

CHAPTER 5

Responses to Comments on the Recirculated Draft EIR

Introduction

Individual responses to each of the comment letters identified in Chapter 3 are included in this chapter. Comments that do not directly relate to the analysis in the RDEIR (i.e., that are outside the scope of this document) are not given specific responses. However, all comments are addressed in this chapter so that the County decision makers will know the opinions of the commenter.

In some cases, multiple comments were received with respect to several planning and/or environmental issues raised in the RDEIR. In order to provide the commenter with a complete picture regarding his or her concern, the County prepared a master response to all comments regarding a given subject. As previously described, these master responses are provided in Chapter 4 of this final EIR. Comments which present opinions about the project unrelated to environmental issues or which raise issues not directly related either to the substance of the RDEIR, the General Plan 2030 Update, or to environmental issues are noted without a detailed response.

Response to Comments

The following responses correspond to the numbers for each comment presented in Chapter 3.

Agency Letters

Letter A1. Department of the Army

Response to Comment A1-1:

This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A1-2:

The County concurs with this comment and as future projects are implemented under the General Plan 2030 Update will comply with Section 404 of the Clean Water Act as appropriate. Future compliance with Section 404 of the Clean Water Act will also include preliminary efforts to avoid impacts to wetland features through the discharge of dredged or fill materials into waters of the United States.

The preservation of wetland (including vernal pool) habitats is a key goal of the General Plan 2030 Update, with the inclusion of several policies in the Environmental Resources Management Element. A summary of key policies is provided on pages 3.11-38 through 3.11-40 of the RDEIR, the summary table from the RDEIR provided below. Specifically, policies ERM-1.1 through 1.4, 1.6, 1.8 and 1.12 require the County to protect key sensitive habitats (i.e., riparian, wetlands, and oak woodlands, etc.) by encouraging future County growth outside these sensitive habitat areas, supporting compatible development, or implementing development controls near these areas. ERM Implementation Measure #6 is designed to identify wetland resources using USACE protocols in addition to the identification of impacts and mitigation measures to other habitats and species (both plant and wildlife) resulting from implementation of the General Plan 2030 Update.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resources Management Element and Foothill Growth Management Plan			
Policies designed to protect sensitive habitats from the impacts of future development in Tulare County include the following:			
ERM-1.1	Protection of Rare and Endangered Species	ERM-1.8	Open Space Buffers
ERM-1.2	Development in Environmentally Sensitive Areas	ERM-1.9	Coordination of Management on Adjacent Lands
ERM-1.3	Encourage Cluster Development	ERM-1.12	Management of Oak Woodland Communities
ERM-1.4	Protect Riparian Areas	ERM-1.13	Pesticides
ERM-1.5	Riparian Management Plans and Mining Reclamation Plans	ERM-1.14	Mitigation and Conservation Banking Program
ERM-1.6	Management of Wetlands	ERM-5.8	Watercourse Development
ERM-1.7	Planting of Native Vegetation	ERM-5.15	Open Space Preservation
		ERM Implementation Measure #2, #5, #7, #8, #9, #10, #11, and #54	
		FGMP-8.1 Riparian Area Development	
		FGMP Implementation Measure #23	
Environmental Resources Management Element			
Implementation Measures designed to identify and mitigate the impact of development on key biological resources include the following:			
ERM Implementation Measure #3			
ERM Implementation Measure #4			
ERM Implementation Measure #6			
Water Resources Element and Foothill Growth Management Plan			
Policies designed to minimize water supply and water quality impacts include the following:			
WR-1.1	Groundwater Withdrawal	FGMP-8.2	Development Drainage Patterns
WR-1.10	Channel Modification	FGMP-8.5	Protection of Lakes
WR-2.1	Protect Water Quality	FGMP-8.7	Minimize Soil Disturbances
WR-2.3	Best Management Practices (BMPs)	FGMP-8.8	Erosion Mitigation Measures
WR-2.6	Degraded Water Resources		
WR-3.13	Coordination of Watershed Management on Public Land		

Response to Comment A1-3:

The County concurs with this comment. Such alternatives will be considered in compliance with applicable Federal and State laws (including CEQA) once site specific projects are proposed. Please see the response to Comment A1-2.

Response to Comment A1-4:

Comment does not address the content or adequacy of the RDEIR; no further response required.

