

DRAFT

INITIAL STUDY and NEGATIVE DECLARATION

**CITY OF AVENAL
2009-2014 HOUSING ELEMENT UPDATE**

Lead Agency: City of Avenal
919 Skyline Blvd.
Avenal, CA 93204

Contact: Steve Sopp, Community Development Director
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April 2010

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A. Project Description

1. Project title: **2009-2014 Housing Element Update**
2. Lead agency name and address: **City of Avenal
919 Skyline Blvd.
Avenal, CA 93204**
3. Contact person and phone number: **Steve Sopp, Community Development Director
559-386-5782
ssopp@cityofavenal.com**
4. Project location: **Citywide**
5. Project sponsor's name and address: **City of Avenal Community Development Department**
6. General plan designation: **Citywide - varies**
7. Zoning: **Citywide - varies**
8. Description of project: *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)*

Overview

California Government Code Section 65302(c) mandates that each city and county shall include a Housing Element in its General Plan, and that the Housing Element be updated periodically to reflect current conditions and legal requirements. The City's previous Housing Element was adopted in 2003, and state law requires that the element be updated for the 2009 – 2014 planning period.

The Housing Element is required to identify and analyze existing and projected housing needs, and include statements of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing. In adopting its Housing Element, the City must consider local conditions and context, including economic, environmental, and fiscal factors, as well as community goals as set forth elsewhere in the General Plan.

In cooperation with the Kings County Association of Governments, the County of Kings and the cities of Avenal, Corcoran, Hanford and Lemoore have collaborated to prepare a joint Housing Element document. Each jurisdiction will conduct CEQA analysis and hold adoption hearings for the portion of the Housing Element that pertains to that jurisdiction.

Housing Element Contents

The Housing Element is comprised of the following chapters:

- Introduction and overview of Housing Element content and requirements (Chapter 1);
- Analysis of population, household and employment trends, characteristics of the housing stock, and a summary of current and projected housing needs (Chapter 2);
- Evaluation of resources and opportunities that will facilitate the development and preservation of

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- housing for all economic segments of the community (Chapter 3);
 - Review of potential constraints to meeting identified housing needs (Chapter 4);
 - A Housing Action Plan to address identified needs, including housing goals, policies and programs (Chapter 5);
 - Glossary of Terms (Chapter 6);
 - Evaluation of housing accomplishments during the previous planning period (Appendix A);
 - Inventory of potential sites for residential development (Appendix B); and
 - Summary of public involvement during the Housing Element update process (Appendix C).

Legal Framework for the Housing Element

State law requires that Housing Elements comply with the statutory provisions of California Government Code Section 65580 et seq. The Housing Element is unique among General Plan elements in the extent to which state law prescribes local policies, and the legislature has granted the California Department of Housing and Community Development (HCD) the authority to review local governments' housing elements and issue findings regarding whether, in its opinion, the housing element substantially complies with the requirements of state law. Cities are required to submit draft housing elements to HCD for review prior to adoption, and must also submit adopted elements for review. Failure to adopt a housing element that HCD finds to be in compliance with state law may result in the loss of eligibility for community development grant funds and cities may be required to prepare more frequent housing element updates in the future. Cities are also required to report annually to HCD regarding their progress in implementing the policies and programs contained in the Housing Element.

Relationship of the Housing Element to the General Plan

The Housing Element is one of the mandated elements of the General Plan under state law. While the time horizon for a General Plan is often 20 years or more, state law requires housing elements to be updated on a more frequent schedule. The new Housing Element covers the period 2009 – 2014.

State law also requires all elements of the General Plan to be internally consistent. The Housing Element contains policies and assumptions regarding housing development that are consistent with the land use patterns described in the Land Use Element. The programmatic actions called for in Chapter 5 of the Housing Element would not change the location or intensity of new development anticipated in the Land Use Element (see Exhibit A-1, Land Use Element Map on p. 7).

Key Issues

Since the Housing Element is revised periodically, this update represents a fine-tuning process rather than a wholesale overhaul. Many of the City's efforts have been successful and should be continued during the next five years. Appendix A of the Housing Element includes a detailed review of current policies and programs, and identifies those components that are working well and those that should be revised to reflect changed circumstances or take advantage of new opportunities or lessons learned over the past few years.

Some new policies and programs contained in the draft Housing Element are the result of changes in state law or local conditions. The most significant of these proposed changes are summarized below:

A. REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) AND QUANTIFIED OBJECTIVES

The Regional Housing Needs Allocation (RHNA) is a key tool for local governments to plan for

anticipated growth. The RHNA quantifies the anticipated need for housing within each jurisdiction for the 7½-year period from January 2007 through June 2014. Communities must demonstrate how they will address this need through the process of updating the Housing Elements of their General Plans.

