recorded for all approvals of applications for rezonings, land divisions, zoning permits, and residential building permits, on property in the unincorporated territory of Kings County. The applicant, or the owner if different from the applicant, shall also acknowledge the contents of the notice and disclosure themselves, by signing and recording the written notice and disclosure, which includes a description of the property the notice and the disclosure pertains.

POSSIBLE IMPACTS:

There is no evidence in the record that indicates that the project has potential for adverse effects on wildlife, resources or habitat for wildlife. The project does not involve any riparian land, rivers, streams, watercourses, or wetlands under State and Federal jurisdiction. The project does not disturb any plant life required to sustain habitat for fish or wildlife. The project does not disturb any rare or unique plant life or ecological communities dependent on plant life. The project does not threaten any listed or endangered plant or animals or the habitat in which they are believed to reside. The project does not disturb any plants or animals that are subject to special management in the Fish and Game Code, Public Resources Code, the Water Code or any regulations thereto. The project does not disturb any marine or terrestrial species which are subject to the jurisdiction of the Department of Fish and Game and ecological communities in which they reside. The project will not degrade any air or water resources which will individually or cumulatively result in a loss of biological diversity among plants and animals residing in the air or water.

A review of this project in compliance with the *California Environmental Quality Act (CEQA)* indicates that there may be significant adverse impacts to the environment. However, those impacts can be mitigated to an insignificant level by implementing the mitigation measures identified in this Initial Study/Mitigated Negative Declaration. Therefore, a Mitigated Negative Declaration is appropriate. A mitigation monitoring program will be attached to the Planning Commission Resolution for this project as Exhibit “A.” The Mitigated Negative Declaration reflects the Planning Commission’s independent judgment and analysis, acting in their capacity as Division Two of the Kings County Advisory Agency.

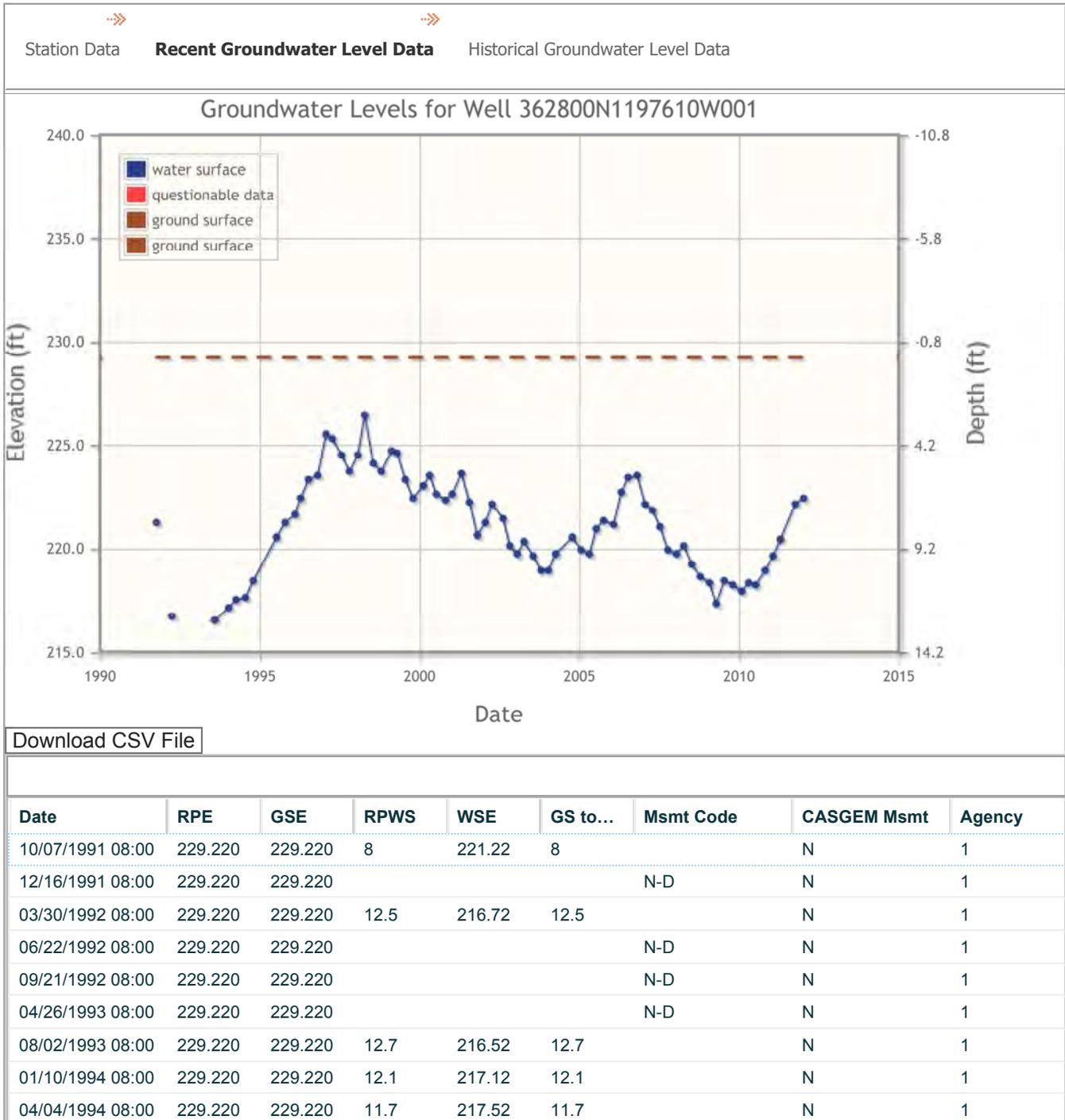
PLANNING COMMISSION DETERMINATION:

On _____, the Kings County Planning Commission found that on the basis of the Initial Study and comments received that there is no substantial evidence that Conditional Use Permit No. 16-02 will have a significant effect on the environment and approved the Mitigated Negative Declaration.

PREPARED BY: Kings County Community Development Agency (Dan Kassik) on May 23, 2016. Copies are available for review at the Kings County Community Development Agency or at the Kings County Clerk’s Office, Government Center, Hanford, California.

Groundwater Levels for Station 362800N1197610W001

Data for your selected well is shown in the tabbed interface below. To view data managed in the updated WDL tables, including data collected under the CASGEM program, click the "Recent Groundwater Level Data" tab. To view data stored in the former WDL tables, click the "Historical Groundwater Level Data" tab. To download the data in CSV format, click the "Download CSV File" button on the respective tab. Please note that the vertical datum for "recent" measurements is NAVD88, while the vertical datum for "historical" measurements is NGVD29. To change your well selection criteria, click the "Perform a New Well Search" button.



07/18/1994 08:00	229.220	229.220	11.6	217.62	11.6	N	1
10/17/1994 08:00	229.220	229.220	10.8	218.42	10.8	N	1
07/10/1995 08:00	229.220	229.220	8.7	220.52	8.7	N	1
10/16/1995 08:00	229.220	229.220	8	221.22	8	N	1
02/07/1996 08:00	229.220	229.220	7.6	221.62	7.6	N	1
04/10/1996 08:00	229.220	229.220	6.8	222.42	6.8	N	1
07/10/1996 08:00	229.220	229.220	5.9	223.32	5.9	N	1
10/23/1996 08:00	229.220	229.220	5.7	223.52	5.7	N	1
01/28/1997 08:00	229.220	229.220	3.7	225.52	3.7	N	1
04/08/1997 08:00	229.220	229.220	3.9	225.32	3.9	N	1
07/22/1997 08:00	229.220	229.220	4.7	224.52	4.7	N	1
10/21/1997 08:00	229.220	229.220	5.5	223.72	5.5	N	1
01/26/1998 08:00	229.220	229.220	4.7	224.52	4.7	N	1
04/13/1998 08:00	229.220	229.220	2.8	226.42	2.8	N	1
07/20/1998 08:00	229.220	229.220	5.1	224.12	5.1	N	1
10/19/1998 08:00	229.220	229.220	5.5	223.72	5.5	N	1
02/16/1999 08:00	229.220	229.220	4.5	224.72	4.5	N	1
04/19/1999 08:00	229.220	229.220	4.6	224.62	4.6	N	1
07/19/1999 08:00	229.220	229.220	5.9	223.32	5.9	N	1
10/18/1999 08:00	229.220	229.220	6.8	222.42	6.8	N	1
02/14/2000 08:00	229.220	229.220	6.2	223.02	6.2	N	1
04/24/2000 08:00	229.220	229.220	5.7	223.52	5.7	N	1
07/10/2000 08:00	229.220	229.220	6.6	222.62	6.6	N	1
10/23/2000 08:00	229.220	229.220	6.9	222.32	6.9	N	1
01/08/2001 08:00	230.220	229.220	7.6	222.62	6.6	N	1
04/23/2001 08:00	230.220	229.220	6.6	223.62	5.6	N	1
07/23/2001 08:00	230.220	229.220	8	222.22	7	N	1
10/22/2001 08:00	230.220	229.220	9.6	220.62	8.6	N	1
01/22/2002 08:00	230.220	229.220	9	221.22	8	N	1
04/08/2002 08:00	230.220	229.220	8.1	222.12	7.1	N	1
08/12/2002 08:00	230.220	229.220	8.8	221.42	7.8	N	1
10/28/2002 08:00	230.220	229.220	10.1	220.12	9.1	N	1
01/21/2003 08:00	230.220	229.220	10.5	219.72	9.5	N	1
04/08/2003 08:00	230.220	229.220	9.9	220.32	8.9	N	1
07/21/2003 08:00	230.220	229.220	10.6	219.62	9.6	N	1
10/21/2003 08:00	230.220	229.220	11.3	218.92	10.3	N	1
01/12/2004 08:00	230.220	229.220	11.3	218.92	10.3	N	1
04/05/2004 08:00	230.220	229.220	10.5	219.72	9.5	N	1
10/12/2004 08:00	230.220	229.220	9.7	220.52	8.7	N	1
01/21/2005 08:00	230.220	229.220	10.3	219.92	9.3	N	1
04/25/2005 08:00	230.220	229.220	10.5	219.72	9.5	N	1
07/11/2005 08:00	230.220	229.220	9.3	220.92	8.3	N	1
10/05/2005 08:00	230.220	229.220	8.9	221.32	7.9	N	1
01/27/2006 00:00	230.220	229.220	9.1	221.12	8.1	N	1

04/24/2006 00:00	230.220	229.220	7.5	222.72	6.5	N	1
07/11/2006 00:00	230.220	229.220	6.8	223.42	5.8	N	1
10/23/2006 00:00	230.220	229.220	6.7	223.52	5.7	N	1
01/22/2007 00:00	230.220	229.220	8.1	222.12	7.1	N	1
04/16/2007 00:00	230.220	229.220	8.4	221.82	7.4	N	1
07/10/2007 00:00	230.220	229.220	9.2	221.02	8.2	N	1
10/09/2007 00:00	230.220	229.220	10.3	219.92	9.3	N	1
01/16/2008 00:00	230.220	229.220	10.5	219.72	9.5	N	1
04/07/2008 00:00	230.220	229.220	10.1	220.12	9.1	N	1
07/07/2008 00:00	230.220	229.220	11	219.22	10	N	1
10/14/2008 00:00	230.220	229.220	11.6	218.62	10.6	N	1
01/28/2009 00:00	230.220	229.220	11.9	218.32	10.9	N	1
04/13/2009 00:00	230.220	229.220	12.9	217.32	11.9	N	1
07/13/2009 00:00	230.220	229.220	11.8	218.42	10.8	N	1
10/19/2009 00:00	230.220	229.220	12	218.22	11	N	1
02/01/2010 00:00	230.220	229.220	12.3	217.92	11.3	N	1
04/19/2010 00:00	230.220	229.220	11.9	218.32	10.9	N	1
07/07/2010 00:00	230.220	229.220	12	218.22	11	N	1
10/25/2010 08:00	230.220	229.220	11.3	218.92	10.3	N	1
01/24/2011 08:00	230.220	229.220	10.6	219.62	9.6	N	1
04/18/2011 08:00	230.220	229.220	9.8	220.42	8.8	N	1
10/04/2011 00:00	230.220	229.220	8.1	222.12	7.1	N	1
01/09/2012 08:00	230.220	229.220	7.8	222.42	6.8	N	1

All elevation and depth measurements are in feet. The vertical datum for recent measurements is NAVD88.

[Perform a New Well Search](#)



March 22, 2016

Jason Pausma
Innovative Ag Services, LLC
1201 Delta View Road, Suite 5
Hanford, CA 93230

Subject: Constraints Analysis Results for the Development of a Horse Training Facility in Kings County, California

Dear Mr. Pausma,

QK, Inc. has completed a reconnaissance biological survey of the Caetano Horse Training Facility (Project) that is proposed to be developed by Dan Caetano. The Project site encompasses approximately 21.6 acres and is located to the south of the City of Lemoore, along Idaho Avenue and between 16th and 17th Avenue (Attachment A, Figures 1 and 2). The Project is located in Section 13 on the Lemoore U.S. Geological Survey (USGS) 7.5-minute quadrangle, Township 19 South, and Range 20 East in Kings County, California.

This letter report identifies the methods used to conduct the survey, the results obtained, and the potential biological constraints to Project development. Biological constraints are often driving factors for project implementation in the San Joaquin Valley. Biological constraints result from the high number of endemic threatened and endangered species that occur in the region, and from the high costs associated with providing appropriate mitigation and compensation required by regulatory agencies when sensitive biological resources, special-status species, or their habitats are affected. This letter report was prepared for submittal to the County of Kings so that the project proponent could obtain a grading permit for the Project. This letter also addresses which approvals and/or permits would be required for clearance to perform construction at the Horse Training Facility Project.

The results presented here are based upon site conditions existing at the time of the site visit, the potential for sensitive biological resources to occur on and in the vicinity of the Project, and a professional evaluation of adverse environmental impacts the Project could potentially have on sensitive biological resources. Sensitive biological resources addressed in this report include

sensitive natural vegetative communities, special-status plant and wildlife species, wetlands and other waters, and critical habitat.

Methods

Literature Review and Database Search

Literature reviews and database searches were conducted prior to performing a field site visit to ensure that available information was incorporated into the on-site evaluation. The California Natural Diversity Database (CNDDDB) query (CNDDDB 2016), California Native Plant Society (CNPS) database query (CNPS 2016), and U.S. Fish and Wildlife Service (USFWS) Threatened and Endangered Species List (USFWS 2016a) were reviewed to assess whether occurrences of special-status species have been documented within the Lemoore 7.5-minute topographical U.S. Geological Survey (USGS) quadrangle, which encompasses the Project site, as well as the surrounding eight 7.5-minute USGS quadrangles, namely, Burrel, Riverdale, Laton, Vanguard, Hanford, Westhaven, Stratford, and Guernsey quadrangles. To satisfy the California Department of Fish and Wildlife (CDFW) requirement, the CNDDDB was also specifically queried for records occurring within a 10-miles radius of the Project. The CNDDDB provides element-specific spatial information on individual documented occurrences of special-status species and sensitive natural vegetation communities. The CNPS database provides similar information, but at a much lower spatial resolution, for additional sensitive plant species tracked by the CNPS. The USFWS query generates a list of federally protected species known to potentially occur within individual USGS quadrangles. Wildlife species designated as “Fully Protected” by California Fish and Game Code Sections 5050 (Fully Protected reptiles and amphibians), 3511 (Fully Protected birds), and 4700 (Fully Protected mammals) are also included on the final list.

Additional databases that were accessed included the USFWS National Wetlands Inventory (NWI) Map (NWI 2016), USGS topographical maps, and the National Hydrography Dataset (NHD) Map (NHD 2016) to evaluate whether wetlands and other waters have been historically documented on or in the vicinity of the Project (USFWS 2016b). The NWI is a collection of wetland and riparian maps that depicts graphic representations of the type, size, and location of wetland, deepwater, and riparian habitats in the United States. Because land use conversions can alter or eliminate historical features and only 1% of the NWI is updated each year, site-specific field surveys are necessary to verify features reported by the NWI and USGS. Aerial imagery (ArcGIS Online 2016) was reviewed to identify differences in vegetative cover, slope, and general terrain that can be indicative of water presence. Federal Emergency Management Agency (FEMA) 100-year floodplain database was reviewed to determine if the Project site lies within the flood zone (FEMA 2016).

Reconnaissance survey

An on-site reconnaissance biological survey of the Project sites was conducted by Quad Knopf biologist Danielle Temple on March 1, 2016. The survey primarily consisted of conducting pedestrian transects within the Project site and a 100-foot buffer area. A “windshield” survey was conducted around the perimeter of the site to identify and map surrounding land uses. These field survey efforts provide a habitat and species inventory and allow for evaluation of the potential for special-status species to occur, and to identify wetlands and other waters on the Project site. All potential avian nest locations were inspected with binoculars and any raptor observed or potential raptor nest observed was recorded. Special-status wildlife species and their diagnostic sign (e.g. tracks, scat, dens, burrows, and prey remains) as well as all general wildlife species observed were recorded. The survey methodology ensured 100% visual coverage of the Project site. Representative photographs of the Project site and important resources were taken.