Letter A2. California Energy Commission**Response to Comment A2-1:**

The County concurs with this comment and as future projects are implemented under the General Plan 2030 Update will work with the California Energy Commission and other appropriate agencies and public interest groups to more effectively use energy and encourage a variety of energy efficiency programs. Thank you for the referral to the *Energy Aware Planning Guide*. As more fully described on pages 3.4-29 through 3.4-30 of the RDEIR, key policies from the General Plan 2030 Update designed to meet a variety of energy conservation goals are described. A summary is provided below.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality, Land Use, and Public Facilities and Services Elements	Environmental Resource Management Element
Policies designed to minimize this impact through the conservation of existing energy supplies include the following:	
LU-7.15 Energy Conservation	ERM-4.1 Energy Conservation and Efficiency Measures
LU Implementation Measure #24	ERM-4.2 Streetscape and Parking Area Improvements
AQ-3.5 Alternative Energy Design	for Energy Conservation
AQ Implementation Measure #12	ERM-4.3 Local and State Programs
PFS-5.9 Agricultural Waste	ERM-4.4 Promote Energy Conservation Awareness
	ERM-4.6 Renewable Energy

Letter A3. California Public Utilities Commission**Response to Comment A3-1:**

The commenter's summary of its role as a regulatory agency is noted. Please see Section 3.2 of the RDEIR for a complete analysis of Traffic and Circulation. The transportation analysis considered both existing rail facilities (see RDEIR Figure 3.2-3) as well as projected buildout of the proposed General Plan.

Please also note that the proposed General Plan contains a number of policies and implementation measures to avoid conflicts with rail facilities: Planning Framework Implementation Measure #38, Policy AG-1.11, Specific Plan Content requirements (Table 4.3) which requires consideration of rail facilities in Specific Plans, Scenic Landscapes Implementation Measure #15 requiring consultation with the railroads, Policy HS-8.1 preventing encroachment of incompatible land uses on railroads, Policy TC-2.5 (Railroad Corridor Preservation) and the associated Implementation Measure #16.

Response to Comment A3-2:

The commenter is directed to pages 3.2-32 through 3.2-33 of the RDEIR. Impact 3.2-2: "The proposed project could result in substantial changes in accessibility to County-area railroad terminals

and cargo transfer points” provides analysis specific to the issue of future population growth, accessibility to railroad facilities, and public safety issues. Key policies from the General Plan 2030 Update designed to address a variety of railroad issues are summarized below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Transportation and Circulation Element			
Policies and implementation measures designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:			
TC-1.6	Intermodal Connectivity	TC-2.2	Rail Improvements
TC-1.7	Intermodal Freight Villages	TC-2.3	Amtrak Service
TC-1.8	Promoting Operational Efficiency	TC-2.4	High Speed Rail (HSR)
TC-2.1	Rail Service	Implementation Measure #16	
Transportation and Circulation Element		Land Use Element	
Policies designed to integrate land use and circulation concepts during the early planning and design phases of Countywide development to minimize land use conflicts include the following:			
TC-2.5	Railroad Corridor Preservation	LU-5.4	Compatibility with Surrounding Land Use

A number of at grade rail crossings current existing throughout the County. For individual projects affecting railroad facilities, the County actively works with the California Public Utilities Commission (CPUC) and railroad service providers to address railroad safety issues at the time specific projects are proposed in compliance with the policies discussed above and in Response to Comment A3-1. For example, the County and the City of Tulare are currently working with the Union Pacific Railroad at Betty Drive in Tulare County and Cartmill Avenue in the City of Tulare to develop additional grade separations to improve vehicular and pedestrian safety. As more fully described in Master Response #4, the General Plan 2030 Update is not proposing any specific new project that would affect a rail road crossing at this time. However, at-grade crossings in other areas of Tulare County will be assessed within the timeframe of this plan on an as-needed basis and will include safety considerations consistent with County policies.

In consideration of the public safety issues described by the commenter, the County shall make the following revisions to Policy TC-2.7 (identified as mitigation in the RDEIR) from the Transportation and Circulation Element of the General Plan Policy Document:

- TC-2.7 Rail Facilities and Existing Development.** The County will work with the California Public Utilities Commission (CPUC) to ensure that new railroad rights-of-way, yards, or stations adjacent to existing residential or commercial areas are screened or buffered to reduce noise, air, and visual impacts. Similarly, the County should coordinate with the CPUC and railroad service providers to address railroad safety issues as part of all future new development that affects local rail lines. Specific measures to be considered and incorporated into the design of future projects affecting rail lines include, but are not limited to, the installation of grade separations, warning signage, traffic signaling improvements, vehicle parking prohibitions, installation of pedestrian-specific warning devices, and the construction of pull out lanes for buses and vehicles. [New Policy – Draft EIR Analysis and Final EIR].