In determining the housing allocation for the five jurisdictions within Kings County, the Kings County Association of Governments (KCAG) developed an allocation methodology with the assistance of the Kings Regional Housing Technical Advisory Committee (KRHTAC). This methodology takes into account local growth assumptions and considers certain criteria as specified in Government Code §65584(a). The criteria used in this methodology include an analysis of available data on local housing, population, economic, and other growth factors. One growth assumption deemed relevant to housing growth and demand within Kings County is the housing needs of Naval Air Station Lemoore personnel. Although the housing unit allocations in the RHNA are not required to take into account the military base, the Indian reservation, or prison populations, the Naval Air Station Lemoore is identified as a relevant factor. Using the assumptions and methodology detailed within the RHNA plan, KCAG in coordination with the KRHTAC derived the distribution of each jurisdiction's share of the regional housing need and allocated the units according to the four income categories for housing affordability.

Kings County Regional Housing Needs, 2007-2014

Jurisdiction	Extremely Low*	Very Low*	Low	Moderate	Above Mod	Total
Avenal	40	40	126	214	291	711
Corcoran	40	40	160	295	370	905
Hanford	723	723	1,015	938	2,359	5,758
Lemoore	374	374	534	502	1,237	3,021
Unincorporated	69	68	193	316	448	1,094
Kings County total	1,246	1,245	2,028	2,265	4,705	11,489

* 50% of VL units are assumed to be extremely-low per state law
Source: KCAG 2008

The goal of the RHNA Plan is to promote a fair distribution of attainable housing among the four cities and the unincorporated County in a way that also helps to meet the state's housing goals. Attainable housing is defined as housing that is both sufficient in supply and affordably priced. The total housing units specified in the RHNA plan for each jurisdiction are not to be construed as quotas for development. The RHNA Plan only determines the number and affordability of housing units that jurisdictions need to plan for through land use policies, regulations, infrastructure plans, and other housing assistance programs. Construction and development of these allocations is not a requirement of the RHNA plan.

All new units built or preserved after January 1, 2007 are credited in the new RHNA period. A discussion of how each jurisdiction's land inventory accommodates this growth need is provided in Chapter 3.

Cities must demonstrate that their land use plans and regulations provide realistic opportunities for development commensurate with the type and amount of housing identified in the RHNA during the new planning period. This is accomplished through a parcel-level analysis of vacant and "underutilized" sites with a potential for additional residential development or redevelopment (see Appendix B of the Draft Housing Element). State law provides guidance regarding how cities estimate development potential, with the two most important factors being zoning (especially allowable density and development standards) and previous experience with affordable housing.

Recent amendments to state law specify that in Kings County and many other areas of the San Joaquin Valley, a “default” density of 20 units per acre is considered to be appropriate to facilitate construction of lower-income housing. However, state law also provides that jurisdictions may utilize other assumptions based on local conditions. As discussed in Chapter 4 of the Housing Element, all of the jurisdictions in Kings County allow multi-family development at densities greater than 20 units/acre, excluding density bonus, in at least one multi-family zone. In addition to multi-family zones, Lemoore allows mixed-use development at densities up to 20 units/acre. However, most new multi-family developments in Kings County – including affordable projects by non-profit developers – are built at densities significantly lower than the “default” density. Conversations with non-profits confirmed that densities in the range of 12-15 units/acre are typical and sufficient to make such projects feasible. This density range allows two-story projects with large units (3-4 bedrooms) as well as spacious community facilities such as play areas for children.

It is also important to note that the RHNA is a *planning target*, *not a development quota*. While state law requires cities and counties to demonstrate that their land use plans and regulations could accommodate the type and amount of housing identified in the RHNA, the law does not require that sites identified in the Housing Element as suitable for affordable housing be developed for that purpose. The law recognizes that local governments generally do not build housing, and development depends on many factors including property owner desires, interested builders, available financing, and prevailing market forces.

To determine whether Kings County jurisdictions have adequate sites with realistic capacity for development commensurate with the RHNA, an analysis of vacant and underutilized parcels was conducted (see Housing Element Chapter 3 and Appendix B). The analysis included a review of recent development trends and a thorough review of potential development sites. The most significant aspect of this analysis deals with the capacity of the County and cities to accommodate their need for new lower-income units. As described in Chapter 3, the Housing Element demonstrates that each jurisdiction has suitable sites to accommodate its RHNA allocation.

State law also requires that the Housing Element establish “Quantified Objectives” for the maintenance, preservation, improvement and development of housing during the new planning period¹. The quantified objectives for new construction set forth in the Draft Housing Element are consistent with existing General Plan and zoning land use designations in each jurisdiction.