Findings

LAND USE AND TOPOGRAPHY

The Project site currently consists of approximately 19.7 acres of bare ground and cultivated agricultural field, as well as a private residence in the southwest corner that encompasses approximately 1.9 acres (see Attachment A, Figure 2). The area of bare ground is interspersed with few weedy species (see representative photographs in Attachment B) and is located in the northwest and central portion. This area of bare ground corresponds with two fenced horse paddocks (Attachment A, Figure 3). The cultivated agricultural field is located in the east. The land surrounding the Project site is undeveloped and consists of disked fields to the west and southwest, undeveloped field to the northwest, and cherry orchards located to the north, south, and east of the Project site. A pump station is located adjacent to the northwestern corner of the Project site. The topography of the Project is relatively flat with an average elevation of approximately 213 feet above mean sea level (AMSL).

VEGETATION AND WILDLIFE

Vegetative cover on and within 100 feet of the Project site consists of non-native grasses and weedy species represented by Bermuda grass (*Cynodon dactylon*), cultivated oat (*Avena* sp.), fiddleneck (*Amsinckia* sp.), Shepard’s purse (*Capsella bursa-pastoris*), mallow (*Malva neglecta*), redmaids (*Calandrinia ciliata*), and dandelion (*Taraxacum officinale*). Ornamental trees and Valley oak (*Quercus lobata*) were found within the southwest corner of the Project site and located near a private residence. A row of eucalyptus trees (*Eucalyptus* sp.) is located within the 100-foot buffer to the northwest of the Project site. Palm tree (*Arecaceae* sp.) and California fan palm (*Washingtonia filifera*) were located within 100 feet of the east side of the Project site.

Wildlife activity on the Project site and within 100 feet of the Project site was minimal during the time of the survey, and no special-status species were observed. General wildlife detected consisted of mourning dove (*Zenaida macroura*), black phoebe (*Sayornis nigricans*), house sparrow (*Passer domesticus*), northern mockingbird (*Mimus polyglottos*), common raven (*Corvus corax*), killdeer (*Charadrius vociferous*), and white-crowned sparrow (*Zonotrichia leucophrys*). Two raptors, both red-tailed hawks (*Buteo jamaicensis*), were observed perched in a cluster of ornamental trees located to the southwest of the Project site (see Attachment A, Figure 3). One raptor nest and one passerine nest were found (see Attachment A, Figure 3; Attachment B, Photoplate 4, Photograph 8). The raptor nest was found in a Valley oak tree located to the west of the Project site on adjacent land within the 100-foot buffer and appeared to be inactive. The passerine nest was located in a front yard of the private residence. Small mammal burrows were identified within the northwestern quarter of the Project site and diagnostic sign (e.g. scat, tracks, and burrows) of pocket gopher (*Thomomys bottae*) was found throughout the vegetated field.

SENSITIVE NATURAL COMMUNITIES, SPECIAL-STATUS SPECIES, AND CRITICAL HABITAT

The database search listed historical occurrences of one Sensitive Vegetative Communities, four special-status plant species, and 23 special-status wildlife species that are known from the Project region (Attachment C). No historical records of special-status species are known from the Project site, but several confirmed historical occurrences of sensitive vegetative communities and special-status species were recorded in the Project vicinity (Attachment A, Figure 4).

A historical record of one Sensitive Vegetative Community, Valley Sink Scrub, was recorded approximately 3.5 miles to the southwest of the Project (see Attachment A, Figure 4). Historical records of four special-status plant species were identified by the database search, but only two of these species, recurved larkspur (*Delphinium recurvatum*) and California alkali grass (*Puccinellia simplex*), historically occurred within 10 miles of the Project. The recurved larkspur record is located approximately 6.5 miles to the southeast and the California alkali grass record is located approximately 8.3 miles to the northeast of the Project site (see Attachment A, Figure 4). Historical records of 23 wildlife species were identified by the database search but only 11 of these species historically occur within 10 miles of the Project. These include the Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), San Joaquin tiger beetle (*Cicindela tranquebarica* ssp.), blunt-nosed leopard lizard (*Gambelia sila*), western pond turtle (*Emys marmorata*), western burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), tricolored blackbird (*Agelaius tricolor*), western snowy plover (*Charadrius alexandrinus nivosus*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), hoary bat (*Lasiurus cinereus*), and San Joaquin kit fox (*Vulpes macrotis mutica*). The closest historical record is of a western pond turtle, located approximately 2 miles to the south of the Project site (see Attachment A, Figure 4).

No USFWS-designated Critical Habitat is present on the Project site, but Critical Habitat designated for Buena Vista Lake shrew occurs approximately 4.8 miles to the west of the Project (Attachment A, Figure 5).

WETLANDS AND WATERS

The NWI depicts no wetlands occurring on the Project site, but several wetland features are known from the vicinity (Attachment A, Figure 6). The nearest mapped wetland features occur approximately 1 mile east of the Project site and include Freshwater Pond (PUBFx) and Freshwater Emergent Wetland (PEMCx) located to the southwest and Lake (L1UBKx) located to the northwest (see Figure 6). No wetland features were identified during the time of the survey. No blueline drainages occur on the Project site, but several are known from the Project vicinity (see Attachment A, Figure 6). The closest blueline drainage is approximately 0.1 miles to the east and corresponds to West Branch Last Chance Ditch (see Attachment A, Figure 6). No drainages were observed on and within 100 feet of the Project site during the time of the survey. No Federal Emergency Management Agency (FEMA) 100-year flood zones encompass the Project site.

Evaluation of Potential Impacts

Project activities will result in development of approximately 19.7 acres of the Project site. Because Project development will occur within an existing disturbed area or vegetated field, the Project has an extremely low likelihood to directly impact special-status species potentially occurring in the Project site and surrounding lands. The discussions below provide an analysis of the types and levels of anticipated Project impacts to biological resources.

POTENTIAL IMPACTS TO SPECIAL-STATUS SPECIES

No special-status species were observed on the Project site during the reconnaissance survey conducted on March 1, 2016 and no diagnostic signs of special-status species were observed. However, some special-status species could potentially occur on and within 100 feet of the Project as discussed below.

Swainson's hawk and white-tailed kite (*Elanus leucurus*) could potentially nest in the ornamental and Valley oak trees located in the southwest corner of the Project site and in eucalyptus trees located within 100 feet of the Project site. These raptor species could also occur as transients and/or foragers within the Project site. Various species of migratory birds and raptors, which are protected by the Migratory Bird Treaty Act and various provisions of the California Fish and Game Code, have the potential to occur as transients and/or foragers on and within 100 feet of the Project site.

The San Joaquin kit fox could potentially occur on the proposed Project site as transient forager. Small mammal burrows were found within the graded area of the northwestern quarter of the Project site, but there were no indicators (e.g., tail drag, dust bath, and tracks) that would suggest that Fresno kangaroo rat might occur there.

The following is a discussion of the potential impacts to the three special-status species that have a potential to occur within the Project.

Swainson's hawk

The Swainson's hawk is a State threatened species and is protected by the Migratory Bird Treaty Act. The closest historical occurrence of this species is 5.3 miles to the southeast of the Project site. The Swainson's hawk occupies open and semi-open country including deserts, grasslands and prairies, in both its breeding and wintering ranges. It favors wild prairie, hayfields, and pastures over wheat fields and alfalfa fields. The Swainson's hawk typically prefers breeding in trees along riparian corridors, but will also breed in trees scattered throughout agricultural fields or pastures, and will nest on utility poles. Trees commonly used as nest sites include Valley oak, Fremont's cottonwood, willows, sycamores (*Platanus* sp.), and walnuts (*Juglans* sp.). Potential nesting habitat does occur on the Project site and within 500 feet of the Project site, consisting of oak trees, ornamental trees, and eucalyptus trees. No Swainson's hawks or Swainson's hawk nests were observed during the survey; however, one old inactive raptor nest was identified in the Valley oak tree located within 100 feet to the west of the Project site. Because Swainson's hawk nesting habitat is present within 500 feet of the Project and foraging habitat is present on the Project site, it is reasonable to assume that the Swainson's hawk could occur.

White-tailed kite

The white-tailed kite is a State Fully Protected species and is protected by the Migratory bird Treaty Act. There are no historical records of this species within 10 miles of the Project site. The white-tailed kite occurs in a wide variety of open habitats. White-tailed kite is found primarily in open grasslands, agricultural areas, wide river valleys, open oak savannahs, and desert grasslands. It favors agricultural areas, grasslands, marshes, savannas, and other open land or sparsely wooded areas. No white-tailed kite or white-tailed kite nest were observed during the survey; however, one old inactive raptor nest was identified in the Valley oak tree located within 100 feet to the west of the Project site. Because white-tailed kite nesting habitat is present on and within 500 feet of the Project site and foraging habitat is present on the Project site, there is the potential that this species could be present.

San Joaquin Kit Fox

The San Joaquin kit fox is listed as a federally endangered and State threatened species. The closest historical occurrence of this species is located approximately 3.3 miles to the south of the Project. The San Joaquin kit fox occupies a variety of habitats, including grasslands, scrublands, as well as extensively modified landscapes, such as agricultural row crops, irrigated pastures, orchards, vineyards, and grazed annual grasslands (USFWS 1998). Though this species and dens of the size and configuration that would qualify as potential San Joaquin kit fox dens were not observed during the survey on March 1, 2016, it is reasonable to assume that the San Joaquin kit fox could occur as a transient forager, anywhere along the Project or immediate surrounding area.

CONCLUSION AND RECOMMENDATIONS

No special-status species were observed on or within 100 feet of the Project site. The Project site could potentially support habitat for three special-status wildlife species; the Swainson's hawk, white-tailed kite, and San Joaquin kit fox. Other sensitive species such as nesting migratory birds and ground nesting raptors could also occur.

Because of the potential for some sensitive biological resources to be present on and within 100 feet of the Project site, we recommend the following be implemented:

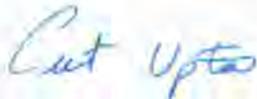
- No active Swainson's hawk nests were found during the survey conducted on March 1, 2016 and this survey would suffice as an indication of no impacts to the species.
- No active raptor or migratory bird nests were found during the March 1, 2016 survey. No additional surveys are warranted prior to the installation of fencing because the fences will be constructed within active agricultural areas and will have relatively minor impacts and a low probability of affecting nesting migratory birds or raptors. However, the construction and installation of buildings on the Project site has a higher probability of affecting nesting migratory birds and raptors. A pre-construction survey should be conducted within the footprint and a 100 foot buffer of the footprint of all building sites. The survey is required only if construction would occur during the breeding season (February 15 to August 31). The survey should be conducted within 14 days of the start of construction. If active raptor nests are found, nests should be avoided by a 500-foot no-disturbance buffer. If active migratory bird nests are found, nests should be avoided by a 250-foot no-disturbance buffer. Buffers should remain in place and nests should be avoided until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival or until the regulating wildlife agency provided direction otherwise.

- No sign or observations of the San Joaquin kit fox were noted during the March 1, 2016 survey. It is recommended that a pre-construction survey for the San Joaquin kit fox be conducted by a qualified biologist no more than 14 days prior to the start of construction of proposed buildings. The survey should include the building footprints plus a 100 foot buffer. No survey should be required for the installation of fencing, but standard measures to protect the San Joaquin kit fox should be implemented during all project construction activities, including the installation of fences. Measures to protect the San Joaquin kit fox should be implemented as described in the *USFWS Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011). Implementation of these measures would protect the San Joaquin kit fox from direct mortality and protect den structures.

Based upon the findings of the database searches and field effort, it is not anticipated that project permitting through the United States Fish and Wildlife Service, California Department of Fish and Wildlife, United States Army Corps of Engineers, or the Regional Water Quality Control Board would be needed.

It was a pleasure being able to assist you with this project and we hope this report meets your needs and expectations. Please let us know if you have any questions regarding the contents of this letter or the findings of our analysis. If needed, we would be happy to assist you further as this project progresses.

Sincerely,



Curtis Uptain
Principal Biologist

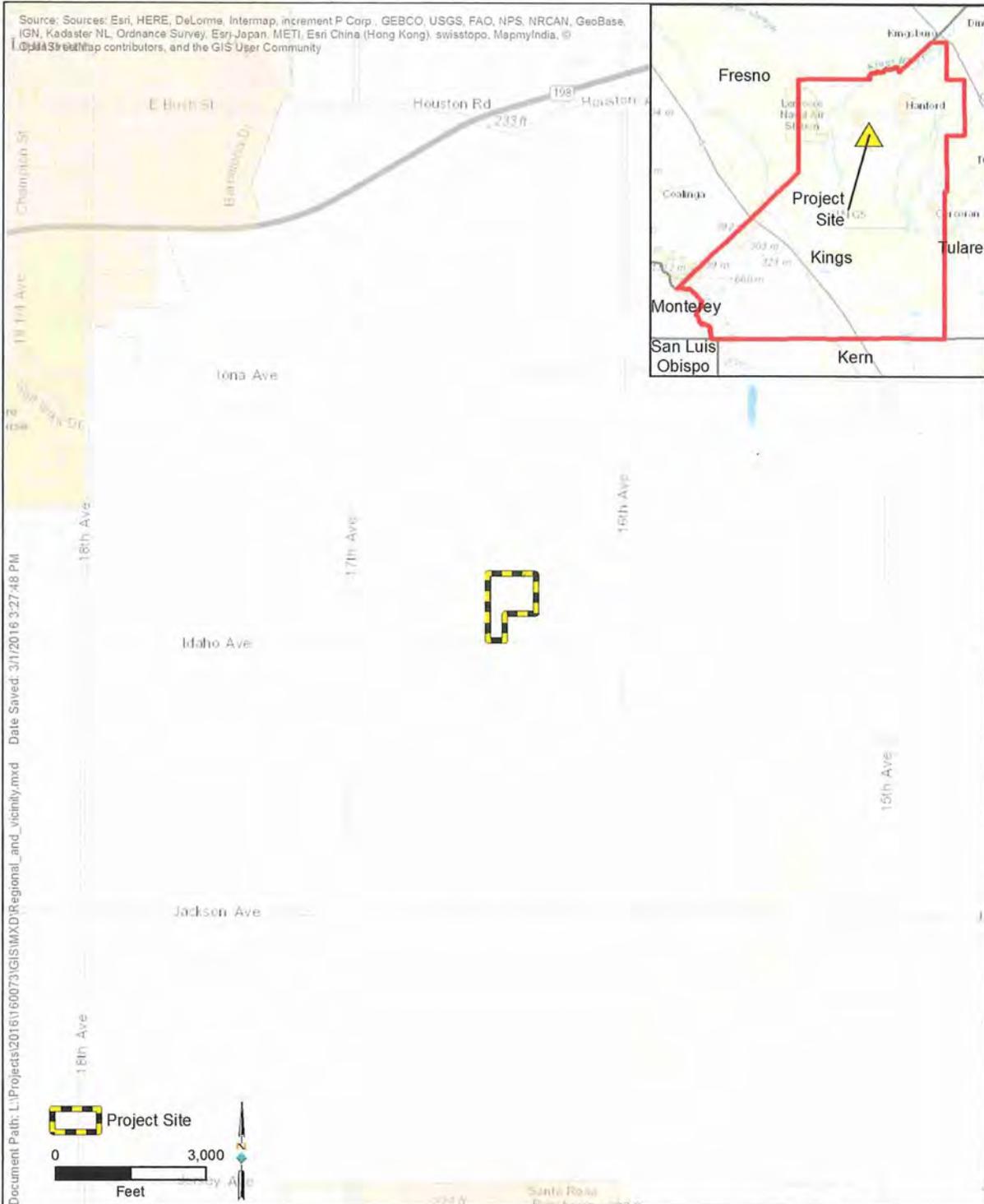
Attachments: A: Project Figures
B: Photo-Plates
C: Database Results Table for Special-Status Species
D: References

160073
MP/CU

ATTACHMENT A

**HORSE TRAINING FACILITY PROJECT
PROJECT FIGURES**

Source: Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri-Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Document Path: L:\Projects\2016\160073\GIS\MXD\Regional_and_vicinity.mxd Date Saved: 3/1/2016 3:27:48 PM