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for this policy. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment A3-3:

As described above in the response to Comment A3-2, the County will work with the CPUC and railroad service providers to address the appropriate safety measures specific to individual projects as they occur within the timeframe of the General Plan 2030 Update. The County has reviewed your suggested “general categories of measures” listed below and concludes that none of the measures address significant traffic and circulation impacts applicable to this General Plan update amendment. The suggested measures will be forwarded to the appropriate County agencies for future policy consideration and for potential future conditions of approval to fulfill the policies discussed under Response to Comments A3-1 and A3-2 once specific projects are proposed. However at this time, greater detail on site specific developments is not known which would allow for inclusion of such measures.

The County understands the economic importance of rail transit and continues to be committed to ensuring the safety of its citizens. However, the County also understands that rail travel is regulated by other agencies outside of the County’s control. The County understands the PUC’s role as it relates to activities that may affect rail crossings. During the review of future projects and Specific Plans the City will review the rail safety issues related to new development and continue to coordinate with the CPUC as appropriate. In consideration of this comment, the County shall incorporate a new policy (Policy TC-2.7 “Railroad Safety”) as more fully described above in the response to Comment A3-2.

Response to Comment A3-4:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A3-5:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter A4. Governor’s Office of Planning and Research

Response to Comment A4-1:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter A5. California Department of Conservation

Response to Comment A5-1:

Comment regarding the summary of responsibilities of the California Department of Conservation is noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A5-2:

The County appreciates the Department of Conservation's support of their strategy to address agricultural resources (including important farmland issues). Policy AG-1.6 "Conservation Easements" identified as mitigation in the RDEIR will be modified as follows pursuant to the concerns raised by this and other commenters:

- **AG-1.6 Conversion Easements.** The County may develop an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for ~~conservation~~ conversion of important agricultural land to nonagricultural use. If available, ~~the ACEP may~~ shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation. *[New Policy – Draft EIR Analysis]*

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for this policy. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment A5-3:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter A6. Governor's Office of Planning and Research

Response to Comment A6-1:

The comment letter forwarded by the Governor's Office of Planning and Research is an update to Comment Letter A4; please see the responses to Comment Letter A4 above.

Letter A7. California Department of Transportation (Caltrans)

Response to Comment A7-1:

Comment noted. This comment does not address the content or adequacy of the RDEIR. Please see Master Response #2 and the responses to A7-3 through A7-26 below.

Response to Comment A7-2:

Consistent with existing practice, all future development affecting a State Route will be sent to Caltrans for review.

Response to Comment A7-3:

The County is currently developing a Tulare County Traffic Impact Fee Study to account for new growth and added congestion. Consistent with County policy, Traffic Impact Studies (TIS) will be required for any project that produces more than 100 peak hour trips if fee program is not adopted. Additionally, please see Master Response #4 regarding level of detail and Response to Comment A7-6 for discussion of CEQA requirements regarding existing conditions.

Response to Comment A7-4:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate as allowed by law for all projects that affect a State roadway or highway. Additionally, the County requires traffic studies for major developments along the state highway corridors. Route Concept Reports describing the ultimate right of way will be considered during the review process for specific projects. Traffic impacts and mitigation measures are analyzed in RDEIR Section 3.2, Traffic and Circulation.

Response to Comment A7-5:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. Additionally, local agencies (including the County of Tulare) have adopted their own level of service (LOS) policies that they consider for projects affecting roadways within their jurisdiction. The County has discretion to provide its own LOS and transportation related policies in the General Plan (Policies TC-1.1 through TC-1.19); (See *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 543-545).¹ However, the County will continue to consider Caltrans LOS standards for all state facilities.

Response to Comment A7-6:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the

¹ See also CEQA Guidelines Final Statement of Reasons for Regulatory Action (December 2009) page 76 and 93: “the lead agency has discretion to choose its own metric of analysis of impacts to intersections, streets, highways and freeways...” Available at: http://ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf

County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway.