In summary:

- The RHNA identifies each jurisdiction’s fair share of the region’s future housing needs
- The RHNA is a planning target, not a development quota
- Jurisdictions must demonstrate the availability of adequate sites, either vacant or underutilized, with appropriate zoning and development standards to accommodate the new housing need identified in the RHNA
- Sufficient opportunities for new development exist within each of the five jurisdictions to accommodate their RHNA obligations, and no changes to existing General Plan and zoning land use designations are necessary
- The Quantified Objectives for new housing construction established in the 2008-2014 Housing Element are consistent with both the RHNA and the level of development assumed in the General Plans for each jurisdiction

¹ Government Code Sec. 65583(b)(1)

For purposes of CEQA analysis, it is important to note that the amount and location of new housing development anticipated in the RHNA and the 2009-2014 Housing Element is consistent with the land use designations in the 2005 General Plan (see Exhibit A-1). The 2005 General Plan was the subject of a Final Program EIR which is incorporated herein by reference and available for review at City Hall. The new Housing Element would not alter the amount, location or type of new development, or grant any additional entitlements for future development beyond the level that was the subject of previous CEQA evaluation in the General Plan EIR.

While demonstrating the availability of adequate sites for residential development commensurate with the RHNA is one of the most noteworthy issues contained in the Housing Element, the Draft Element also includes some other new policies and programs in response to changes in state law or local circumstances.

B. EMERGENCY SHELTERS

An emergency shelter is a permanent, year-round facility that provides shelter to homeless families or individuals on a short-term basis, typically six months or less. Senate Bill (SB) 2 of 2007 strengthened the local planning requirements for emergency shelters. Unless adequate capacity is available to serve a jurisdiction's existing emergency shelter need, SB 2 requires that shelters be allowed "by-right" (i.e., without a conditional use permit or other discretionary approval) in at least one zoning district. As an alternative, SB 2 states that these requirements may be satisfied through a multi-jurisdictional agreement. In accordance with SB 2, the Housing Plan (Chapter 5) includes Program 1.13 to amend the Municipal Code to allow emergency shelters in the R-3 (High-Density Multi-Family Residential) zone subject to objective development standards without a conditional use permit or other discretionary approval.

C. TRANSITIONAL AND SUPPORTIVE HOUSING

Transitional housing is a temporary (often six months to two years) facility for a homeless individual or family that is transitioning to permanent housing. Supportive housing may be longer term and includes a supportive services component (e.g. job skills training, rehabilitation counseling, assistance with daily necessities, etc.) to allow individuals to gain necessary life skills in support of independent living. SB 2 requires that transitional and supportive housing be treated as residential uses that are subject to only those requirements that apply to other residential uses of the same type in the same zone. The Housing Plan includes a commitment to amend the Code in conformance with SB 2 (Program 1.13 in Chapter 5).

D. HOUSING FOR PERSONS WITH SPECIAL NEEDS

State law requires that cities review their zoning regulations, development standards and procedures as part of the Housing Element update to ensure that they do not pose undue constraints on the provision and use of housing by persons with disabilities or other special needs. The City's analysis indicated that some provisions of the Municipal Code may require revisions to ensure adequate provision for special needs housing in conformance with state law. Therefore, programs are included in Chapter 5 of the Housing Element to amend the Code in the following areas to remove constraints and facilitate the provision of housing for persons and families with special needs:

- Definition of "Family" – amend the Municipal Code definition of "family" consistent with current law (Program 1.15)
- Reasonable Accommodation – adopt procedures for processing requests for reasonable

accommodation in housing for persons with disabilities (Program 1.15)

- Farmworker housing – amend the Municipal Code to incorporate the provisions of Health and Safety Code Sec. 17021.5 and 17021.6, which define employee housing with up to 12 units or 36 beds as an agricultural use (Program 1.14).

Other policies and programs contained in the Draft 2009-2014 Housing Element Action Plan (Chapter 5) represent a continuation of existing policies and activities with no significant land use implications.

9. Surrounding land uses and setting: (Briefly describe the project's surroundings)

The Housing Element is a General Plan policy document and encompasses the entire city.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)

State law requires that the City submit the draft Housing Element to the California Department of Housing and Community Development (HCD) for review, and that the City Council consider HCD's comments prior to its adoption.

Review of specific development proposals by other governmental agencies may be required prior to development of new housing anticipated in the Housing Element. Appropriate public agency review will be determined at the time specific development applications are submitted.

B. 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.

N/A	Aesthetics	N/A	Agricultural Resources	N/A	Air Quality
N/A	Biological Resources	N/A	Cultural Resources	N/A	Geology/Soils
N/A	Greenhouse Gas Emissions	N/A	Hazards & Hazardous Materials	N/A	Hydrology/Water Quality
N/A	Land Use/Planning	N/A	Mineral Resources	N/A	Noise
N/A	Population/Housing	N/A	Public Services	N/A	Recreation
N/A	Transportation/Traffic	N/A	Utilities/Service Systems	N/A	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	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.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	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.
	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: _____

Date: _____, 2010

Printed Name: Steve Sopp
Community Development Director

For: City of Avenal

C. 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 projects 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 is 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 the 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 effects 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 the 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, including 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.