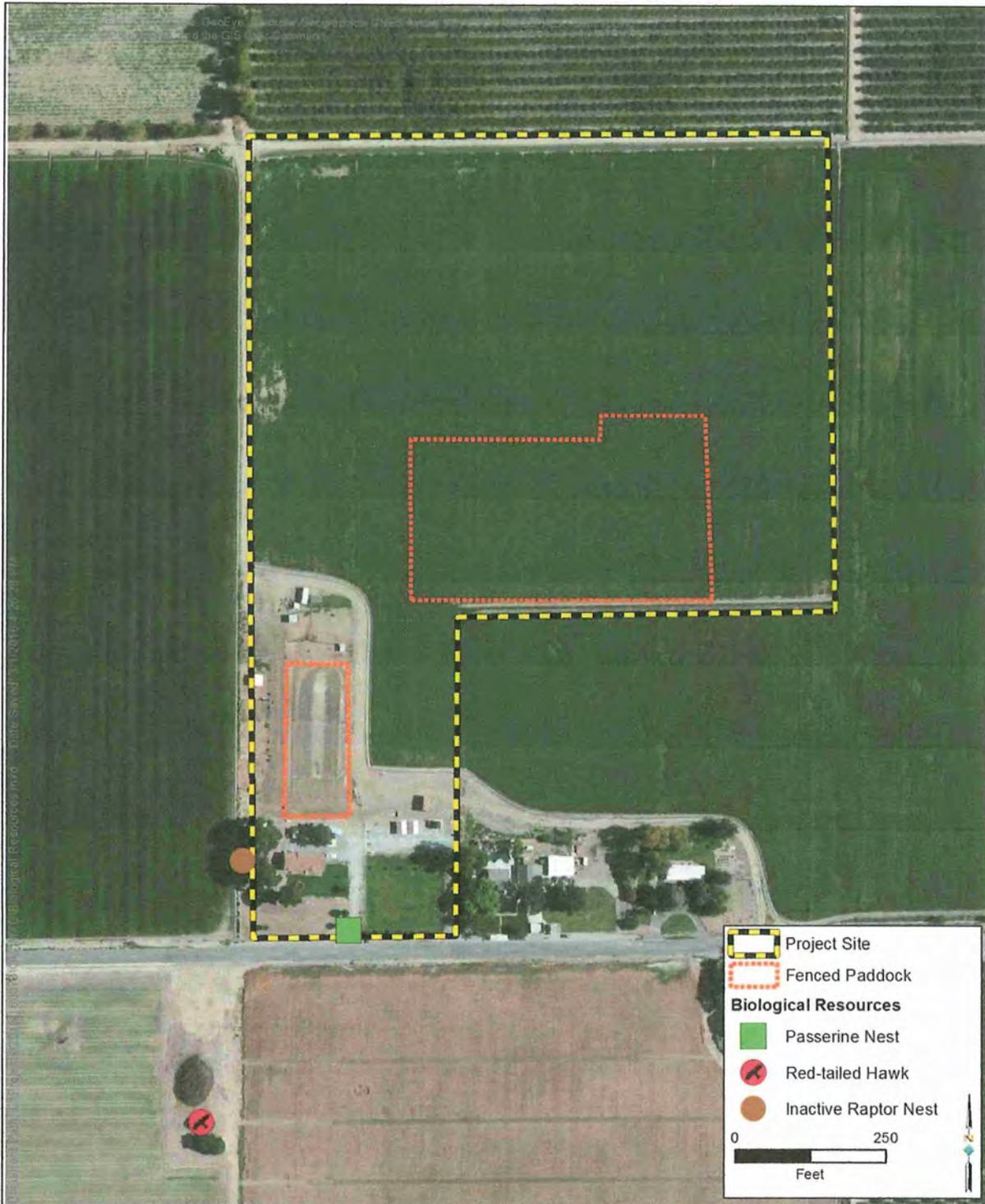
REGIONAL AND VICINITY MAP, HORSE TRAIN FACILITY PROJECT, KINGS COUNTY, CALIFORNIA

Figure 1



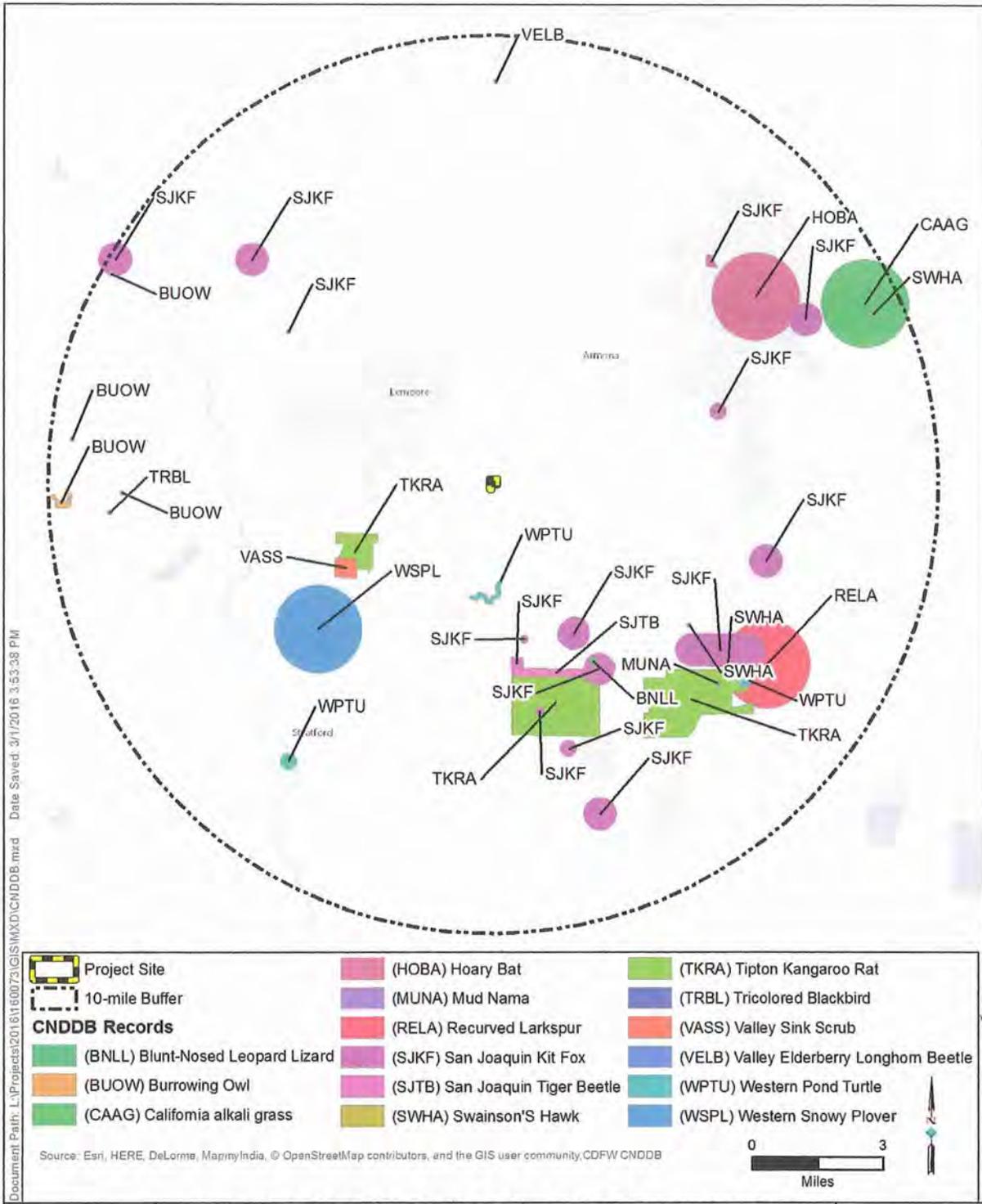
**HORSE TRAINING FACILITY PROJECT,
KINGS COUNTY, CALIFORNIA, CALIFORNIA**

**Figure
2**



**BIOLOGICAL RESOURCES,
HORSE TRAINING FACILITY PROJECT,
KINGS COUNTY, CALIFORNIA**

**Figure
3**

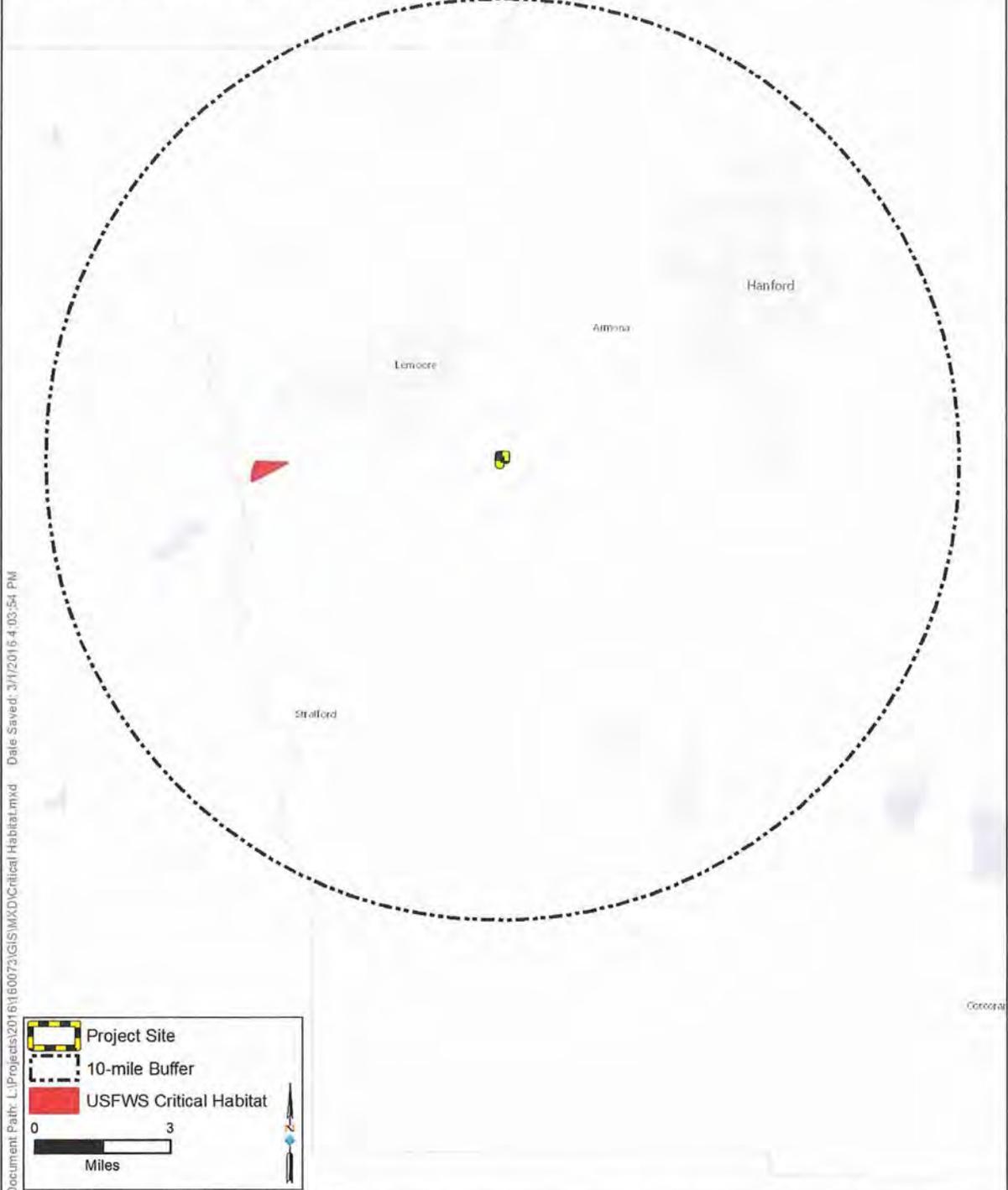


KNOWN HISTORICAL OCCURRENCE OF SENSITIVE NATURAL COMMUNITIES AND SPECIAL-STATUS SPECIES, HORSE TRAINING FACILITY PROJECT, KINGS COUNTY, CALIFORNIA

Figure 4

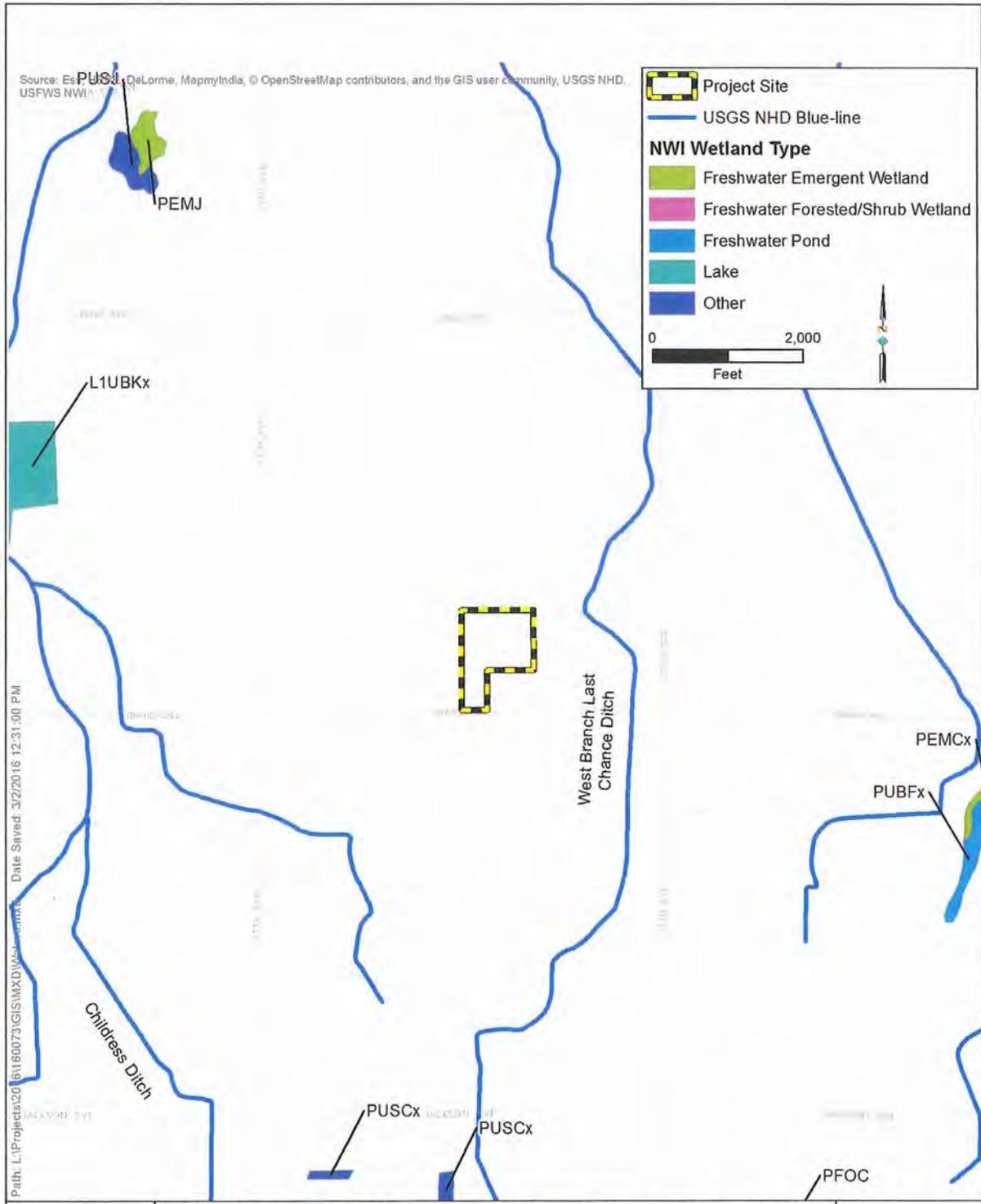


Source: Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community, USFWS



DESIGNATED CRITICAL HABITAT, HORSE TRAINING FACILITY PROJECT, KINGS COUNTY, CALIFORNIA

Figure 5



**NATIONAL WETLANDS INVENTORY AND HYDROLOGY,
HORSE TRAINING FACILITY PROJECT,
KINGS COUNTY, CALIFORNIA**

**Figure
6**

ATTACHMENT B

**HORSE TRAINING FACILITY PROJECT
PHOTO-PLATES**



Photograph 1: Overlook of the Project site consisting of bare ground - looking to the southeast.



Photograph 2: Overlook of the Project site consisting of cultivated field - looking to the northwest.



Photograph 3: Overlook of the Project site capturing the private residence - looking west.



Photograph 4: Overview of southeastern perimeter of the Project site with adjacent cherry orchard - looking west.



Photograph 5: Overlooking existing horse paddocks.



Photograph 6: Pump station located adjacent to the northwestern corner of the Project site.



Photograph 7 Eucalyptus trees located to the north of the Project site within the 100-foot buffer – looking north.



Photograph 8: Inactive raptor's nest located in a Valley oak tree in the southwest corner of the Project site.