While population growth and the associated development under the horizon year (2030) of the General Plan are reasonably foreseeable, development on any particular parcel is largely speculative (See *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). It would therefore be premature to adopt measures for specific roadway segments until actual parcel specific development is proposed. However as discussed in the RDEIR, the County has assumed a number of roadway improvements as part of the traffic analysis and has included a number of policies to help mitigate impacts from future development.

The widening of State Route 198, between State Route 99 and State Route 43 (Kings County) includes improvements to local grade separations and at-grade intersections with frontage roads. This project has been approved and is currently within the development stage of the process. The County acknowledges the various transportation improvements identified by Caltrans and as shown in Table 3.2-3 (see page 3.2-22 of the RDEIR or below), the traffic analysis for the General Plan 2030 Update has been conducted consistent with the TCAG model, which includes several related improvements. The planned improvements are consistent with Tulare County's Regional Transportation Plan, which is defined as a financially constrained regional transportation plan.

**TABLE 3.2-3
TULARE COUNTY ROADWAY/INTERCHANGE CONSTRUCTION**

Roadway	Segment (Improvement)	Target Dates (Begin/End)
SR 65	North Grand Avenue Interchange (New Interchange)	2025
	Kern County Line – SR 190 (2E to 4E)	2006 to 2015
	Cedar Avenue – SR 198 (2C to 4E)	2015 to 2021
	Scranton Avenue (2C to 4E)	2008 to 2011
SR 99	Goshen Overhead (4 to 6 Lanes)	2008 to 2013
	Prosperity Avenue - Goshen Overhead (4 to 6 Lanes)	2008 to 2013
	Avenue 200 – Prosperity Avenue (4 to 6 Lanes)	2008 to 2013
	South of Tipton – Avenue 200 (4 to 6 Lanes)	2008 to 2013
	Kern County - South of Tipton (4 to 6 Lanes)	2008 to 2013
	Commercial Avenue (Construct Interchange)	2018
	Betty Drive (Interchange Improvements)	2012
	Caldwell Avenue (Widen on/off ramps)	2015
	Cartmill Avenue (Widen on/off Ramps and Bridge)	2012
	Paige Avenue (Interchange Improvements)	2022
SR 190	South County Interchanges (Minor Widening/Safety Improvements)	2015
	SR 99 to SR 65 (Passing Lanes)	2020
	SR 99 to SR 65 (4 to 6 Lanes)	2030
SR 198	Main Street (Widen on/off Ramps and Bridge)	2025
	SR 99 to Kings County Line (2C to 4E/4F)	2013
	Road 80 at Plaza Drive (Modify Interchange)	2011
	Shirk Street (Widen on/off Ramps and Bridge)	2018
	Akers Street (Minor Widening/Safety Improvements)	2018
	Downtown Visalia Corridor (Widen on/off Ramps and Bridge)	2018
	Lovers Lane (Widen on/off Ramps and Bridge)	2018
	Avenue 148 (Widen on/off Ramps and Bridge)	2025

SOURCE: County of Tulare, 2010 Background Report (Table 5-4, page 5-20), 2010a.

In addition to acknowledging these various planned transportation improvements, the proposed General Plan 2030 Update addresses its traffic effects through a combination of policies and physical improvements. Policies and implementation measures to reduce this impact are identified in the RDEIR and include the following:

Transportation and Circulation Element			
Policies and implementation measures designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:			
TC-1.1	Provision of an Adequate Public Road Network	TC-1.13	Land Dedication for Roadways and Other
TC-1.2	County Improvement Standards		Travel Modes
TC-1.3	Regional Coordination	TC-1.14	Roadway Facilities
TC-1.4	Funding Sources	TC-1.15	Traffic Impact Study
TC-1.5	Public Road System Maintenance	TC-1.16	County LOS Standards
TC-1.6	Intermodal Connectivity	TC-1.17	Level of Service Coordination
TC-1.8	Promoting Operational Efficiency	TC-1.18	Balanced System
TC-1.9	Highway Completion	TC-1.19	Balanced Funding
TC-1.10	Urban Interchanges	Implementation Measure #1 through #18	
TC-1.11	Regionally Significant Intersections		
Transportation and Circulation Element		Land Use Element	
Policies designed to integrate land use and circulation concepts during the early planning and design phases of Countywide development to minimize land use conflicts include the following:			
TC-1.3	Regional Coordination	LU-1.10	Roadway Access
TC-1.7	Intermodal Freight Villages	LU-4.4	Travel-Oriented Tourist Commercial Uses
TC-1.12	Scenic Highways and Roads	LU-5.4	Compatibility with Surrounding Land Use
TC-1.13	Land Dedication for Roadways and Other Travel Modes		

Of specific importance are the following implementation measures which reference a variety of regional transportation and planning efforts and highlight the County's commitment to these efforts:

- Transportation and Circulation Implementation Measure #7. The County shall coordinate with TCAG during their update to the Regional Transportation Plan (RTP). [New Implementation Measure].
- Transportation and Circulation Implementation Measure #12. The County shall coordinate with Caltrans and TCAG on planning, engineering, and advanced design of State highway projects including future routes, such as the Highway 65 extension.