INTRODUCTION

In assessing the environmental impacts of the 2009-2014 Housing Element update it should be recognized that the type, location and design of development projects are controlled primarily by the Land Use Element of the General Plan, the Zoning Ordinance, Community Plans and Specific Plans. The Housing Element is a policy document that reflects and anticipates development as described in other City plans and ordinances, and does not regulate development. No changes to the allowable intensity, quantity or location of new housing development are proposed in the Housing Element. In some cases (such as for emergency shelters and transitional/supportive housing) the Housing Element identifies changes to land use policies or regulations that the City intends to implement, however those changes will require amendments to other documents such as the General Plan Land Use Element and/or Zoning Ordinance prior to implementation. The specific details of those changes will be subject to a subsequent public review and approval process that includes CEQA analysis. While this Initial Study describes the general characteristics and potential impacts associated with development anticipated in the Housing Element, specific analysis of the potential impacts of future developments cannot be conducted until detailed development plans and/or regulations are prepared.

The proposed Code amendments regarding emergency shelters, transitional/supportive housing, farmworker housing and persons with disabilities are required by state law. These Code amendments will be subject to a subsequent public review and approval process that includes appropriate CEQA documentation when the amendments are initiated by the City. No specific projects are proposed as part of the Housing Element amendment.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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I. AESTHETICS. *Would the project:*

a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Impact Discussion (a-d): As noted in the Project Description, the Housing Element identifies a need for 711 additional housing units in Avenal during the 2007-2014 period. This level of development is consistent with the General Plan and zoning, and no change in residential land use designations is proposed. While new residential developments could create light and glare, standard requirements and conditions of approval will ensure that lighting is designed in a manner that minimizes such impacts. Prior to development, each new project will be the subject of CEQA review and appropriate standards, conditions and mitigation measures will be determined at that time. No new impacts would result from this Housing Element amendment, and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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II. AGRICULTURE and FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the 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.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
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Impact Discussion: The Housing Element assumes that future development will be consistent with the land use designations contained in the General Plan Land Use Element. These land use designations have been established to encourage the protection of agricultural resources, and the Housing Element would have no adverse impact on farmland resources beyond those previously analyzed in the General Plan EIR.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
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Impact Discussion: See II.a, above. Adoption of the Housing Element would not conflict with existing zoning for agricultural use, or a Williamson Act contract, and therefore no adverse impacts would result.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
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Impact Discussion: There is no designated forest land or timberland within the city, and therefore no adverse impacts would result.

d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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Impact Discussion: There is no designated forest land or timberland within the city, and therefore no adverse impacts would result.

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?				X
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Impact Discussion: See II.a and II.c above. The Housing Element would involve no other changes that would be expected to result in the conversion of farmland or forest land, and no mitigation measures are necessary in connection with the Housing Element update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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III. AIR QUALITY. Where available, the significant 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:

a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Impact Discussion (a-e):

Overview of Air Quality and the Regulatory Framework

Air quality in the San Joaquin Valley ranks among the worst in the country for ozone and particulate matter, exposing the residents of Kings County to unacceptable levels of air pollution. Regional and local air quality is impacted by topography, dominant airflows, atmospheric inversions, location and season. The combination of topography and inversion layers generally prevents dispersion of air pollutants.

Kings County is located within the San Joaquin Valley Air Basin (SJVAB), which is under the oversight of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD includes the counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and the Valley portion of Kern County. The SJVAPCD is responsible for controlling emissions primarily from stationary sources, but also has authority to control certain area sources and indirect sources. The SJVAPCD and the state Air Resources Board maintain air quality monitoring stations throughout the basin. The SJVAPCD, in coordination with the eight Valley regional transportation agencies, is also responsible for developing, updating, and implementing the Air Quality Attainment Plans (AQAPs) to comply with federal and state ambient air quality standards for the SJVAB.

Air Quality Impacts

New development anticipated in the Housing Element would generate both short-term and long-term pollutant emissions due to new vehicle trips, use of equipment, and off-site power and natural gas generation. Air pollutant emissions associated with new developments could occur over the short-term for demolition, site

preparation and construction activities. In addition, emissions and odors could result from the long-term operation of new developments. However, no changes to the development patterns described in the Land Use Element are proposed in the Housing Element update.

Short-Term Construction-Related Impacts. Air quality impacts may occur during site preparation and construction activities related to new housing development. Sources of emissions during this phase include exhaust emissions generated during demolition of an existing structure, site preparation and subsequent construction. To minimize construction-related air quality impacts, future development projects will be required to comply with the following SJVAPCD regulations.