ATTACHMENT C

**HORSE TRAINING FACILITY PROJECT
DATABASE RESULTS FOR SENSITIVE VEGETATIVE COMMUNITIES
AND SPECIAL-STATUS SPECIES**

Scientific Name	Common Name	Status	Habitat Requirements	Probability of Occurrence and Assessment of Impacts
SENSITIVE NATURAL COMMUNITIES				
Valley Sink Scrub	Valley Sink Scrub	G1, S1.1	This community consists of low, open to dense succulent shrublands dominated by alkali-tolerant <i>Chenopodiaceae</i> , especially <i>Allenrolfea occidentalis</i> or several <i>Sueda</i> species. Understories usually are lacking, though sparse herbaceous cover dominated by <i>Bromus rubens</i> develop occasionally. Also consists of saline or alkaline clays.	Absent. This natural community was not found on or with 100 feet of the project site and its associated habitat is absent.
SPECIAL-STATUS PLANTS				
<i>Atriplex depressa</i>	brittlescale	1B.2	This annual herb occurs in Chenopod scrubland, grassland, and alkali sink habitats, but it also is known to occur in wet areas. It flowers between April and October, and it ranges in elevation from 1 to 1050 feet.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Delphinium recurvatum</i>	recurved larkspur	1B.2	This perennial plant is commonly found in chenopod scrub, valley and foothill grassland and cismontane woodland. It is most common on sandy or clay alkaline soils. It flowers from March to May, and it ranges in elevation from 10 to 2,592 feet.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Lepidium jaredii</i> ssp. <i>album</i>	Panoche pepper-grass	1B.2	This annual plant is found in valley and foothill grassland on steep slopes in clay soil. It flowers between February and June, and it ranges in elevation from 606 to 902 feet.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Puccinellia simplex</i>	California alkali-grass	1B.2	This annual herb occurs in Chenopod scrub, meadows and seeps, valley and foothill grassland, and vernal pools. It occurs in alkaline, vernal mesic soil,	Absent. Habitat suitable to support this species is absent from the Project site.

Scientific Name	Common Name	Status	Habitat Requirements	Probability of Occurrence and Assessment of Impacts
			and in sinks, flats, and lake margins. It flowers between March and May, and it ranges in elevation from 6 to 3,051 feet.	
INVERTEBRATES				
<i>Branchinecta conservatio</i>	Conservancy fairy shrimp	FE	This fairy shrimp species occurs in and is endemic to the grasslands of the northern two-thirds of the central valley. It is found in large, turbid pools and inhabits astatic pools located in swales formed by old, braided alluvium filled by winter/spring rains.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT	This fairy shrimp species occurs in a variety of vernal pool habitats from small, clear sandstone rock pools to large, turbid, alkaline, grassland valley floor pools.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Cicindela tranquebarica</i> ssp.	San Joaquin tiger beetle	G5 S1	This beetle species is a spring/fall species that occurs in a wide variety of open sandy habitats. It prefers sandy substrates with sparse to moderate vegetation. It is a gregarious species and can be found along road side ditches, sandy washes, edges of sandy lakes and rivers, blowouts, and sand dunes.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Desmocerus californicus dimorphus</i>	Valley elderberry longhorn beetle	FT	This beetle species is associated with and entirely dependent on elderberry bushes (<i>Sambucus</i> spp.) in the Central Valley.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Lepidurus packardii</i>	vernal pool tadpole shrimp	FE	This fairy shrimp species occurs in vernal pools with clear to high turbidity.	Absent. Habitat suitable to support this species is absent from the Project site.
FISH				

Scientific Name	Common Name	Status	Habitat Requirements	Probability of Occurrence and Assessment of Impacts
<i>Hypomesus transpacificus</i>	Delta smelt	FE, CT	This species occurs in the Sacramento and San Joaquin estuaries of the San Francisco Bay. Occurs primarily in main water bodies and sloughs of the Delta and Suisun Bay. Not directly associated with small stream systems.	Absent. Habitat suitable to support this species is absent from the Project site.
AMPHIBIANS				
<i>Ambystoma californiense</i>	California tiger salamander	FT, CT, CSC	This species occurs in natural ephemeral pools or ponds that mimic them, and that remain inundated for 12 weeks or more. It requires nearby upland habitat containing small mammal burrows or crevices that provide refugia.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Rana draytonii</i>	California red-legged frog	FT, CSC	This species occurs in small streams, ponds and marshes, preferably with dense shrubby vegetation such as cattails and willows near deep water pools.	Absent. Habitat suitable to support this species is absent from the Project site.
<i>Spea hammondi</i>	western spadefoot	CSC	This species occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Absent. Habitat suitable to support this species is absent from the Project site.
REPTILES				
<i>Emys marmorata</i>	western pond turtle	CSC	This species occurs in ponds and small lakes with abundant vegetation; also found in marshes, slow moving streams, reservoirs, and brackish water. Require basking sites.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
<i>Gambelia sila</i>	blunt-nosed leopard lizard	FE, CE, FP	This species occurs in sparsely vegetated alkali and desert scrub habitats, in areas of low topographic relief. It seeks cover in mammal	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.

Scientific Name	Common Name	Status	Habitat Requirements	Probability of Occurrence and Assessment of Impacts
			burrows, under shrubs, or structures such as fence posts.	
<i>Thamnophis gigas</i>	giant garter snake	FT, CT,	This species primarily occurs in permanent or semi-permanent marshes and sloughs, drainage canals, and irrigation ditches, particularly around rice fields. It prefers to reside in sloughs that are flooded in summer and dry in winter. It can occasionally be found in slow-moving creeks. It prefers locations with vegetation close to the water for basking.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
BIRDS				
<i>Agelaius tricolor</i>	tricolored blackbird	CSC	This species occurs near fresh water, and prefer emergent wetland vegetation with tall, dense cattails or tules, but is also found in thickets of willow, blackberry, wild rose, and tall herbs. It has been found to nest and forage in grassland and agricultural fields (pastures, dairies, rice fields). A highly social nester, it occurs in large colonies.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
<i>Athene cunicularia</i>	burrowing owl	CSC	This species occurs in open annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
<i>Buteo swainsoni</i>	Swainson's hawk	CT	This species occurs in riparian forests and other forested areas. It roosts in a variety of trees and forage widely over forests, grasslands, and shrublands. It is easily disturbed by human activities.	Potential. Nesting habitat that could support this species is present in valley oak and ornamental trees located within the southwest corner of the Project site. Eucalyptus trees located to the north of the Project site also provide nesting habitat. Foraging habitat is present within

Scientific Name	Common Name	Status	Habitat Requirements	Probability of Occurrence and Assessment of Impacts
				the Project site.
<i>Charadrius alexandrinus nivosus</i>	Western snowy plover	CT	This species occurs along sandy beaches, salt pond levees and shores of large alkali lakes. It needs sandy, gravelly or friable soils for nesting.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
<i>Elanus leucurus</i>	White-tailed kite	FP	This species occurs in savanna, open woodlands, marshes, desert grassland, partially cleared lands, and cultivated fields. It nests in the upper third of trees, which can be open-country trees growing in isolation, or at the edge of or within a forest. Nests have been reported in more than 20 tree species.	Potential. Nesting habitat that could support this species is present in valley oak and ornamental trees located within the southwest corner of the Project site. Eucalyptus trees located to the north of the Project site also provide nesting habitat. Foraging habitat is present within the Project site.
<i>Nycticorax nycticorax</i>	Black-crowned night heron	MTBA	This species occurs in wetlands, including saltmarshes, freshwater marshes, swamps, streams, rivers, lakes, ponds, lagoons, tidal mudflats, canals, reservoirs, and wet agricultural fields. The species requires aquatic habitat for foraging and terrestrial vegetation for cover, and may use mangroves, marshes, swamps, lagoons, and flooded rice fields.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
MAMMALS				
<i>Dipodomys ingens</i>	giant kangaroo rat	FE, CE	This species is associated with annual grasslands on the western side of the San Joaquin valley and have marginal habitat in alkali scrub. It requires level terrain and sandy loam soils for burrowing.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
<i>Dipodomys nitratooides exilis</i>	Fresno kangaroo rat	FE, CE,	This species historically occurred in alkali sink and open grassland habitats on the valley floor in Fresno County and portions of Tulare, Kings, and	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.

Scientific Name	Common Name	Status	Habitat Requirements	Probability of Occurrence and Assessment of Impacts
			Madera counties. The last confirmed specimen was captured in 1992 and it may be extinct.	
<i>Dipodomys nitratoides nitratoides</i>	Tipton kangaroo rat	FE, CE	This species occurs in saltbush scrub and sink scrub communities in the Tulare Lake Basin of the southern San Joaquin valley. It needs soft friable soils which escape seasonal flooding to dig burrows in elevated soil mounds at the base of shrubs.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
<i>Lasiurus cinereus</i>	hoary bat	G5, S4	This species occurs in deciduous and coniferous forests and woodlands, including areas altered by humans. Roost sites usually occur in tree foliage with dense foliage above and open flying room below, often at the edge of a clearing and commonly in hedgerow trees. Sometimes it roosts in rock crevices, but rarely in caves. When hibernating, it has been found on tree trunks, in a tree cavity, in a squirrel's nest, and in a clump of Spanish-moss.	Absent. Habitat that could support this species is not present on or within 100 feet of the Project site.
<i>Vulpes macrotis mutica</i>	San Joaquin Kit fox	FE, CT	This species occurs in annual grasslands or grassy open stages with scattered shrubby vegetation. Need loose-textured sandy soils for burrowing, and suitable prey base.	Potential. Foraging habitat is present within the Project site and San Joaquin kit fox could occur as a transient and/or forager.

Sources:

- California Department of Fish and Wildlife (CDFW). 2016. California Natural Diversity Data Base, California Department of Fish and Wildlife Sacramento, CA.
- California Native Plant Society (CNPS). 2016. Inventory of Rare and Endangered Plants (online edition, v6-05b 4-11-05). Rare Plant Scientific Advisory Committee. California Native Plant Society. Sacramento, CA.
- United States Fish and Wildlife Service (USFWS). 2016. Federal Endangered and Threatened Species List.

Abbreviations:

- FE Federal Endangered Species
- FT Federal Threatened Species
- MBTA Species Protected Under the Auspices of the Migratory Bird treaty Act

CE California Endangered Species
CT California Threatened Species
CSC California Department of Fish and Game Species of Special Concern

Abbreviations (continued):

- 1A California Native Plant Society List 1A Species- Plants Presumed Extinct in California
- 1B.1 California Native Plant Society List 1B Species-Plants Categorized as Rare, Threatened, or Endangered in California and Elsewhere; Seriously Endangered in California
- 1B.2 California Native Plant Society List 1B Species-Plants Categorized as Rare, Threatened, or Endangered in California and Elsewhere; Fairly Endangered in California.
- 1B.3 California Native Plant Society List 1B Species-Plants Categorized as Rare, Threatened, or Endangered in California and Elsewhere; Not Very Endangered in California
- 2A California Native Plant Society List 2A Species-Plants categorized as Presumed Extirpated in California, But More Common Elsewhere
- 2B.1 California Native Plant Society List 2B Species-Plants Categorized as Endangered in California; Seriously Endangered
- 2B.2 Native Plant Society List 2B Species-Plants Categorized as Endangered in California; Fairly Endangered in California
- 2B.3 Native Plant Society List 2B Species-Plants Categorized as Endangered in California; Not Very Endangered in California
- 3.1 Native Plant Society List 3 Species-Plants Categorized as Needs More Information; Seriously Endangered in California
- 3.2 Native Plant Society List 3 Species-Plants Categorized as Needs More Information; Fairly Endangered in California.
- 3.3 Native Plant Society List 3 Species-Plants Categorized as Needs More Information; Not Very Endangered in California
- 4.1 Plants of limited distribution (watch list), Seriously endangered in California; (over 80% of occurrences threatened / high degree and immediacy of threat)
- 4.2 Plants of limited distribution - Watch list, Fairly endangered in California (20-80% occurrences threatened)
- 4.3 Plants of limited distribution - Watch list, Not very endangered in California (<20% of occurrences threatened/low degree and immediacy of threat or no current threats known)
- G1 Critically Imperiled. At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.
- G2 Imperiled. At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.
- G3 Vulnerable. At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.
- G4 Apparently Secure. Uncommon but not rare; some cause for long-term concern due to declines or other factors.
- G5 Secure. Common; widespread and abundant.
- S1 Critically Imperiled. Critically imperiled in the state/province because of extreme rarity (often 5 or fewer occurrences) or because of some factor(s) such as very steep declines making it especially vulnerable to extirpation from the state/province.
- S2 Imperiled. Imperiled in the state/province because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the state/province.
- S3 Vulnerable. Vulnerable in the state/province due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation.
- S4 Apparently Secure. Uncommon but not rare; some cause for long-term concern due to declines or other factors.
- S5 Apparently Secure. Uncommon but not rare; some cause for long-term concern due to declines or other factors.

ATTACHMENT D

**HORSE TRAINING FACILITY PROJECT
REFERENCES**

ArcGIS Online. 2016. Website: <https://www.arcgis.com/>

California Department of Fish and Wildlife (CDFW). 1994. Staff Report Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California.

California Natural Diversity Database (CNDDDB). 2016. California Natural Diversity Database RareFind Version 5, Sacramento, California.

California Native Plant Society (CNPS), Rare Plant Program. 2016. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website: <http://www.rareplants.cnps.org>.

Federal Emergency Management Agency (FEMA). 2016. A 100-year floodplain database. Website: <https://msc.fema.gov>

National Hydrographic Dataset (NHD). 2016. United States Geological Survey Hydrography On-line Database. <http://nhd.usgs.gov/>

Swainson's Hawk Technical Advisory Committee. 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley.

United States Geological Survey (USGS). 2016. National Hydrography Dataset: <http://nhd.usgs.gov/index.html>

United States Fish and Wildlife Service (USFWS). 1998. Recovery Plan for Upland Species of the San Joaquin Valley, California.

United States Fish and Wildlife Service (USFWS). 2011. U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance.

United States Fish and Wildlife Service (USFWS). 2016a. Federal Endangered and Threatened Species List. Sacramento Fish and Wildlife Office, Sacramento, California

United States Fish and Wildlife Service (USFWS). 2016b. National Wetland Inventory Maps (NWI): <http://www.fws.gov/wetlands>.



**CULTURAL RESOURCES ASSESSMENT,
CAETANO HORSE TRAINING FACILITY, 16484 IDAHO AVENUE,
APN 024-062-059, LEMOORE, KINGS COUNTY, CALIFORNIA**

Prepared for:

Dan Caetano
c/o Jason Pausma
Innovative Ag Services, LLC
1201 Delta View Road, Suite 5
Hanford, CA 93230
(559) 587-2800

Prepared by:

C. Kristina Roper, M.A., RPA
Sierra Valley Cultural Planning
41845 Sierra Avenue
Three Rivers, California 93271
(559) 288-6375

5 April 2016

Topographic Quadrangle: Lemoore, 7.5' (1954)
Area: 22.13 acres (8.96 hectares)

(Keywords: *Lemoore, Kings County, Township 19S, Range 20E, MDB&M,
J.F. Flory, Potter Colony, Tache Yokut*)

TABLE OF CONTENTS

	<i>Page</i>
SUMMARY OF FINDINGS.....	2
INTRODUCTION.....	3
PROJECT LOCATION AND DESCRIPTION.....	3
REGULATORY FRAMEWORK.....	3
<i>CALIFORNIA ENVIRONMENTAL QUALITY ACT.....</i>	<i>3</i>
SOURCES CONSULTED.....	5
SETTING AND BACKGROUND.....	6
<i>PREHISTORY.....</i>	<i>7</i>
<i>ETHNOGRAPHIC SUMMARY.....</i>	<i>8</i>
<i>HISTORIC PERIOD SUMMARY.....</i>	<i>9</i>
SURVEY METHODS AND RESULTS.....	12
FINDINGS AND RECOMMENDATIONS.....	12
REFERENCES CITED.....	15
PREPARER'S QUALIFICATIONS.....	17

SUMMARY OF FINDINGS

The proposed project includes the construction of horse training facility located at 16484 Idaho Avenue approximately two miles southeast of the City of Lemoore in central Kings County, California. The project study area is located in Township 19S, Range 20E, Section 13, MDB&M (see Maps 1-3).

Dan Caetano, the property owner, is applying to Kings County for a conditional use permit to build and operate the horse training facility. Provisions and implementing guidelines of the CEQA, as amended March 18, 2010, state that identification and evaluation of historical resources is required for any action that may result in a potential adverse effect on the significance of such resources, which include archaeological resources.

On March 18, 2016, Sierra Valley Cultural Planning (SVCP) archaeologist Douglas S. McIntosh completed a reconnaissance level archaeological survey of the project Area of Potential Effect (APE; see Map 3).

No archaeological or other cultural resources were identified as a result of this cultural resources assessment. Therefore, it is unlikely that the proposed action will have an effect on important archaeological, historical, or other cultural resources. No further cultural resources investigation is therefore recommended. In the unlikely event that buried archaeological deposits are encountered within the project area, the finds must be evaluated by a qualified archaeologist. Should human remains be encountered, the County Coroner must be contacted immediately; if the remains are determined to be Native American, then the Native American Heritage Commission must be contacted as well.