Please also note that CEQA requires identification of significant impacts from the *proposed project* (See CEQA Guidelines Section 15125 and 15126.2). The roadway segments impacted by the proposed project are identified in RDEIR Table 3.2-7. However, the comment references a number of existing deficiencies and potential improvements which are not based upon the proposed project's impacts (Comments A7-6 through A7-12). While these improvements will be considered by the County, these existing issues are beyond the scope of the RDEIR and the project to solve (See *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 ["The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope"]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

Response to Comment A7-7:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. The commenter is directed to the various responses prepared for Letter A3 regarding coordination with the California Public Utilities Commission and railroad safety issues. Please also note that the TCAG model used for the analysis included the existing rail crossings and therefore their effects on vehicular traffic. It should also be noted that the 12th Avenue/State Route 198 interchange is in Kings County. The RDEIR also lists future roadway improvements in Table 3.2-3 and are also described above in the response to Comment A7-6.

Response to Comment A7-8:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. The County concurs with Caltrans regarding the need to acknowledge and address the traffic improvements identified in the comment. Consistent with County policy, future planning efforts for these and other necessary transportation projects will be considered as part of the Tulare Council of Government's (TCAG) Regional Transportation Plan. However, please note that these are existing issues and note impacts of the proposed project. The RDEIR also lists future roadway and interchange improvements in Table 3.2-3 and 3.2-5, which are also described above in the response to Comment A7-6.

Response to Comment A7-9:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. Peak hour or signal warrant analyses are typically analyzed as part of specific development projects. The commenter is directed to the existing project underway that seeks to widen Avenue 80 (State Route 198 to Avenue 416) from 2 to 4 lanes.

Response to Comment A7-10:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. The commenter is reminded that the intersections described in the comment are within the jurisdiction of the City of Tulare. The County of Tulare will partner with the City of Tulare and Caltrans to identify necessary improvements as warranted.

Response to Comment A7-11:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the

County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. TCAG has indicated that there are no dedicated funds for improvements at the intersection that is the focus of this comment. According to Caltrans guidelines, funding sources must be identified in order to proceed with the Project Study Report (PSR). Therefore, no future improvements have been identified as this time. It is likely that any future widening of State Route 99 to six lanes would consider this interchange.

Response to Comment A7-12:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. At the general plan level, the County understands the importance of including adequate policies designed to address the future planning and financing of roadway infrastructure. The commenter is directed to the Transportation and Circulation Element of the General Plan 2030 Update which includes the following implementation measures designed to address future transportation infrastructure fees:

- **Implementation Measure #2.** The County shall develop an impact fee program to offset the cost of development and maintenance of the County roadway system as necessitated by new development [*New Program*].
- **Implementation Measure #5.** The County shall require new subdivisions to join or create an assessment district for maintaining public roads installed with the development [*Existing Policy Tulare County Board of Supervisors Resolution No. 2005-0519*]

While population growth and the associated development under the horizon year (2030) of the General Plan are reasonably foreseeable, development on any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). It would therefore be premature to adopt measures for specific roadway segments until actual parcel specific development is proposed. However as discussed in the RDEIR, the County has included a number of policies to help mitigate impacts from future development.

Response to Comment A7-13:

The commenter is directed to Master Response #3 for discussion of implementation and enforceability of the General Plan, and Master Response #4 for discussion of the level of detail required in the General Plan and the RDEIR. As described in those responses, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. The County has completed and is in the process of adopting the Tulare County Traffic Impact Fee Study concurrent with adoption of the General Plan 2030 Update.

Response to Comment A7-14:

Comment noted. Existing codified ordinances are available online at <http://www.codepublishing.com/CA/tularecounty/>. Please see Master Response #3 and #7 for discussion of future implementation measures and ordinances. This commenter's request for a copy of

the County's Zoning Ordinance does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A7-15:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. As previously stated, the County understands its role with Caltrans facilities. All development near state highway facilities will follow the standards and regulations as identified by Caltrans.