- SJVAPCD Regulation VIII – Fugitive PM10 Prohibitions. Rule 8011-8081 are designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track-out, etc.
- SJVAPCD Rule 4601 – Architectural Coatings. The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings.
- SJVAPCD Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions by restricting the application and manufacturing of certain types of asphalt for paving and maintenance operations.

Additionally, future development projects will be evaluated for potential construction-related air quality impacts. Where appropriate, specific mitigation measures will be required to reduce potential impacts. Because the proposed Housing Element is consistent with the Land Use Element of the General Plan, no new significant impacts beyond those evaluated in the General Plan EIR would occur and no mitigation measures are necessary at this time.

Long-Term Air Quality Impacts. Long-term air quality impacts are those associated with the emissions produced from project-generated vehicle trips as well as from stationary sources related to the use of natural gas and electricity for heating, cooling, lighting, fireplaces, etc. The following existing SJVAPCD regulations help to reduce these impacts.

- SJVAPCD Rule 4901 – Wood Burning Fireplaces and Wood Burning Heaters. The purposes of this rule are to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices, and to establish a public education program to reduce wood burning emissions.
- SJVAPCD Rule 9510 – Indirect Source Review. This rule reduces the impact of NOX and PM10 emissions from growth. The rule places requirements on applicable development projects in order to reduce emissions through on-site mitigation, off-site SJVAPCD-administered projects, or a combination of the two.

In addition to these SJVAPCD requirements, the following local transit programs help to reduce vehicle emissions by reducing the use of individual automobiles.

- The Agricultural Industries Transportation Services (AITS) program operated by Kings Area Rapid Transit (KART) provides a valuable service to agricultural workers and farmers while also providing significant air quality benefits by reducing vehicle trips. The program is designed to provide qualified agricultural workers in Kings, Kern, Tulare, Fresno and Madera Counties with safe, reliable, and affordable vans they can use and drive themselves and others to work.

- The Kings Area Rapid Transit (KART) Vanpool program provides vanpool services in a public/private partnership supporting the needs of employers and employees. This successful program reduces vehicle trips and increases average vehicle ridership to provide significant air quality benefits. The program uses eight and 15 passenger vans for groups that wish to carpool to and from work. The cost is based upon the number of passengers and the distance traveled each month. Ridership and participation has progressively increased as travel expenses rise and commuters seek more affordable means of dependable and direct modes of transport to and from work. Currently, KART Vanpool program provides vans for employees of 10 correctional facilities and as an incentive to State employees they receive a rebate of up to \$65/month.

Because the proposed Housing Element is consistent with other elements of the General Plan, no new significant impacts would be expected and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. *Would the project:*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

Impact Discussion (a-f): As noted in the Project Description, the Housing Element identifies a need for 711 additional housing units in Avenal during the 2007-2014 period. This development is expected to occur on sites that are currently designated for residential development.

Prior to development, proposed plans will be reviewed in detail, and will be the subject of a separate CEQA review to assess potential impacts to biological resources. If any potential impacts are identified, appropriate standards, conditions and mitigation measures will be established at that time. Since the Housing Element would not increase the level of development beyond what is currently allowed, no additional impacts would occur and no mitigation measures are necessary at this time.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
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Impact Discussion: There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional, or state habitat conservation plans applicable to the project area. Therefore, the proposed project would not result in impacts in this regard.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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V. CULTURAL RESOURCES. *Would the project:*

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Impact Discussion

a-d) The proposed Housing Element identifies a need for 711 additional housing units in Avenal during the 2007-2014 planning period. This development is expected to occur on sites currently designated for residential development. Future development sites could contain sensitive historical, cultural, archaeological or paleontological resources. However, each new development will be required to comply with all applicable State and Federal regulations concerning preservation, salvage, or handling of archaeological resources. In addition, each development shall be required to comply with all applicable State and Federal regulations concerning burial sites. Although future development sites may have already been disturbed, human remains in a previously unknown burial site could potentially be encountered during construction activities associated with development of new housing. Prior to development, proposed plans will be reviewed in detail, and will be the subject of CEQA review to assess potential impacts to cultural resources. If any potential impacts are identified, appropriate standards, conditions and mitigation measures will be established at that time. Since the Housing Element would not increase the level of development beyond what is currently allowed, no additional impacts would occur and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS. *Would the project:*

a) Expose people or structures to potential substantial adverse affects, 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 and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
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?				X

Impact Discussion (a-e): Avenal is located within a seismically active area and seven potentially active faults are located within 70 miles of the city (2005 General Plan Background Report, p. 1-77). These faults have the potential to expose people or structures to significant impacts as a result of a fault rupture and seismic ground shaking.