INTRODUCTION

This report presents the findings of a cultural resources assessment of a proposed horse training facility located at 16484 Idaho Avenue approximately two miles southeast of the City of Lemoore in central Kings County, California. The project study area is located in Township 19S, Range 20E, Section 13, MDB&M (see Maps 1-3).

Dan Caetano, the property owner, is applying to Kings County for a conditional use permit to build and operate the horse training facility. Provisions and implementing guidelines of the CEQA, as amended March 18, 2010, state that identification and evaluation of historical resources is required for any action that may result in a potential adverse effect on the significance of such resources, which include archaeological resources.

Sierra Valley Cultural Planning (SVCP) archaeologist Douglas S. McIntosh completed a reconnaissance level archaeological survey of the project Area of Potential Effect (APE). This report was completed by SVCP Principal Investigator C. Kristina Roper.

PROJECT LOCATION AND DESCRIPTION

The project study area is located on 22.13 acres (8.96 hectares) in an open field north of an existing modern prefabricated home on the north side of Idaho Avenue, in the southwest quarter of Section 13, Township 19S, Range 20E, MDB&M. The project Area of Potential Affects (APE) is depicted on Map 3. The proposed project includes the construction of three open horse barns, an open hay barn, three sorting pens, and four areas, all open with pipe fencing.

REGULATORY FRAMEWORK

California Environmental Quality Act

CEQA requires consideration of project impacts on archaeological or historical sites deemed to be "historical resources." Under CEQA, a substantial adverse change in the significant qualities of a historical resource is considered a significant effect on the environment. For the purposes of CEQA, a "historical resource" is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CR) (Title 14 CCR §15064.5(a)(1)-(3)). Historical resources may include, but are not limited to, "any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (PRC §5020.1(j)).

The eligibility criteria for the CR are the definitive criteria for assessing the significance of historical resources for the purposes of CEQA (Office of Historic Preservation n.d.). Generally, a resource is considered "historically significant" if it meets one or more of the following criteria for listing on the CR:

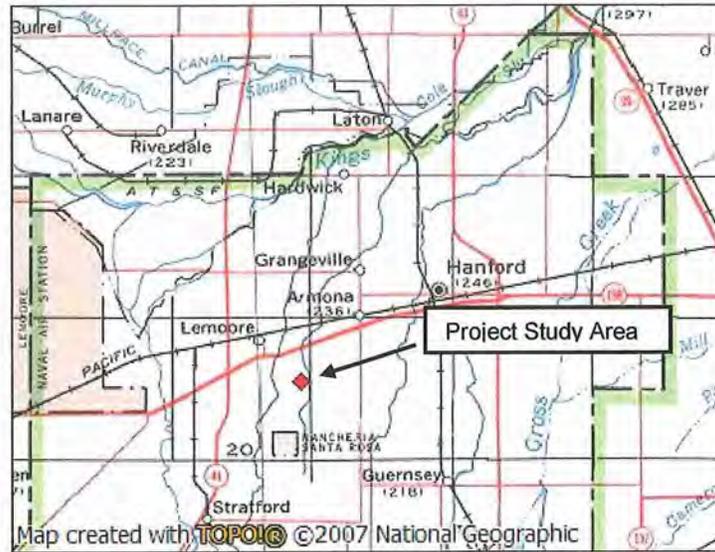
- 1) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; or
- 2) is associated with the lives of persons important in our past; or
- 3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- 4) has yielded, or may be likely to yield, information important in prehistory or history (PRC §5024.1[c]).



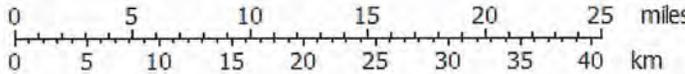
MAP 1. STUDY VICINITY

**Caetano Horse Training Facility,
16484 Idaho Avenue**

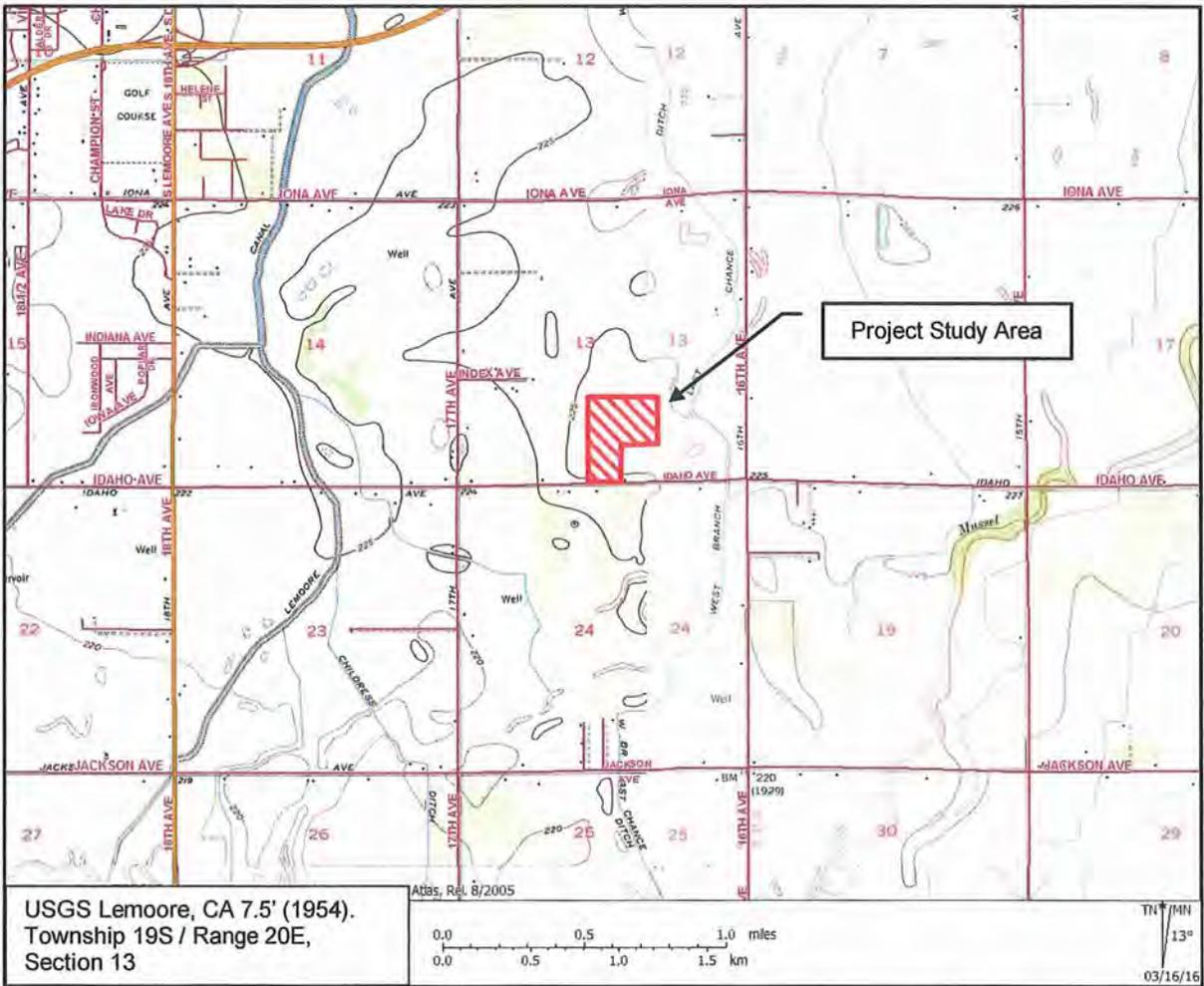
**City of Lemoore
County of Kings**



**NATIONAL
GEOGRAPHIC**



TN / MN
13°
04/06/16



Map 2. Proposed Horse Training Facility, 16484 Idaho Avenue, Lemoore, Kings County, CA.

SOURCES CONSULTED

Prior to field inspection, a records search was conducted by the author at the Southern San Joaquin Valley Information Center of the California Historical Resources Information System to identify areas previously surveyed and identify known cultural resources present within or in close proximity to the study area. The records search included examination of the project location as well as identification of resource and reports within a ¼-mile radius of the APE. According to the Information Center records, no cultural resource studies have been conducted within or immediately adjacent to the project APE, and no studies have been conducted within ¼-mile radius of the project APE. No cultural resources have been recorded within or adjacent to the project APE, and no resources were identified within a ¼-mile radius of the APE. There are no resources within or in the immediate vicinity of the study area that are listed on the National Register of Historic Places (NRHP), the California Register of Historic Resources (Cal REG), California Points of Historical Interest (PHI), California State Historic Landmarks (SHL), or the California State Historic Resources Inventory (HRI).



Map 3. Area of Potential Effect (APE). Caetano Horse Training Facility, Lemoore, Kings County, California.

The Native American Heritage Commission (NAHC) was contacted on 1 March 2016 2015 in order to determine whether Native American sacred sites have been identified either within or in close proximity to the project area. As of 5 April, 2016, no response has been received from the NAHC in response to this query.

SETTING AND BACKGROUND

The project study area is located southeast of the City of Lemoore in central Kings County, California, at an elevation of 226 feet (69 meters) above mean sea level. The study area is located north of the former shoreline of Tulare Lake. Soils within the study area include well-drained alluvial sand and silty clay loam. Current land use includes pasture land and cultivated and fallow agricultural land with rural residential use.

Prior to EuroAmerican exploration and settlement in the region, the central San Joaquin Valley was extensive grassland covered with spring-flowering herbs. Stands of trees -- sycamore, cottonwoods, box elders and willows -- lined the stream and river courses with groves of valley oaks in well-watered localities with rich soil. Rivers yielded fish, mussels, and pond turtles; migratory waterfowl nested in the dense tules along the river sloughs downstream. When the Spanish first set foot in the area, they found the deer and tule elk trails to be so broad and extensive that they first supposed that the area was occupied by cattle. Grizzly bears occupied the open grassland and riparian corridors on the valley floor and adjacent foothills. Smaller mammals and birds, including jackrabbits, ground squirrels, and quail were abundant. Native Americans occupants of the region describe abundant sedge beds, along with rich areas of deer grass, plants that figure prominently in the construction of Native American basketry items.

Prehistory

The San Joaquin Valley and adjacent Sierran foothills and Coast Range have a long and complex cultural history with distinct regional patterns that extend back more than 11,000 years (McGuire 1995). The first generally agreed-upon evidence for the presence of prehistoric peoples in the region is represented by the distinctive basally-thinned and fluted projectile points, found on the margins of extinct lakes in the San Joaquin Valley. These projectiles, often compared to Clovis points, have been found at three localities in the San Joaquin Valley including along the Pleistocene shorelines of former Tulare Lake. Based on evidence from these sites and other well-dated contexts elsewhere, these Paleo-Indian hunters who used these spear points existed during a narrow time range of 11,550 BP to 8,550 BP (Rosenthal et al. 2007).

As a result of climate change at the end of the Pleistocene, a period of extensive deposition occurred throughout the lowlands of central California, burying many older landforms and providing a distinct break between Pleistocene and subsequent occupations during the Holocene. Another period of deposition, also a product of climate change, had similar results around 7,550 BP, burying some of the oldest archaeological deposits discovered in California (Rosenthal and Meyer 2004).

The Lower Archaic (8,550-5,550 BP) is characterized by an apparent contrast in economies, although it is possibly they may be seasonal expressions of the same economy. Archaeological deposits which date to this period on the valley floor frequently include only large stemmed spear points, suggesting an emphasis on large game such as artiodactyls (Wallace 1991). Recent discoveries in the adjacent Sierra Nevada have yielded distinct milling assemblages which clearly indicate a reliance on plant foods. Investigations at Copperopolis (LaJeunesse and Pryor 1996) argue that nut crops were the primary target of seasonal plant exploitation. Assemblages at these foothill sites include dense accumulations of handstones, millingslabs, and various cobble-core tools, representing "frequently visited camps in a seasonally structured settlement system (Rosenthal et al. 2007:152). As previously stated, these may represent different elements of the seasonal round. Future investigations should address this question. What is known is that during the Lower Archaic, regional interaction spheres had been well established. Marine shell from the central California coast has been found in early Holocene contexts in the great basin east of the Sierra Nevada, and eastern Sierra obsidian comprises a large percentage of flaked stone debitage and tools recovered from sites on both sides of the Sierra.

About 8,000 years ago, many California cultures shifted the main focus of their subsistence strategies from hunting to nut and seed gathering, as evidenced by the increase in food-grinding implements found in archeological sites dating to this period. This cultural pattern is best known for southern California, where it has been termed the Milling Stone Horizon (Wallace 1954, 1978a), but recent studies suggest that the horizon may be more widespread than originally described and is found throughout the region during the Middle Archaic Period. Radiocarbon dates associated with this period vary between 8,000 and 2,000 BP, although most cluster in the 6,000 to 4,000 BP range (Basgall and True 1985).

On the valley floor, early Middle Archaic sites are relatively rare. This changes significantly toward the end of the Middle Archaic. In central California late Middle Archaic settlement focused on river courses on the valley floor. "Extended residential settlement at these sites is indicated by refined and specialized tool assemblages and features, a wide range of nonutilitarian artifacts, abundant trade objects, and plant and animal remains indicative of year-round occupation" (Rosenthal et al. 2007:154). Again, climate change apparently influence this shift, with warmer, drier conditions prevailing throughout California. The shorelines of many lakes, including Tulare Lake, contracted substantially, while at the same time rising sea levels favored the expansion of

the San Joaquin/Sacramento Delta region, with newly formed wetlands extending eastward from the San Francisco Bay.

In contrast, early Middle Archaic sites are relatively common in the Sierran foothills, and their recovered, mainly utilitarian assemblages recovered show relatively little change from the preceding period with a continued emphasis on acorns and pine nuts. Few bone or shell artifacts, beads, or ornaments have been recovered from these localities. Projectile points from this period reflect a high degree of regional morphological variability, with an emphasis on local toolstone material supplemented with a small amount of obsidian from eastern sources. In contrast with the more elaborate mortuary assemblages and extended burial mode documented at Valley sites, burials sites documented at some foothill sites such as CA-FRE-61 on Wahtoke Creek are reminiscent of "re-burial" features reported from Milling Stone Horizon sites in southern California. These re-burials are characterized by re-interment of incomplete skeletons often capped with inverted millingstones (McGuire 1995:57).

A return to colder and wetter conditions marked the Upper Archaic in Central California (2,500-1,000 BP). Previously desiccated lakes returned to spill levels and increased freshwater flowed in the San Joaquin and Sacramento watershed. Cultural patterns as reflected in the archeological record, particularly specialized subsistence practices, emerged during this period. The archeological record becomes more complex, as specialized adaptations to locally available resources were developed and valley populations expanded into the lower Sierran foothills. New and specialized technologies expanded distinct shell bead types occur across the region. The range of subsistence resources utilized and exchange systems expanded significantly from the previous period. In the Central Valley, archaeological evidence of social stratification and craft specialization is indicated by well-made artifacts such as charmstones and beads, often found as mortuary items.

The period between approximately 1,000 BP and Euro-American contact is referred to as the Emergent Period. The Emergent Period is marked by the introduction of bow and arrow technology which replaced the dart and atlatl at about 1,100 to 800 BP. In the San Joaquin region, villages and small residential sites developed along the many stream courses in the lower foothills and along the river channels and sloughs of the valley floor. A local form of pottery was developed in the southern Sierran foothills along the Kaweah River. While many sites with rich archaeological assemblages have been documented in the northern Central Valley, relatively few sites have been documented from this period in the southern Sierran foothills and adjacent valley floor, despite the fact that the ethnographic record suggests dense populations for this region.

Ethnographic Summary

Prior to EuroAmerican settlement, speakers of Yokutsan languages occupied most of the San Joaquin Valley and the bordering foothills of the Sierra Nevada and Diablo Range. Most of the Valley Yokuts lived on the eastern side of the San Joaquin River. The Project Study Area falls within *Tache* Yokut territory. The *Tache* had villages on the north and west sides of former Tulare Lake (Latta 1999:141). Primary *Tache* villages are depicted in Figure 1.

Due to the abundance and diversity of wildlife habitats and plant communities within the Sierran foothills and nearby San Joaquin Valley and higher elevations of the Sierra Nevada, Native American population densities in the region were quite high (Baumhoff 1963). While the acorn was the dietary staple, the diversity of accessible natural resources provided an omnivorous diet, particularly in the rich marshlands which comprise the former Tulare Lake. The reader is referred to Gayton (1948), Kroeber (1925), Latta (1999), and Wallace 1978b for additional information on pre-contact Yokuts subsistence and culture.