Response to Comment A7-16:

Please see Master Response #4. As described in that response, the General Plan 2003 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. Additionally, as previously described, development near state highway facilities (including interchanges) will follow the standards and regulations as identified by Caltrans, including financial and right of way considerations.

Response to Comment A7-17:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. As previously described in the response to Comment A7-16, development near state highway facilities will follow the standards and regulations as identified by Caltrans and the County anticipates working with Caltrans on specific access issues and auxiliary lanes related to the highway system.

Response to Comment A7-18:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. As appropriate, the County anticipates addressing noise and other important environmental considerations as specific projects are considered including those that affect a State roadway or highway.

Response to Comment A7-19:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. The County has and will continue to participate in the San Joaquin Valley Regional Blueprint process.

Response to Comment A7-20:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. The County has and will continue to work with Caltrans on the encroachment permit process as necessary.

Response to Comment A7-21:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. As indicated in the RDEIR and the Background Report for the General Plan 2030 Update, public transportation is provided by Tulare County Area Transit (TCAT) and within the cities of Dinuba, Tulare, Porterville, Visalia and Woodlake. Federal Transit Administration funds are used to finance most of the expenses and short and long range transit plans are required by the FTA. Regional transit routes are also provided by TCAT and the Sequoia Shuttle. The Transportation and Circulation Element of the General Plan 2030 Update includes the following policies and implementation measures that support the various transit concepts identified in the comment:

- **Policy TC-4.4 Nodal Land Use Patterns that Support Public Transit.** The County shall encourage land uses that generate higher ridership including; high density residential, employment centers, schools, personal services, administrative and professional offices, and social/recreational centers, to be clustered within a convenient walking distance of one another [*New Policy*].
- **Policy TC-4.5 Transit Coordination.** The County shall encourage regional coordination to facilitate improved connectivity between County and city operated transit systems and other transportation modes [*New Policy*].
- **Policy TC-4.7 Transit Ready Development.** The County shall promote the reservation of transit stops in conjunction with development projects in likely or potential locations for future transit facilities [*New Policy*].
- **Implementation Measure #19.** The County shall work annually with TCAG to program transit projects through the Federal Transportation Improvement Program (FTIP) and Regional Transportation Improvement Program (RTIP) [*New Program*].
- **Implementation Measure #20.** The County shall work with transit system operators to develop a “Fast Pass” type system that allows for seamless transfers between transit systems within the County [*New Program*].

Response to Comment A7-22:

Please see Master Response #4. As described in that response, the General Plan 2030 Update is not proposing any specific new development or redevelopment project at this time. However, the County will continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway. Similar to the response prepared for Comment A7-21, the Air Quality and Transportation and Circulation elements of the General Plan 2030 Update includes the following

policies and implementation measures that support trip reducing and alternatives transportation concepts:

- **Policy AQ-2.1 Transportation Demand Management Programs.** The County shall coordinate and provide support for County Transportation Demand Management programs with other public and private agencies, including programs developed by the TCAG and the SJVAPCD [*New Policy*].
- **Policy AQ-2.4 Transportation Management Associations.** The County shall encourage commercial, retail, and residential developments to participate in or create Transportation Management Associations (TMAs) that may assist in the reduction of pollutants through strategies that support carpooling or other alternative transportation modes [*New Policy*].
- **Policy AQ-2.5 Ridesharing.** The County shall continue to encourage ridesharing programs such as employer-based rideshare programs [*New Policy*].
- **Policy TC-5.1 Bicycle/Pedestrian Trail System.** The County shall coordinate with TCAG and other agencies to develop a Countywide integrated multi-purpose trail system that provides a linked network with access to recreational, cultural, and employment facilities, as well as offering a recreational experience apart from that available at neighborhood and community parks [*New Policy*].
- **Policy TC-5.2 Consider Non-Motorized Modes in Planning and Development.** The County shall consider incorporating facilities for non-motorized users, such as bike routes, sidewalks, and trails when constructing or improving transportation facilities and when reviewing new development proposals. For developments with 50 or more dwelling units or non-residential projects with an equivalent travel demand, the feasibility of such facilities shall be evaluated [*New Policy*].
- **Policy TC-5.5 Facilities.** The County shall require the inclusion of bicycle support facilities, such as bike racks, for new major commercial or employment locations [*New Policy*].
- **Policy TC-5.6 Regional Bicycle Transportation Plan.** The County shall identify Countywide recreational and commuter bicycle routes and update the Tulare County Regional Bicycle Transportation Plan as appropriate [*New Policy*].
- **Policy TC-5.7 Designated Bike Paths.** The County shall support the creation and development of designated bike paths adjacent to or separate from commute corridors [*New Policy*].
- **Policy TC-5.8 Multi-Use Trails.** The County shall encourage the development of multi-use corridors (such as hiking, equestrian, and mountain biking) in open space areas, along power line transmission corridors, utility easements, rivers, creeks, abandoned railways, and irrigation canals [*New Policy*].