Grading associated with future development could result in soil erosion. Also, some areas may 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, or where very-low-density development is planned. While it is not possible to determine specific potential impacts related to future developments at this time, some general requirements designed to minimize geological impacts will apply to all new development. These include compliance with the Alquist-Priolo Act, the Uniform Building Code, Title 24 of the California Building Code, and the standards of the Structural Engineers Association of California. Compliance with these building standards is considered the best possible means of reducing geologic hazards. In addition, as part of the City’s planning and development review process, future development projects will be required to prepare site-specific geotechnical studies to determine appropriate construction methods to address potential hazards such as liquefaction. No mitigation measures are necessary in connection with this Housing Element amendment.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS. *Would the project:*

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Impact Discussion (a-b): Kings County is predicted to experience significant population growth in the coming years (53 percent between 2008 and 2030). Accommodating this amount of growth presents a challenge for attaining and maintaining air quality standards and for reducing greenhouse gas emissions. The increase in population is expected to be accompanied by a similar increase in vehicle miles traveled (VMT) (52.8 percent between 2008 and 2030).

The California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006, which charged the California Air Resources Board (ARB) to develop regulations on how the state would address global climate change. AB 32 focuses on reducing greenhouse gas emissions in California. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfurhexafluoride (SF6). AB 32 requires that greenhouse gases emitted in California be reduced to 1990 levels by the year 2020. ARB is the state agency charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases. By January 1, 2008, ARB was required to determine what the statewide greenhouse gas emissions level was in 1990, and approve a statewide greenhouse gas emissions limit to apply to the 2020 benchmark. ARB adopted the 1990 greenhouse gas emission inventory/2020 emissions limit of 427 million metric tons of carbon dioxide equivalent (MMTCO_{2e}) on December 6, 2007. ARB then developed a document referred to as the “Scoping Plan” that assigns reduction targets to sectors responsible for the emissions. Local governments must achieve reductions through land use measures that will be substantially dependent on the General Plan for success. Statewide, ARB expects to target local governments with reducing GHGs by 5 million metric tons of CO₂ equivalent by 2020.

Senate Bill 375 was signed by the Governor on September 30, 2008. The legislation addresses implementation of the 2006 Global Warming Act. The bill assures that the decisions about how to achieve greenhouse gas emissions from cars and light trucks will remain in the hands of locally elected officials. SB 375 aligns what have been three separate planning processes - one for transportation, one for housing, and one for reducing greenhouse gas emissions - into a single process. This will provide more certainty for General Plans and assures better coordination between state agencies.

Because the Housing Element assumes that development will occur consistent with the adopted growth forecast, the Regional Housing Needs Plan, and the Land Use Element of the General Plan, it would not cause an increase in greenhouse gas emissions beyond the level currently projected to occur. Therefore, no new significant impacts are anticipated and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

Impact Discussion (a-c): Hazardous materials are routinely used and transported on major highways traversing the city. Therefore, future residents, workers, and visitors in this area could be exposed to hazards from the use, disposal, and transport of hazardous materials. New housing development would result in the use and disposal of household-type hazardous wastes. However, it is unlikely that such developments would result in the release of hazardous materials into the environment at a level that would result in a significant public hazard. Potential impacts related to the transport and exposure of people to hazardous materials will be analyzed as part of site-specific development proposals, and mitigation measures will be imposed where appropriate. No new impacts would occur as a result of this Housing Element amendment, and no mitigation measures are necessary at this time.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
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Impact Discussion: Hazardous materials sites could exist in future development areas due to prior agricultural use and other activities. Grading operations could expose construction workers, future residents and the general public to these hazardous materials. Potential impacts associated with any such hazardous materials will be analyzed as part of each development proposal prior to construction. No new impacts would occur as a result of this Housing Element amendment, and no mitigation measures are necessary at this time.

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?				X
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?				X

Impact Discussion (e-f): There are no airports located in the city, therefore no additional impacts would occur and no mitigation measures are necessary at this time.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
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Impact Discussion: Future residential development could result in congestion at intersections and along roadways, which could impede access by emergency vehicles and interfere with adopted response or evacuation plans. However, as part of the City’s planning and development review process, future projects will be evaluated to determine whether any such hazards could occur and appropriate corrective measures will be required. No additional impacts would occur as a result of the Housing Element amendment, and no mitigation measures are necessary at this time.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
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Impact Discussion: Open land surrounding the city could expose residents and structures to wildland fire hazards. However, the land uses anticipated in the Housing Element are consistent with the current General Plan, therefore no new impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY. *Would the project:*

a) Violate any water quality standards or waste discharge requirements?				X
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Impact Discussion: New development could impact water quality through runoff and wastewater discharge. However, all future developments will be required to comply with applicable federal, state and local water quality requirements such as the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) program. Additionally, through the City’s development review process, future projects will be evaluated for potential site-specific water quality and flooding impacts. Development projects will be required to prepare water quality plans and/or incorporate “Best Management Practices” (BMPs) into their construction operations to reduce erosion, siltation and water pollution both during and after construction. Compliance with these regulations would be expected to reduce water quality impacts to a level that is less than significant. No new impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