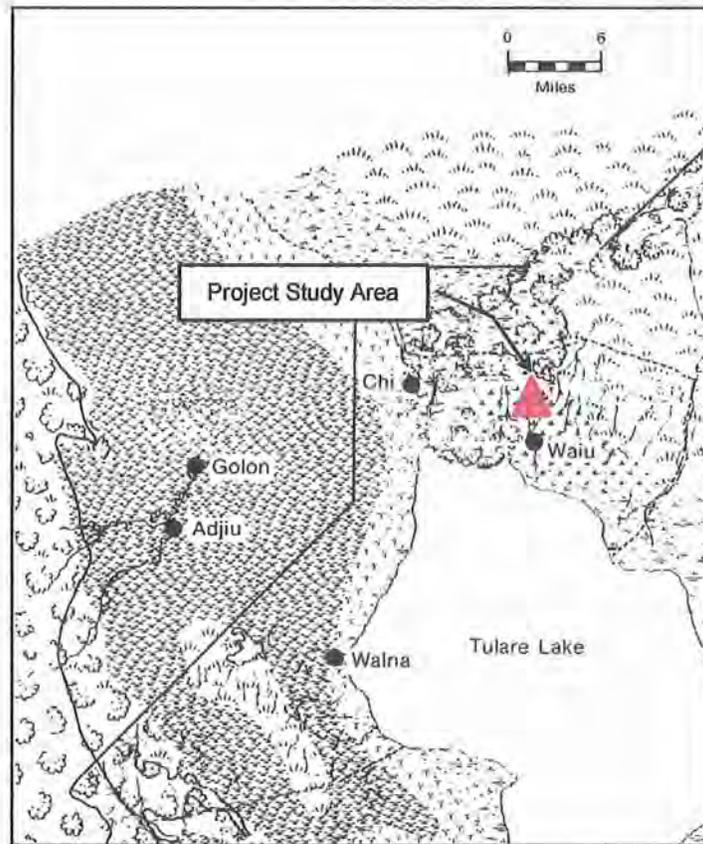


Figure 1. Location of Known Tache Yokut Villages near the Project Study Area (after Preston 1981:45). *Waiu* is the location of the present-day Santa Rosa Rancheria. *Walna* is situated at present-day Kettleman City. *Golon* is at present-day Huron.

Historic Period Summary

The San Joaquin Valley was visited in the early 1800s by Spanish expeditions exploring the interior in search of potential mission sites. In 1832-33 Colonel Jose J. Warner, a member of the Ewing-Young trapping expedition, passed through the San Joaquin Valley. Warner described Native villages densely packed along the valley waterways, from the foothills down into the slough area. The next year he revisited the area following a devastating malaria epidemic. Whereas the previous year the region had been densely occupied by Native peoples, during this trip not more than five Indians were observed between the head of the Sacramento Valley and the Kings River (Cook 1955).

EuroAmerican appreciation for the land did not include acceptance of its indigenous human populations, and pressure was exerted upon the US military to remove the Native population from the region, leaving the region open for American settlement and resource development. EuroAmerican settlement of the region began in 1851 with the establishment of Fort Miller on the San Joaquin River. Hostilities between Native inhabitants and American settlers initially prevented widespread settlement of the region; however, by 1860 such threats had been reduced and settlers began taking up large tracts in the region.

The following account of the history of the Lemoore area is taken from Kings County: A Short History, compiled by Evon Cody in 1987).

Before 1850, the area we now call Lemoore was rolling countryside. With the wide and uncontrolled Kings River to the north and the large Tulare Lake to the south, much of the land between was swampy and slough-like. Tule elk, deer, raccoon, antelope, bear, beaver, mink, pigs, cattle and horses roamed the area. Salmon, steelhead, chub, trout, mussels, terrapin and otter could be found in the lakes, and there was an abundance of ducks, geese, herons and pigeons.

Lemoore was settled in the early 1860's. At that time, it was called Tailholt or Le Tache, or simply referred to as "the lake district." Lemoore's early settlers were dirt farmers, or, as the cattlemen along the Kings River called them, "sandlappers." Taming the land and controlling the waterways meant hard work, enduring extreme heat and cold, sandstorms, wild animals and insects, using wooden shovels to dig ditches and wooden Fresno Scrapers to level the land. It was not until 1872 that the men of Lemoore made their first organized attempt at irrigating.

The first homes were constructed of adobe bricks, crude lumber, or some cases, lumber hauled from Stockton by ox teams. Sierra sawmills later provided lumber for homes. The settlers traveled to Grangeville and Kingston for supplies, mail and newspapers.

When Dr. Loverin Lee Moore came to the area in 1872 and purchased 160 acres of land, the community organized. Dr. Moore applied for a post office under the name of Le Tache. The federal government rejected that name and substituted Lemoore, derived from the petitioner, Dr. (Lee) Moore. The petition was granted in 1873.

In 1872, Dr. Moore surveyed out of his property a 10-acre subdivision, in what is now the land immediately west of the present Lemoore High School. He auctioned off lots ranging in price from \$75.00 to \$150.00, marking the beginning of a real community. Streets, homes and businesses followed. By 1875 there were a grocery and dry goods store operated by Granville Follett, and a drug store operated by Dr. B. Hamlin.

When the railroad built its line just to the north of Lemoore, the little community redirected its business growth toward the railroad station. All of that development took place on what is now "D" Street and "E" Street, known as Front Street in 1877.

By the 1880's, Lemoore had a full complement of businesses and in 1883 boasted of having the largest store building this side of San Francisco—35 feet wide by 150 feet long. Lemoore became an important shipping point for wheat and by 1890 was considered the largest wool-shipping center in the United States, because of the large number of sheep raised in the San Joaquin Valley. It was one of the valley's major fruit centers in the 1890's.

As in many early pioneer towns, destructive fires retarded Lemoore's growth. Nonetheless, it was something of a cultural center, with its orchestra, band, choral societies and opera house. For excitement of another kind, the men raced horses at a race track located where the Lemoore golf course is today.

In 1910, the national census showed 1,000 residents within the city limits. As agriculture changed and grew, so the city changed and grew. More recently, the decision of business enterprises such as Armstrong, Foremost and Candlewick to build plants in the area contributed to change and growth, but the greatest contribution to the city's growth came in the fall of 1958, when construction began on the Lemoore Naval Air Station. By 1985, Lemoore's population was 10,900, making it the fastest growing city in Kings County.

Kings County was formed in 1893 from the western part of Tulare County. An 1892 map of the project study area depicts land owners and development in the area. The map indicates that the study parcel was owned by Jacob F. Flory, a native of Virginia who came to the area in 1881 and is identified as a grape grower and wine maker (State of California 1888). The structure depicted on the 1892 map is no longer standing and has been replaced by a modern, prefabricated home.

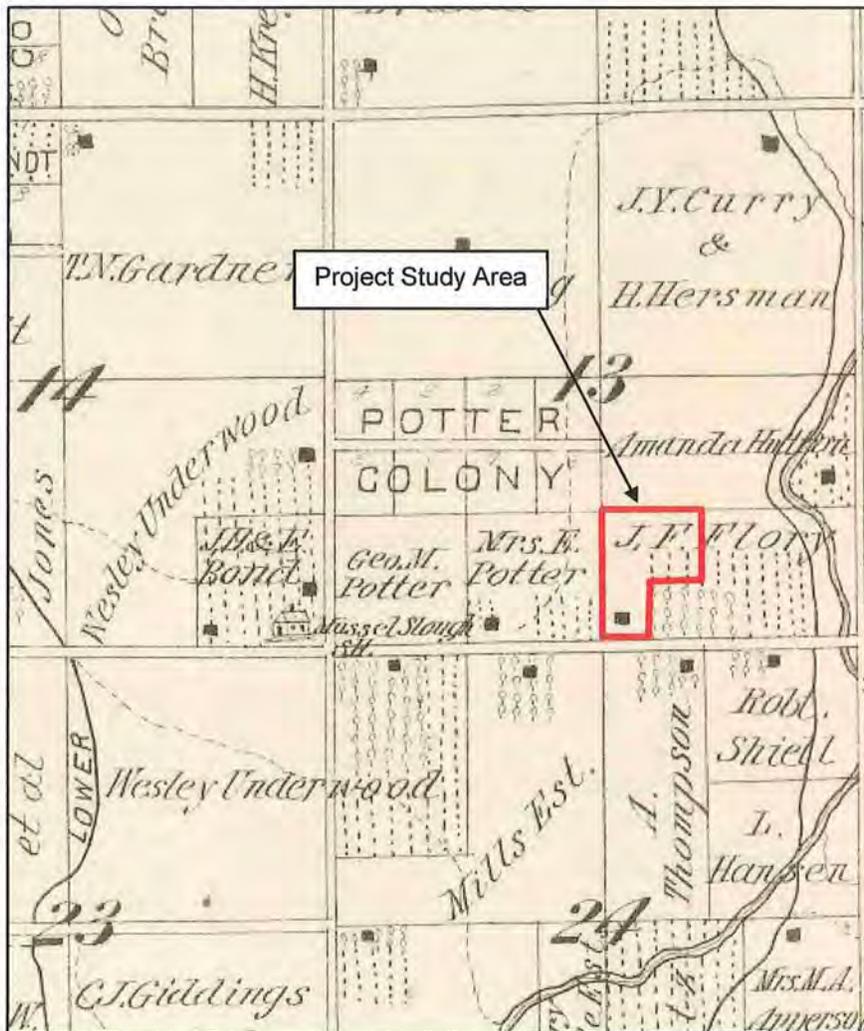


Figure 2. 1892 Map of Tulare County depicting the Project Study Area.

Land immediately to the west of the project study area was under the ownership of George M. Potter and his wife Emma Potter, who came to the Lemoore area in 1875 and began farming quite extensively, and also engaged in the raising of stock. He subdivided eighty acres of his ranch into small tracts and sold to settlers, thus forming the Potter colony (Lewis Publishing Company, 1892:494).

SURVEY METHODS AND RESULTS

On March 18, 2016, Sierra Valley Cultural Planning (SVCP) archaeologist Douglas S. McIntosh conducted a systematic archaeological pedestrian survey of a 22.13+/- acre parcel. The subject parcel is located at 16484 Idaho Avenue, approximately two miles southeast of the City of Lemoore, Kings County, California.

The field survey sought to identify any archaeological sites, features or artifacts which might be present on the ground surface. Items such as chipped stone tools, grinding implements, and midden soils are indicators of prehistoric activities. In addition, the survey sought to identify any historic artifacts, features, and structures over fifty years old.

The survey entailed walking systematic north/south transects, spaced 5 to 7 meters apart. Special attention was given to any visible rocks or stones.

The survey crew used a Panasonic Lumix DMC-TS20 digital camera to document the project setting and any cultural resources. All photo information was recorded on a photo-log.

The subject parcel is generally open. A modern prefabricated home is located near the southwest corner of the site. Horse pens are located just north of the home's site. In addition, a series of newly constructed "sorting pens" and "arenas" are located near the central portion of the site. All of the parcel appears to have been previously impacted by mechanical disturbances, such as leveling and disking.

Ground visibility within the parcel ranged from 100 percent to less than 30 percent. The western and central portions of the property were free of any vegetation. Along the northern and eastern edges of the parcel, dense 4 to 12 inch high fiddle-neck, mustard and non-native grasses covered the ground surface.

Project soils are generally comprised of a mix of silty clay loam deposits and wide bands of fine to medium grain alluvial sands. Soils have a Munsell color value of 10yr 5/3 to 4/3, brown. Only a few, small, water-worn rocks were observed on the surface of the survey parcel.

At the time of this field visit, a crew was in the process of trenching and installing large diameter PVC irrigation pipe throughout the project area. A brief inspection was made of the open 4 foot deep pipe trench at the northeast corner of the parcel. This inspection did not yield any cultural resources.

FINDINGS AND RECOMMENDATIONS

No archaeological or other cultural resources were identified within the project APE as a result of this cultural resources survey. It is thus unlikely that the proposed action will have an effect on important archaeological, historical, or other cultural resources. No further cultural resources investigation is therefore recommended. In the unlikely event that buried archaeological deposits are encountered within the project area, the finds must be evaluated by a qualified archaeologist. Should human remains be encountered, the County Coroner must be contacted

immediately; if the remains are determined to be Native American, then the Native American Heritage Commission must be contacted as well.



Figure 3. Street view of home at 16484 Idaho Avenue.



Figure 4. View south from northwest corner of parcel.



Figure 4. View south from northeast corner of parcel.



Figure 5. Example of ground visibility within the western portion of parcel, view north.



Figure 6. Detail of -4' deep irrigation pipeline trench at NE corner of parcel.

REFERENCES CITED

Basgall, M. E. and D. L. True

1985 *Archaeological Investigations in Crowder Canyon, 1973-1984: Excavations at Sites SBR-421B, SBR-421C, SBR-421D, and SBR-713.* Report on file, Caltrans, Sacramento CA

Baumhoff, M. A.

1963 *Ecological Determinants of Aboriginal California Populations.* University of California Publications in American Archaeology and Ethnology 49(2).

Cody, Evon (compiler)

1987 *Kings County: A Short History.* Kings County Historical Society. Star Stenographic Service, Hanford, CA

Cook, S. F.

1955 *The Epidemic of 1830-1833 in California and Oregon.* University of California Publications in American Archaeology and Ethnology 43(3):303-326. Berkeley.

- Gayton, A. H.
 1948 *Yokuts and Western Mono Ethnography I: Tulare Lake, Southern Valley, and Central Foothill Yokuts*. University of California Anthropological Records 10(1). Berkeley.
- Kroeber, A. L.
 1925 *Handbook of the Indians of California* (1976 Dover Edition). Bureau of American Ethnology Bulletin 76, Smithsonian Institution, Washington D.C.
- LaJeunesse, Roger M., and John M. Pryor
 1996 *Skyrocket Appendices*. Report on file, Department of Anthropology, California State University, Fresno.
- Latta, Frank F.
 1999 *Handbook of Yokuts Indians*. 50th Anniversary Commemorative Edition. Brewer's Historical Press, Exeter, CA, and Coyote Press, Salinas, CA.
- Lewis Publishing Company
 1892 *Memorial and Biographical History of the counties of Fresno, Tulare and Kern, California*. The Lewis Publishing Company, Chicago, IL.
- McGuire, Kelly R.
 1995 *Test Excavations at CA-FRE-61, Fresno County, California*. Occasional Papers in Anthropology 5. Museum of Anthropology, California State University Bakersfield.
- Meyer, Jack, D, Craig Young, and Jeffrey S. Rosenthal
 2010 *A Geoarchaeological Overview and Assessment of Caltrans Districts 6 and 9, Cultural Resources Inventory of Caltrans District 6/9 Rural Conventional Highways (Volumes 1 and 2)*. Far Western Anthropological Research Group, Inc. Davis, CA.
- Preston, William L.
 1981 *Vanishing Landscapes: Land and Life in the Tulare Lake Basin*. University of California Press, Berkeley.
- Rosenthal, Jeffrey S., and Jack Meyer
 2004 *Landscape Evolution and the Archaeological Record: A Geoarchaeological Study of the Southern Santa Clara Valley and Surrounding Region*. Center for Archaeological Research at Davis, Publication No. 14, University of California, Davis.
- Rosenthal, Jeffrey S., Gregory G. White and Mark Q. Sutton
 2007 *The Central Valley: A View from the Catbird's Seat*. In *California Prehistory: Colonization, Culture, and Complexity*, pp. 147-164, edited by Terry L. Jones and Kathryn A. Klar. Alta Mira Press, New York.
- State of California
 1888 *Directory of the Grape Growers and Wine Makers of California*. Board of State Viticultural Commissioners, Sacramento, California.
- Thompson, Thomas H.
 1892 *Official Historical Atlas Map of Tulare County*. Thos. H. Thompson, Tulare, California.
- Wallace, William J.
 1954 *The Little Sycamore Site and the Early Milling Stone Cultures of Southern California*. *American Antiquity* 20(2):112-123.

- 1978a Post-Pleistocene Archeology, 9000 to 2000 B.C. In Handbook of North American Indians, vol. 8, *California*, edited by R. F. Heizer, pp. 25-36. Smithsonian Institution, Washington, D.C.
- 1978b Southern Valley Yokuts. In Handbook of North American Indians, vol. 8, *California*, edited by R. F. Heizer, pp. 448-461. Smithsonian Institution, Washington, D.C.
- 1991 Tulare Lake's Archaeological Past. In *Background to a Study of Tulare Lake's Archaeological Past*, pp. 23-33. Contributions to Tulare Lake Archaeology 1.

PREPARER'S QUALIFICATIONS

Douglas S. McIntosh completed the archaeological survey of the Project APE. Mr. McIntosh has over 25 years of experience in California archaeology and has served as field crew chief and lead field assistant for both historical and prehistoric resource investigations, including tasks of surveying, field mapping, excavation, field graphics, soils descriptions, photography, and general site documentation. He has served as an archaeological monitor for various aspects of earthmoving and grading activities for cultural resources, and as Laboratory assistant for both historical and prehistoric resources which includes processing soil samples, cleaning and cataloging historical and prehistoric artifacts and collections, and artifact illustration. Mr. McIntosh has conducted historical research which involves records, maps and archival searches, oral interviews, and documentation of historical photographic collections.