Response to Comment A7-23:

The County agrees with Caltrans concerns regarding climate change. Consequently, the County has prepared (and circulated) a climate action plan as part of the General Plan 2030 Update. In addition, the General Plan 2030 Update includes a number of policies and implementation measures designed to reduce future GHG emissions. Please see Master Response #10 for additional detail regarding climate change and the County's approach to addressing this important issue through the General Plan 2030 Update process.

Furthermore the proposed General Plan focuses future growth within established community areas, as discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25 to help reduce VMT. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment A7-24:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A7-25:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A7-26:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter A8. California Department of Justice – Attorney General Office

Response to Comment A8-1:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A8-2:

The commenter's general opinion regarding the general plan's enforceability is noted. The commenter is directed to Master Response #3 for discussion of implementation and enforceability of the General Plan, and Master Response #4 for discussion of the level of detail required in the General Plan and the RDEIR.

As discussed in these Master Responses, the General Plan consists of a statement of development policies and includes diagrams and text setting forth objectives, principles, standards, and plan proposals (see Gov. Code §65302). These policies and objectives are then implemented by the County and its Staff through various other actions, such as the adoption of new zoning ordinances which are more detailed and specific. In other instances, such as the adoption of subdivisions, the projects are reviewed by the Board of Supervisors, Planning Commission, and various other County agencies and staff, for consistency with the General Plan (see Gov. Code §§ 65359, 65400, 65455, and 65860). Some of these actions, such as the adoption or revisions to County Ordinances, are outlined in the "Implementation" Sections of the proposed General Plan. However this is not an exclusive list of implementation measures. While the County has listed numerous implementation measures in the General Plan, and noted in the RDEIR, it is simply not feasible to list every potential implementation measure which will be adopted over the 20 year horizon of the General Plan, nor provide the text of every potential ordinances that will be adopted as a result of General Plan

implementation. Were the County to provide this level of detail for every policy at this time, it would essentially have to re-write large portions of the County's area and community plans, ordinances, regulations, etc. This would be a feat that is infeasible to accomplish within a reasonable period of time, but will be an ongoing process.

As discussed in the Governor's Office of Planning and Research (OPR) General Plan Guidelines, "given the long-term nature of a general plan, its diagrams and text should be general enough to allow a degree of flexibility in decision-making as times change" (Office of Planning and Research 2003 General Plan Guidelines, page 14). This language in the General Plan policies is used to maintain this flexibility in the event unforeseen circumstances. While some of the policies may have some flexibility (i.e., "should," "encourage," etc...), CEQA does not require the County to assume a worst case scenario (i.e. that they will not be implemented); (*Towards Responsibility in Planning v. City Council* (1988) 200 Cal.App.3d 671; *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437; CEQA Guidelines Sections 15064 and 15358; see similar NEPA requirements *Robertson v. Methow Valley Citizens Council* (1989) 490 U.S. 332).

Similarly, flexibility is needed on each of the three diverse geographical areas of the Country (valley, foothill, and mountain) to address the peculiarities of specific parcels and specific projects as they are proposed. The County will need to balance numerous planning, environmental, and policy considerations in the General Plan based upon the specific parcels of land and projects and their locations. Mandatory language or outright bans on development in certain areas suggested in comment letters while beneficial for one resource area, could potentially have unintended consequences for other resources areas. While the County has addressed these impacts to the greatest extent feasible in the RDEIR, there could be unknown circumstances and parcels of property with peculiar features which warrant some flexibility. For example, an outright ban on development on an unknown parcel in a flood zone could force development into other areas with greater geologic hazards, fire hazards, or force development into critical habitat or result in suburban sprawl thereby increasing impacts to other resources areas. Flexibility is needed to allow decision makers to balance all of these concerns once specific projects on specific parcels are proposed.