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)?				X
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Impact Discussion: Development consistent with Housing Element assumptions would result in increased water consumption having the potential to deplete groundwater supplies. Additionally, new developments will result in an increased amount of impervious surfaces and the potential to decrease groundwater recharge. These potential impacts related to groundwater supplies and recharge will be analyzed as part of the planning and development review process for future projects. Since the Housing Element would not alter the development

patterns described in the Land Use Element, no new impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

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?				X
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?				X
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?				X
f) Otherwise substantially degrade water quality?				X
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?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
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?				X

Impact Discussion (c-i): Future residential developments could result in modification of existing drainage patterns through grading and construction of homes, streets and other facilities. Such changes to drainage patterns could result in substantial erosion or siltation on- or off-site, as well as greater risk of flooding from increased runoff. However, prior to development of any new projects, potential impacts related to alteration of drainage patterns and flood hazards will be analyzed and appropriate conditions will be required. In addition, existing policies require the provision of adequate storm water drainage facilities and prevent residential development within 100-year floodplains. Since the Housing Element would not alter the development patterns described in the Land Use Element, no new impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

j) Inundation by seiche, tsunami, or mudflow?				X
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Impact Discussion: There are no large bodies of water within the vicinity of the project site that could cause inundation by seiche, tsunami, or mudflow. Therefore, there would be no impacts related to inundation from the Housing Element.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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X. LAND USE AND PLANNING. *Would the project:*

a) Physically divide an established community?				X
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Impact Discussion: Future residential development as anticipated in the Housing Element update would be consistent with the land use patterns established in the Land Use Element of the General Plan. As such, the Housing Element would not have the potential to divide an existing community. However, as part of the

planning and development review process, all new projects will be evaluated to determine potential impacts and any appropriate mitigation measures will be imposed. No mitigation measures are necessary at this time.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but to limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
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Impact Discussion: New residential development will be required to comply with all applicable plans and regulations, including the General Plan, specific plans, and zoning. Some revisions to the Zoning Code regarding development standards and procedures for emergency shelters, transitional/supportive housing, farmworker housing and persons with disabilities are proposed in the Housing Element. While no potentially significant impacts are anticipated as a result of those proposed changes, they will be subject to public review and environmental analysis as part of the Code amendment process prior to adoption. In addition, prior to development of any new housing project, CEQA analysis will be conducted to evaluate the project’s conformance with applicable policies and regulations. Potential impacts of this Housing Element amendment, if any, would be less than significant and no mitigation measures are necessary at this time.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
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Impact Discussion: There are no habitat conservation areas in the city. No impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XI. MINERAL RESOURCES. *Would the project:*

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?				X
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?				X

Impact Discussion (a-b): The Housing Element amendment assumes development patterns consistent with the Land Use Element, and therefore would have no effect on mineral resources. However, prior to development of specific projects, potential site-specific impacts to mineral resources will be evaluated as part of the planning and development review process and any appropriate requirements will be applied at that time. No new impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XII. NOISE. *Would the project result in:*

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?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X

Impact Discussion (a-d): Future residential developments would be expected to result in short-term construction-related noise impacts, including groundborne vibration that could exceed established standards. Required compliance with the City’s noise regulations and restrictions on construction hours will help to mitigate these impacts. Development would also be expected to result in an incremental increase in long-term noise levels from increased vehicular traffic as well as new stationary sources of noise. As part of the planning and development review process, projects will be subject to site-specific analysis of potential noise impacts and any appropriate mitigation measures will be imposed at that time. The Housing Element amendment would not grant development entitlements nor alter development patterns shown in the Land Use Element, and therefore would not result in new noise impacts. No mitigation measures are necessary in connection with this Housing Element amendment.

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?				X
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?				X

Impact Discussion (e-f): No airports are located in the city, therefore no impacts would occur and no mitigation measures are necessary in connection with this Housing Element amendment.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING. *Would the project:*

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
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Impact Discussion: The Housing Element identifies the need for 711 new housing units in Avenal during the 2007-2014 period, consistent with the adopted Regional Housing Needs Plan. This new residential development

anticipated in the Housing Element would result in population growth. However, the level of population growth assumed in the Housing Element is consistent with the General Plan and the regional growth forecast. Further, the City is required by state law to accommodate its fair share of regional housing needs, therefore this population growth is not considered an adverse environmental impact under CEQA. No new impacts would result from the Housing Element and no mitigation measures are necessary at this time.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Impact Discussion (b-c): It is expected that most new residential development would occur on vacant land and therefore would not displace existing houses or people. In the case of redevelopment project areas covered under the City’s redevelopment plan, existing law requires that the Agency and City provide suitable replacement housing if existing housing would be displaced. No new impacts would result from the Housing Element and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XIV. PUBLIC SERVICES.