C. Kristina Roper meets the Secretary of the Interior's Guidelines for archaeology. Ms. Roper has a B.A. in Anthropology from the University of California, Berkeley, and a M.A. in Cultural Resources Management from Sonoma State University. She has over 34 years of archaeological survey and excavation experience, including both prehistoric and historic sites, in California, Nevada, Oregon, and Idaho, and has produced over 250 professional reports. For the past 16 years Ms. Roper has served as a Lecturer in Anthropology at California State University, Fresno. Courses taught include World Prehistory, Introduction to Archaeology, Bio-Behavioral Evolution of the Human Species, Historical Archaeology, Critical Thinking, Food and Culture, Applied Anthropology, and Cultural Resources Management. Ms. Roper is a Registered Professional Archaeologist in good standing. As sole proprietor of a cultural resources management firm established in 1995, her responsibilities include all aspects of project management, from marketing and development, to project completion, and include NEPA, CEQA, and NHPA (Section 106) compliance.

**BEFORE THE KINGS COUNTY PLANNING COMMISSION
COUNTY OF KINGS, STATE OF CALIFORNIA**

IN THE MATTER OF CONDITIONAL USE)
PERMIT NO. 16-02 (Caetano Riding Academy))

RESOLUTION NO. 16-06

RE: 16484 Idaho Avenue, Lemoore

WHEREAS, on April 7, 2016, Dan Caetano filed Conditional Use Permit No. 16-02 to establish a riding academy for training horses and riders for riding and roping events such as barrel racing, cutting, calf roping, team roping, etc.; and

WHEREAS, the application was determined to be complete on April 8, 2016; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was published on May 27, 2016, providing notice that the Initial Study/Mitigated Negative Declaration (IS/MND) had been completed for the proposed Project and was available for public review and comment; and

WHEREAS, the IS/MND was circulated for public review and comment on May 27, 2016; and

WHEREAS, the Kings County Community Development Agency distributed copies of the IS/MND to those public agencies that have jurisdiction by law with respect to the Project, as well as to other interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, on June 17, 2016, the public review period for the proposed IS/MND for this project closed; and

WHEREAS, during the public review period for the proposed IS/MND five sets of comments were received before the end of the public review period from the Building Division of the Kings County Community Development Agency, the Kings County Fire Department, the Kings County Public Works Department, the Kings County Environmental Health Services and the San Joaquin Valley Air Pollution Control District; and

WHEREAS, these comments did not result in changes to the IS/MND, none of the comments identified a new, unavoidable significant effect, nor did they result in a finding that the proposed mitigation measures in the IS/MND will not reduce potential effects to less than significant; and

WHEREAS, pursuant to CEQA Guidelines § 15073.5, recirculation of the IS/MND is not required; and

WHEREAS, on June 22, 2016 the Kings County Community Development Agency recommended that the Mitigated Negative Declaration be approved for the proposal; and

WHEREAS, on June 30, 2016, the Kings County Planning Department staff notified the applicant of the proposed recommendation on this project; and

WHEREAS, on July 11, 2016, this Commission held a duly noticed public hearing to receive

testimony from any interested person; and

WHEREAS, in order to approve CUP Number 16-02 the Planning Commission is required to make the following findings and certifications with regards to the California Environmental Quality Act: (1) The Planning Commission has reviewed and considered the IS/MND, together with the comments received during the public review and comment period, before approving the project; (2) Based on the whole record before it, including the IS/MND and the comments received during the public review period, there is no substantial evidence in the record that the proposed Project will have a significant effect on the environment; (3) The IS/MND for this Project has been completed in compliance with CEQA and is adequate; and (4) The IS/MND reflects the Planning Commission's independent judgment and analysis; and

WHEREAS, the Planning Commission has reviewed the IS/MND in its entirety, and has determined that the document reflects the independent judgment of the County; and

WHEREAS, the IS/MND identified certain significant effects on the environment that, absent the adoption of mitigation measures, would be caused by the construction and operation of the Project; and

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

WHEREAS, the Planning Commission is required by Public Resources Code Section 21081.6, subdivision (a), to adopt a Mitigation Monitoring and Reporting Plan to ensure that the mitigation measures adopted by the County are actually carried out; and

WHEREAS, as demonstrated by the Mitigation Monitoring and Reporting Plan, attached as Exhibit "A" to this Resolution, all of the Project's significant environmental effects can be either substantially lessened or avoided through the adoption of feasible mitigation measures; and

WHEREAS, the Planning Commission determines it appropriate to certify and adopt the Mitigated Negative Declaration, to adopt the Mitigation Monitoring and Reporting Plan, and to approve CUP No. 16-02.

NOW, THEREFORE, BE IT RESOLVED AND CERTIFIED that this Commission finds that:

I. SECTION 1: Recitals

1. The above recitals are true and correct, and the Planning Commission hereby so finds.

II. SECTION 2: Findings Related to Proceedings

1. The Notice of Intent to Adopt a Mitigated Negative Declaration for the Project was duly prepared, noticed and properly circulated in accordance with the provisions of CEQA.
2. An Initial Study/Mitigated Negative Declaration has been conducted for the proposed Project by the Lead Agency to evaluate the potential for any adverse environmental impact in compliance with the California Environmental Quality Act of 1970 (California Public

Resources Code Section 21000 et seq.), as amended, and the State Guidelines thereto (California Code of Regulations Section 15000 et seq.).

3. The Initial Study/Mitigated Negative Declaration was duly prepared, properly circulated and completed in accordance with CEQA.
4. After providing adequate public notice, the Initial Study/Mitigated Negative Declaration was duly circulated in accordance with the provisions of CEQA, and a public hearing was properly noticed and was conducted by the Planning Commission in compliance with CEQA.
5. All comments received during and after the period of public review have been duly considered and incorporated into the Initial Study/Mitigated Negative Declaration, and when necessary, replied to in accordance with the provisions of CEQA.
6. The comments resulted in no changes to the Initial Study/Mitigated Negative Declaration, none of the comments identified a new, unavoidable significant effect, nor did they result in a finding that the proposed mitigation measures in the Initial Study/Mitigated Negative Declaration will not reduce potential effects to less than significant.
7. Pursuant to CEQA Guidelines § 15073.5, recirculation of the Initial Study/Mitigated Negative Declaration is not required.
8. The Initial Study/Mitigated Negative Declaration was presented to this Commission, and it was independently reviewed and considered, together with the comments received during the public review period, by this Commission prior to acting on the proposed Project.
9. The Kings County Community Development Agency provided written responses to all comments received on the Initial Study/Mitigated Negative Declaration before certification of the Initial Study/Mitigated Negative Declaration pursuant to the provisions of CEQA.
10. The Mitigated Negative Declaration for the Project has been properly completed and has identified all significant environmental effects of the Project, and there are no known potential environmental effects that are not addressed in the Mitigated Negative Declaration.
11. The Project has been modified with mitigation measures to eliminate significant impacts or to reduce such impacts to a level of insignificance in all instances.
12. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Program attached to this resolution as Exhibit "A." Based on the whole record, including the Initial Study/Mitigated Negative Declaration and the comments received during the public review period, there is no substantial evidence that the proposed Project will have a significant effect on the environment. The Initial Study/Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.

13. The Planning Commission has used its own independent judgment in adopting this Resolution, in approving the Project, in adopting and certifying the Initial Study/Mitigated Negative Declaration, and in adopting the Mitigation Monitoring and Reporting Plan.

III. SECTION 3: Certification of the Initial Study/Mitigated Negative Declaration and Adoption of the Mitigation Monitoring and Reporting Plan

1. It is hereby certified that the Initial Study/Mitigated Negative Declaration has been completed in compliance with CEQA and is adequate.
2. It is hereby certified that the Initial Study/Mitigated Negative Declaration has been presented to the Planning Commission, which has reviewed and considered the information and analysis contained therein.
3. It is hereby certified that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of the Planning Commission of the County of Kings.
4. The Planning Commission hereby adopts the Mitigation Monitoring and Reporting Plan for this Project.
5. The Planning Commission authorizes and directs County staff to prepare and file a Notice of Determination within five working days following the date of adoption of this Resolution with the County Clerk of the County of Kings and with the State of California and directs that copies of the Initial Study/Mitigated Negative Declaration be retained at the office of the Kings County Community Development Agency.

IV. Section 4: Consistency with the *Kings County General Plan* and Section 1707.A of the *Kings County Development Code*

1. The proposed use is consistent with the General Plan.

Finding: The proposal conforms with the policies of the Kings County General Plan, specifically:

- Figure LU-11, the Kings County Land Use Map, of the Land Use Element of the *2035 Kings County General Plan* designates this site as General Agriculture (AG-20).
- Page LU-13, Section III.A.1. of the “Land Use Element” states that the AG-20 designation is applied to rural areas of the county north of Kansas Avenue, excluding the Urban Fringe areas of Hanford and Lemoore, Communities of Armona and Home Garden, the Naval Air Station Lemoore, the Santa Rosa Rancheria Tribal Trust Land, and other small Rural Interface pockets of urban uses. Generally characterized by extensive and intensive agricultural uses, farms within this designation have historically been smaller in size. These areas should remain reserved for commercial agricultural uses because of their high quality soil, natural and manmade waterways, scenic nature with larger concentrations of orchards, vineyards, and valley oak trees.
- Page LU-13, Section III.A.1. of the “Land Use Element” states that agricultural land use designations account for a vast majority of the County’s land use. Included within this land use

type are four agricultural type land use designations, Limited Agriculture, General Agriculture 20 Acre Minimum, General Agriculture 40 Acre Minimum, and Exclusive Agriculture. The major differences between the four Agriculture designations relate to minimum parcel size, animal keeping, and agricultural service businesses. These designations preserve land best suited for agriculture, protect land from premature conversion, prevent encroachment of incompatible uses, and establish intensity of agricultural uses in a manner that remains compatible with other uses within the County. The development of agricultural service and produce processing facilities within the Agricultural areas of the County shall develop to County standards.

- Page LU-27, Section IV.B of the “Land Use Element” of the *2035 Kings County General Plan* states Agriculture Open Space is the most extensive environment category that displays the rural agricultural nature of the County. This environment category covers the vast agricultural resources of the County that accounted for \$1.76 billion in 2008 gross agricultural production. The Agricultural land use designations (Limited Agriculture, General Agriculture 20 Acre, General Agriculture 40 Acre, and Exclusive Agriculture) are used to define distinct areas of agricultural intensity, and protect agricultural land from the encroachment of incompatible uses. Limited and General Agriculture designated areas provide appropriate locations for agricultural support businesses, while Exclusive Agriculture provides a safety and noise buffer around the Naval Air Station Lemoore. The physical development of agricultural properties is regulated and implemented by the *Zoning Ordinance*.

2. The approval of the conditional use permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA).

Finding: A Mitigated Negative Declaration has been recommended for this Project and meets the requirements of CEQA.

3. There will be no potential significant negative effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring or (b) there will not be potential significant negative effects upon environmental quality and natural resources that could not be mitigated to the extent feasible, and a Statement of Overriding Considerations is adopted explaining why the benefits of the project outweigh the impacts that cannot be mitigated to a less than significant level.

Finding: A Mitigated Negative Declaration has been recommended for this Project. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit “A.” On the bases of the whole record (including the initial study and all comments received), there is no substantial evidence that the project will have a significant effect on the environment. The Mitigated Negative Declaration reflects the Planning Commission’s independent judgment and analysis.

4. The proposed conditional use complies with all applicable standards and provisions of this Development Code and the purposes of the district in which the site is located.

Finding: Article 4, Section 407, Table 4-1, General Agriculture (AG-20) District, lists commercial stables and riding academies as a conditional use subject to Planning Commission approval.

5. The design, location, size and operating characteristics of the proposed conditional use and the conditions under which it would be operated or maintained will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to the public health, safety, or welfare, or materially injurious to other permitted uses, properties or improvements in the vicinity.

Finding: An Initial Study/Mitigated Negative Declaration was prepared for this Project and evaluated all the areas indicated above. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit "A." On the bases of the whole record (including the initial study and all comments received), there is no substantial evidence that the project will have a significant effect on the environment.

6. That no process, equipment or materials shall be used which, are found by the Planning Commission, to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.

Finding: An Initial Study/Mitigated Negative Declaration was prepared for this Project and evaluated all the areas indicated above. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit "A."

7. That no waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.

Finding: The proposed use is for a wireless communication facility and the operation of the facility will not require any waste discharge and will not be connected to any private or public sewage disposal system.

8. That all uses shall comply with the emission standards of the San Joaquin Valley Air Pollution Control District.

Finding: All requirements of the San Joaquin Valley Air Pollution Control District will be met as outlined in the Mitigated Negative Declaration and conditions of approval.

9. The site plan includes all applicable information as described in Article 16, Section 1602.A.5.

Finding: The site plan met all criteria required by Section 1602.A.5

V. SECTION 5: Consistency with the *California Land Conservation (Williamson) Act*

The project site is located within an established Agricultural Preserve and is consistent with the *Williamson Act*.

A. The proposed wireless riding academy is consistent with the *Uniform Rules for Agricultural Preserves in Kings County*.

- (1) Section B.11 of the *Uniform Rules for Agricultural Preserves in Kings County* lists Riding academies, including such activities as horse shows, and such riding and roping events as barrel racing, cutting, lumpings, pole bending, calf roping, team roping, team penning, trail, and similar non-“rough stock” riding and roping activities as a compatible use within an agricultural preserve.

B. Section 51238.1 of the *California Government Code* requires that uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

- (1) The use will not significantly compromise the long-term productive agricultural capability of the subject-contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - (a) The applicant is proposing to riding academy. Since the proposed facility will be a Compatible Use, the long-term productive agricultural capability of the subject-contracted parcels will not be significantly compromised.
- (2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 - (a) The applicant is proposing to establish a riding academy. Since the proposed facility will be a Compatible Use, the proposed facility will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcels or on other contracted lands in agricultural preserves.
- (3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.
 - (a) The applicant is proposing to establish a riding academy. Since the proposed facility will be a Compatible Use, the proposed facility will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

VI. SECTION 6: Consistency with the *Flood Damage Prevention Ordinance* (Chapter 5A of the *Kings County Code of Ordinances*)

The site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0170C, dated September 16, 2015. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.

VII. SECTION 7: Consistency with the *Kings County Airport Land Use Compatibility Plan*

The project site is not located within an Airport Compatibility Zone.

VIII. SECTION 8: Conditions of Approval

The Commission adopts the following conditions of approval for CUP Number 16-02:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - PLANNING DIVISION Contact Dan Kassik of the Kings County Community Development Agency at (559) 852-2655 regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
2. The site plan for the project is approved in concept. However, it is understood that during the actual design of the project that either of the following minor alterations to the site plan may be necessary: 1) structural alterations; and/or 2) alterations to the location of structures. Any minor alterations shall comply with the following requirements:
 - a. The site shall be developed in substantial compliance with the conceptually approved site plan. Development of the site shall be considered substantially consistent with the approved conceptual site plan if any minor structural alteration is within ten (10) percent of the square footage shown on the conceptually approved site plan or up to a 2,500 square foot increase in structural size, whichever is less, and the minor structural alteration complies with coverage standards.
 - b. A minor alteration of the location of a structure shall be considered substantially consistent with the approved conceptual site plan if the new location of the structure complies with all setback requirements for the zone district that the project site is located in.
 - c. Any minor alteration that would make it necessary to modify or change any condition of approval placed on the project would require resubmittal of the application to amend the approval of the Conditional Use Permit.
 - d. No expansion of use, regardless of size, which would increase the projected scale of operations beyond the scope and nature described in this Conditional Use Permit application, will be allowed. Any expansion that is a substantial change from the conceptually approved site plan, will require either an amendment to the approved Conditional Use Permit or a new zoning permit.
3. The development shall comply with all regulations of *Development Code No. 668.12*, with particular reference to the General Agriculture 20 (AG-20) Zone District standards contained in Article 4.

4. A minimum of seven (7) off-street parking spaces shall be provided in accordance with Article 13, Section 1302.F of the *Kings County Development Code* and shall be installed in accordance with *Kings County Improvement Standards* and the approved site plan. (Note: Accessible parking requirements are listed under Other Standards and Regulatory Requirements, Building Division Requirement No. 8.)
5. Pursuant to Section 303.G of the *Kings County Improvement Standards* all parking areas, aisles, and driveways shall be surfaced and maintained so as to provide a durable, dustless surface. Section 303.G. and Drawing 3036 of the *Kings County Improvement Standards* requires four (4) inches of decomposed granite with a penetration seal of SC 250 @ 0.50 gallons per square yard under “Light Use Conditions.” An alternate material which provides a durable dust free surface may be used only with prior approval of the Director of Public Works. (Note: The Kings County Zoning Administrator hereby reserves the authority to require additional improvements to the parking area and driveway if at any time in the future the decomposed granite surface deteriorates and either a dust problem is created due vehicles driving on the decomposed granite surface, or a mud problem is created due to vehicles tracking mud onto County Roads.)
6. All drive approaches, parking areas, aisles, and driveways shall be provided prior to either: 1) initial occupancy of the site or 2) the final inspection (Note: The applicant is responsible for contacting the Building Division to request a final inspection of the structure prior to startup of the operation).
7. The parking areas, aisles and access drives shall be so graded and drained as to dispose of surface water on the project site, with the design and specifications of such work subject to the approval of the Director of Public Works.
8. Pursuant to Article 13, Section 1306.A.3 of the *Kings County Development Code*, each parking space shall be not less than twenty (20) feet in length and nine (9) feet in width, exclusive of aisles and access drives.
9. Accessible parking spaces shall be located so as to minimize the travel distance to the use's primary entrances for access. Required off street accessible parking spaces, and standards for those spaces, shall meet state standards.
10. Signage shall comply with Article 4, Section 418.H Table 4-3 of the *Kings County Development Code*.
11. Any exterior lighting shall be hooded so as to be directed only on-site.
12. The minimum yard setback requirements for any new structures shall be as follows:
 - a. Front yard minimum setback requirements:
 1. Occupied structures including residential dwellings; public and quasi-public uses of an educational type; community facilities and institutions; public uses of an administrative, public service or cultural type; and dairy milk barns shall be not less than fifty (50) feet from the public road right-of-way line or the property line if not fronting on a public road right-of-way.
 2. Non-occupied uses shall be not less than thirty-five (35) feet from the public road right-of-way line or property line if not fronting on a public road right-of-way. Any portion of a

carport which is constructed within the area of the front yard that exists between the thirty-five (35) foot front yard setback and the fifty (50) foot front yard setback must have open sides within that setback area

3. The front yard setbacks noted above prevail except along those streets and highways where a greater setback is required by other ordinances or standards of the County, including, but not limited to, the Kings County Improvement Standards.
 4. All minimum setback requirements shall be measured from the public road right-of-way. Public road right-of-way shall be verified with the Kings County Public Works Department to ensure that required setbacks are met.
- b. Rear yard minimum setback requirement: Ten (10) feet from property lines.
- c. Side yard minimum setback requirements:
1. Interior sites: Ten (10) feet from property lines.
 2. Corner sites: Twenty (20) feet from the public road right-of-way line on the street side of the corner site.
 3. The side yard setbacks noted above prevail except along those streets and highways where a greater setback is required by other ordinances or standards of the County, including but not limited to, the *Kings County Improvement Standards*.
 4. Required yard areas may be used for the growing of agricultural crops, horticultural specialties or for aesthetic landscaping.
13. The minimum distance between a residence and a structure housing livestock or poultry shall be 40 feet.
14. The land upon which this project is located is subject to California Land Conservation Contract No. 1876, in Agricultural Preserve No. 551. All land uses and structures located on this contracted land must comply with the “*Uniform Rules for Agricultural Preserves in Kings County*” and the requirement of the “*California Land Conservation ‘Williamson’ Act*”, specifically sections 51231, 51238, 51238.1 and 51250. Failure to comply with said *Uniform Rules and Act* may result in action taken by Kings County or the State of California to enforce the conditions of the contract. Such enforcement may result in substantial monetary penalties and termination of that portion of the *Williamson Act* Contract determined to be incompatible.
15. The applicant shall obtain any necessary federal, state or local regulatory licensing permits.
16. The applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and Department of Environmental Health Services, and all other local and state regulatory agencies.
17. No process, equipment or materials shall be used which are found by the Planning Commission to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.
18. Pursuant to Section 14-38(d) of the *Kings County Code of Ordinances*, a “Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings” shall be signed, notarized, and recorded.

19. Pursuant to Section 66020(d)(1) of the *California Government Code*, the owner is hereby notified that the 90-day approval period in which the applicant may protest the imposition of fees, dedications, reservations, or other exactions, begins on the date that this resolution is adopted.
20. Within eight (8) days following the date of the decision of the Kings County Planning Commission, the decision may be appealed to the Kings County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
21. This Conditional Use Permit shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year the proposed use has been established. A Conditional Use Permit involving construction shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site that was subject of the Conditional Use Permit application.
22. This Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Kings County Community Development Agency prior to the permit's expiration date. It is the responsibility of the applicant to file an extension of time prior to the permit's expiration date. No further notice will be provided by the Community Development Agency prior to the permit's expiration date.
23. This approved conditional use permit shall run with the land and shall continue to be valid upon change of ownership of the site which was the subject of the conditional use permit approval.

IV. SECTION 9: Other Agency's Comments, Standards and Regulations

The following departments' and agencies' have listed requirements, standards, and regulations that must be met under those departments' and agencies' jurisdiction. The Planning Commission has no authority to modify, amend, or delete any of these requirements, standards, and regulations, but lists them here as information to the applicant. Appeals for relief of these standards and regulations must be made through that department's or agency's procedures, not through the Zoning Ordinance procedures. However, failure of the applicant to comply with these other departments' and agencies' requirements, standards, and regulations is a violation of this conditional use permit and could result in revocation of this conditional use permit.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - BUILDING DIVISION (Contact Darren Verdegaal at the Kings County Community Development Agency - Building Division at (559) 852-2683, regarding the following requirements.)

1. Building permits must be obtained from the Building Division of the Kings County Community Development Agency for any structures, plumbing, electrical, or mechanical work.
2. Failure to obtain a building permit for any structure, prior to commencing construction, which requires a building permit, will result in the payment of a double fee. Payment of such double fee shall not relieve any person from fully complying with the requirements of Kings County Code of Ordinances, Chapter 5 in the execution of the work or from any other penalties prescribed therein.

3. Pursuant to Kings County Code of Ordinances, Chapter 5, Section 5-9 agricultural exemptions for building permits may only be obtained if the applicant, **before commencing construction**, files an application with the Building Official, together with the fee established by resolution of the Board of Supervisors to offset the building department's cost of processing the application, and secures from said Building Official a determination in writing that such construction is exempt for the requirements of Chapter 5.
4. Failure to obtain a building permit for a structure, prior to commencing construction, which would otherwise be considered agriculturally exempt will result in the loss of the agricultural exemption and the building permit shall be processed in accordance with Kings County Code of Ordinances, Chapter 5.
5. A minimum of (2) sets of plans and calculations signed by an architect or engineer licensed to practice in the State of California shall be required for all structures.
6. The applicant is responsible for contacting the Building Division to request a final inspection of the structures prior to occupying the structures and prior to startup of the operation. No building or structure shall be used or occupied until the Building Division has issued a Certificate of Occupancy.
7. All drive approaches and durable dustless surfaces shall be installed prior to the final inspection and maintained as per County Standards.
8. Pursuant to Section 1129B of the *California Building Code* one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided. The parking space shall be 9' x 20' with an 8' wide loading and unloading aisle placed on the side opposite the driver's side. The surfacing of the parking space, loading and unloading aisle and the accessible path from the space to the entrance of the building shall be either asphalt concrete or concrete.
9. The development shall comply with all applicable *Americans with Disability's Act (ADA)* requirements, especially Section 1127B of the *California Building Code*, which states that site development and grading shall be designed to provide access to all entrances and exterior ground-floor exits, and access to normal paths of travel. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible site facilities and the accessible entrance to the site, including but not limited to access from the accessible parking space to accessible building entrances.
10. Pursuant to Section 1115B of the *California Building Code* an accessible restroom shall be provided.
11. School fees based on square footage of building shall be added to the cost of the building permit, unless the school district provides an exemption from the school fees.
12. All special inspection reports shall be provided to the Building Division prior to requesting a final inspection.
13. The site, as well as the buildings, shall be made accessible and usable by the disabled according to the *California Building Code* Chapter 11B.

14. The tenant, lessee and/or owner are responsible for compliance with the Americans with Disabilities Act, ADA. By federal law the facility shall be made accessible to the highest degree possible.
15. Public Facilities Impact Fees for the building shall be payable prior to the issuance of the building permit.
16. A soils report, prepared by a qualified soils engineer, shall be provided to the Building Division prior to issuance of building permits.
17. A septic system design, prepared by a qualified soils engineer, shall be provided to the Building Division prior to issuance of building permits.
18. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. If landscaping is proposed then landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.
19. All construction shall conform to the 2013 California Building Standards Code which consist of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code, California Fire Code and California Green Building Standards Code.

KINGS COUNTY PUBLIC WORKS DEPARTMENT Contact Mike Hawkins of the Kings County Public Works Department at (559) 852-2708 regarding the following requirements:

1. All requirements required hereafter conform to the Kings County Improvement Standards.
2. All other alternative to Public Works requirements must be approved by the Kings County Public Works Department.
3. Applicant shall secure an encroachment permit for any work within the County right-of-way.
4. Asphalt concrete approaches shall be provided.
5. On-site traffic circulation and parking shall be per the site plan and the parking area shall be constructed to Kings County Improvement Standards Section 303G, "Light Use" standard.
6. Durable and dustless drive shall be constructed.

KINGS COUNTY FIRE DEPARTMENT Contact Rick Smith of the Kings County Fire Department at (559) 852-2884 regarding the following requirements:

1. The Fire Department requires a supply of firefighting water available in a storage tank on the site. The amount of water required will be in accordance with NFPA 1142, and is dependent on building volume, construction type, and exact use.
2. The tank must be equipped with a pressure system and float valve device to keep the tank full at all times.

3. The tank is to have a minimum 4 ½ inch pipe installed in a manner to permit fire apparatus to be connected and draft water from the tank. Connection for fire apparatus to be in an area easily accessible in all weather conditions and shall be protected from obstruction. Fire department connection shall be 4 ½ inch male national standard hose thread and be provided with a cap.
4. All weather access roads, of not less than twenty feet width and thirteen feet six inches of vertical clearance, must be provided. Roads must comply with the California Fire Code.
5. That a 2A:10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point in the structure. The location of fire extinguishers must be easily accessible, be easily visible, and be near entrances or exit doors. All extinguishers shall be mounted to walls or columns with securely fastened hangers so that the weight of the extinguisher is adequately supported, and at a height compliant with the California Fire Code. Additional extinguishers may be required based upon special hazards or conditions.
6. Employees should be familiar with the use of fire safety equipment.
7. A set of building plans must be reviewed by the Kings County Fire Department.
8. The plans comply with the California Fire Code and all regulations of the Kings County Fire Department.
9. Property must be equipped with a Knox Box for Fire Department access.
10. Project designer shall meet with the Fire Marshal to determine means of meeting firefighting water supply prior to permit issuance.

KINGS COUNTY ENVIRONMENTAL HEALTH SERVICES Contact Troy Hommerding of the Kings County Environmental Health Services at (559) 852-2627 regarding the following requirements:

1. Valley Fever: As per the Kings County Public Health Officer, *Coccidioides immitis*, the fungus that causes valley fever, a serious and potentially long-term respiratory illness, is endemic in the soils of Kings County. Construction activities that disturb soils containing the spores of the fungus can put workers and the nearby public at risk. Effective dust control must be maintained on the job site at all times in order to reduce the risk of valley fever to workers and nearby residents. More information regarding the prevention of work related valley fever is available at www.cdph.ca.gov/programs/hesis/Documents/CocciFact.pdf and <http://www.cdph.ca.gov/programs/ohb/Documents/OccCocci.pdf>. Contact the San Joaquin Valley Air Pollution Control District for more information on dust control techniques.
2. A public drinking water permit is required from facilities that meet the definition of a small public water systems as per Section 116275 of the California Safe Drinking Water Act which is contained in Part 12, Chapter 4 of the California Health and Safety Code. Facilities that serve 5 or more residential units or provide water to 25 or more people for 60 or more days per year fall under this requirement. A completed and approved application package is required prior to operating a public water system. Please contact Liliana Stransky ((559) 584-1411) from our office for additional guidance on this issue.

3. If the future shop will be storing hazardous materials at or above threshold reporting quantities (55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a gas), the facility must file a Hazardous Materials Business Plan online at <http://cers.calepa.ca.gov> within 30 days of beginning operations. Hazardous materials are broadly defined, and include fuel, lubricants, antifreeze, motor vehicle batteries, welding gases, paints, solvents, glues, agricultural chemicals, etc. Please contact our office if you require assistance with the online registration process.
4. If a septic system is installed for the future trailer house, the onsite sewage disposal system must comply with the Kings County Community Development minimum setbacks, or a waiver must be obtained from our office prior to construction.
5. If this facility will be selling food (including beverages) or contracting with catering services for special events, the proponents must submit a temporary and/or special event application to our office with sufficient detail to demonstrate that the facility will be able to comply with the requirements of the California Retail Food Code (H&S Code 113700 et seq.). The application can be obtained from our website www.countyofkings.com/ehs.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT Contact Georgia Stewart of the SJVAPCD at (559) 230-5937 regarding the following requirements:

1. Based on information provided to the District, the proposed project would equal or exceed 2,000 square feet of commercial space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review). District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District.
2. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). The above list of rules is neither exhaustive nor exclusive.

The foregoing Resolution was adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting held on July 11, 2016, by the following vote:

AYES: COMMISSIONERS
 NOES: COMMISSIONERS
 ABSTAIN: COMMISSIONERS
 ABSENT: COMMISSIONERS

KINGS COUNTY PLANNING COMMISSION

 Riley Jones, Chairperson

WITNESS, my hand this ____ day of _____, 2016.

Gregory R. Gatzka
Secretary to the Commission

cc: Kings County Board of Supervisors
Kings County Counsel
Kings County Community Development Agency – Building Division
Kings County Fire Department
Kings County Public Works Department
Kings County Environmental Health Services
San Joaquin Valley Air Pollution Control District
Dan Caetano, 16484 Idaho Avenue, Lemoore, CA 93245

EXHIBIT “A”

<p align="center">Conditional Use Permit 16-02 MITIGATION MONITORING AND REPORTING PLAN</p>						
Environmental Impact	Mitigation Measures	Timing of Monitoring Requirement	Responsibility for Compliance	Method for Compliance	Enforcement	Checkoff Date/ Initials
I. Aesthetics						
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<ul style="list-style-type: none"> All lighting shall be hooded and directed on site to prevent glare onto surrounding properties and roadways. 	Prior to and during construction	Developer, Kings County Community Development Agency	Include in bid specifications.	Require as condition of approval and County inspection	
III. Air Quality						
a) Would the project conflict with or obstruct implementation of the applicable air quality plan	<ul style="list-style-type: none"> The applicant will be required to contact the SJVUAPCD prior to commencing operations in order to determine whether or not the project would result in any significant adverse air quality effects, comply with all applicable requirements of the SJVUAPCD, and obtain any permits required by the SJVUAPCD. This may include complying with the requirements of Regulation VIII (Fugitive PM₁₀ Prohibitions). 	Prior to and during construction	Developer, Kings County Community Development Agency, and SJVUAPCD.	Compliance with SJVUAPCD permits. Include in bid specifications.	Require as condition of approval and County inspection	
IV. Biological Resources						
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 Dept. of Fish & Game or US Fish& Wildlife Service?	<ul style="list-style-type: none"> The construction and installation of buildings on the project site have a higher probability of affecting nesting migratory birds and raptors. A pre-construction survey should be conducted within the footprint and a 100 foot buffer of the footprint of all building sites. The survey is required only if construction would occur during the breeding season (February 15 to August 31). The survey should be conducted within 14 days of the start of construction. If active raptor nests are found, nests should be avoided by a 500-foot no-disturbance buffer. If active migratory bird nests are found, nests should be avoided by a 250-foot no-disturbance buffer. If active migratory bird nests are found, nests should be avoided until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival or until the regulating wildlife 	During construction.	Developer and Kings County Community Development Agency.	Include in bid specifications.	Require as condition of approval.	

Conditional Use Permit 16-02
MITIGATION MONITORING AND REPORTING PLAN

Environmental Impact	Mitigation Measures	Timing of Monitoring Requirement	Responsibility for Compliance	Method for Compliance	Enforcement	Checkoff Date/ Initials
	<p>agency provided direction otherwise.</p> <ul style="list-style-type: none"> It is recommended that a pre-construction survey for the San Joaquin kit fox be conducted by a qualified biologist no more than 14 days prior to the start of construction of proposed buildings. The survey should include the building footprints plus a 100 foot buffer. No survey should be required for the installation of fencing, but standard measures to protect the San Joaquin kit fox should be implemented during all project construction activities, including the installation of fences. Measures to protect the San Joaquin kit fox should be implemented as described in the <i>USFWS Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (USFWS 2011). Implementation of these measures would protect the San Joaquin kit fox from direct mortality and protect den structures. 					
V. Cultural Resources						
<p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p>	<ul style="list-style-type: none"> If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall cease. A qualified archaeologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Kings County Community Development Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project. 	<p>Prior to and during construction.</p>	<p>Developer and Kings County Community Development Agency.</p>	<p>Include in bid specifications.</p>	<p>Require as condition of approval.</p>	