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?				X
ii) Police protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

Impact Discussion: New residential development would be expected to increase the demand for public services. As part of the planning and development review process, all new developments will be evaluated to determine the level of demand for public services and appropriate mitigation measures will be imposed to ensure that adequate service levels are maintained. Since the Housing Element assumes the same level of development described in the Land Use Element, no new impacts would result from the Housing Element amendment and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XV. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Impact Discussion (a-b): New residential development would be expected to increase the demand for parks and recreation facilities. As part of the planning and development review process, all new developments will be evaluated to determine the level of demand for recreational facilities and appropriate mitigation measures will be imposed to ensure that adequate service levels are maintained. Quimby Act park fees that all new residential developments are required to pay are used to acquire and/or improve park facilities, which helps to mitigate the impact of additional residents. Since the Housing Element assumes the same level of development described in the Land Use Element, no new impacts would result from the Housing Element amendment and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XVI. TRANSPORTATION / TRAFFIC. *Would the project:*

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
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?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Impact Discussion (a-g): New residential development anticipated by the 2009-2014 Housing Element would be expected to generate increased traffic on the road network and could also result in hazardous road conditions, inadequate emergency access or insufficient parking. As part of the planning and development review process, all new developments will be evaluated to determine the extent of traffic impacts relative to road capacity, design, emergency access and parking, and appropriate mitigation measures will be imposed to ensure that safe

design standards and adequate service levels are maintained. The traffic impact fees that new residential developments are required to pay will help to mitigate the impact of additional traffic through funding of new road improvements. Since the Housing Element assumes the same level of development described in the Land Use Element, no new traffic impacts would result from the Housing Element amendment and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XVII. UTILITIES AND SERVICE SYSTEMS. *Would the project:*

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
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?				X
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?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
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?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Impact Discussion (a-g): New residential development anticipated in the Housing Element would be expected to increase the demand for utilities and service systems, including water, wastewater treatment, storm water drainage, and solid waste disposal, however this demand would not be expected to exceed that anticipated in the General Plan. As part of the planning and development review process, all new developments will be evaluated to determine the level of demand for these facilities and appropriate mitigation measures will be imposed to ensure that adequate service levels are maintained. Since the Housing Element assumes the same level of development described in the Land Use Element, no new impacts would result from the Housing Element amendment and no mitigation measures are necessary at this time.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

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,			X	
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reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
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Impact Discussion: Under state law, each city is required to prepare a Housing Element that, among other things, identifies how the jurisdiction’s fair share of regional housing needs will be accommodated. Avenal’s fair share of new housing need, as established by the Regional Housing Needs Plan, is 711 units for the period 2007-2014. However, the Housing Element would not convey any development entitlements nor change any existing General Plan land use or zoning designations that regulate future projects. While new residential developments anticipated in the Housing Element update could have significant adverse impacts on the environment, such impacts cannot be fairly evaluated until specific development proposals are presented to the City for review. Accordingly, as part of the City’s planning and development review process, specific project proposals will be evaluated prior to approval and appropriate conditions and measures will be required to mitigate any potential impacts as required by CEQA.

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)?			X	
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Impact Discussion: As noted above, the Housing Element identifies a remaining need for 711 additional residential units in Avenal during the 2007-2014 period and includes commitments to amend zoning regulations regarding some types of special needs housing such as emergency shelters, transitional/supportive housing, and farmworker housing. However, these program commitments do not convey any development entitlements nor identify the specific size or configuration of any particular project. While the new residential development anticipated in the Housing Element update could have significant adverse impacts on the environment, including cumulative impacts, such impacts would not be expected to exceed those analyzed in the 2005 General Plan. As part of the City’s planning and development review process, future projects will be evaluated prior to approval and appropriate conditions will be required to mitigate any potential impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
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Impact Discussion: New residential development anticipated in the Housing Element update could have significant adverse impacts; however, the Housing Element is a policy document that does not convey development entitlements for any specific sites or projects. As a result, any potential impacts cannot be fairly evaluated until specific development proposals are presented to the City for review. Accordingly, as part of the City’s planning and development review process, each project will be evaluated prior to construction and appropriate conditions and measures will be required to mitigate any potential impacts.

D. LIST OF PREPARERS

Lead Agency:

City of Avenal	Steve Sopp	Community Development Director
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Environmental Consultant:

Conexus	John Douglas, AICP	Principal
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E. REFERENCES

Kings County 2009-2014 Joint Housing Element
City of Avenal General Plan and Final EIR, 2005
City of Avenal Municipal Code

The documents cited above are available for review at City Hall.

F. DISTRIBUTION LIST

County Clerk
State Clearinghouse
City of Corcoran
City of Hanford
City of Lemoore
County of Kings – Community Development Agency
Kings County Association of Governments