Furthermore, individual policies should not be reviewed in a vacuum. All of the goals and policies have been proposed as part of a comprehensive system (i.e. the entire General Plan); (for example see the Table on RDEIR page 3.6-39). Rather these policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the General Plan which provide additional clarity on how they will be implemented and the goals and standards by which they will be achieved.

Response to Comment A8-3:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A8-4:

The commenter provides general comments. The commenter is referred to Response to Comments A8-2, and A8-5 through A8-18. The commenter also alleges inadequacies in implementing the County's Goals. The comment is directed to Master Response #3 which discusses how the General Plan will be implemented.

The comment also states that “where the Plan and DEIR are deficient in the same manner as noted previously [i.e. the April 14, 2008 DEIR comments], we hereby incorporate our previous comments into this comment letter.” The commenter is directed to Master Response #2. As noted therein the proposed General Plan has been revised heavily, including the addition of a draft Climate Action Plan. Furthermore, the RDEIR was recirculated in its entirety and the public and State Agencies were given the opportunity to comment on the new RDEIR and General Plan. While the County appreciates the effort put into the previous comments and used these comments in drafting the current draft General Plan and RDEIR, these comments were made on a different project and on a different EIR.

Response to Comment A8-5:

Comments specific to the general legal requirements of a general plan are noted. Please see Response to Comment A8-2 and Master Response #3. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A8-6:

Comments specific to the general legal requirements of CEQA are noted. The comment is also directed to Master Response #3 and #4. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comments A8-7

The commenter is directed to Response to Comment A8-2 and Master Responses #3 and #4 regarding General Plan implementation, enforceability, and level of detail.

The comment states that the General Plan “declines to set any criteria for determining where such growth will be permitted and in what density...” This is incorrect. The General Plan provides standards of population density and building intensity, consistent with Government Code requirements, starting on page 4-3 of General Plan, Part I. In particular Tables 4.1 and 4.2 provide minimum lot sizes, dwelling units per acre (DU/Acre), and maximum floor area ratios (FAR) for the General Plan land use designations throughout the County (see similar discussion starting on RDEIR on page 2-17).

General Plan Figure 4-1 is a diagram tool that shows all of the planning areas in the County. Many of the building intensities can be obtained by reviewing this figure as well as Figure 4-1. However, as noted in Master Response #5, the Land Use Diagram of the County consists of many diagrams divided into geographical regions and areas. Figure 4-1 and Table 4-2 point the reader to the correct “Planning” area within the County (i.e. a reader looking at a project within the FGMP area the reader must look to Part II Chapter 3 Foothill Growth Management Plan for the Land Use Diagram and boundaries). Where no plan existed prior to this Update, designations were adopted to fill in

these land use designation gaps (i.e. Hamlets, Mountain Service Centers, Federal and State Areas, the Tule River Indian Reservation, etc). Please see the individual area descriptions below. This approach is consistent with Government Code Section 65301 [“The General Plan may be adopted in any format deemed appropriate or convenient by the legislative body, including the combining of elements. The legislative body may adopt all or part of a plan of another public agency in satisfaction of all or part of the requirements of Section 65302...”].

The existing Part III Plans are not being updated as a part of the General Plan 2030 updated. Their land use boundaries, designations, density and intensity will be found within said existing plan.

Furthermore, the County has existing zoning regulations which provide an even greater level of detail. While some of these zoning ordinances/regulations will be revised consistent with the General Plan implementation measures and Government Code requirements (Government Code 65400), most of these revisions will strengthen existing regulations. However it is not possible to provide every potential implementation measure or regulation resulting from the General Plan, as discussed in Master Response #3. Furthermore, the legislature recognized that General Plan implementation will take time, as discussed under Government Code Section 65400 [“After the legislative body has adopted all or part of a general plan, the planning agency shall...investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan ...”]. The County provided many implementation measures in the proposed General Plan prior to adoption (see General Plan “Work/Plan Implementation Measures” discussion at the end of each Component in Part I). Additional implementation measures will be developed after adoption of a General Plan.

The comment also raises concerns regarding “New Towns” (including planned communities) and “Corridor Plans.” As discussed in the General Plan, Part I, pages 1-2, and 2-3, the General Plan contains a hierarchy of planning documents. The referenced policies for New Towns (planned communities) and Corridor Plans are procedures for the creation of more area specific plans which would be included in Part III of the General Plan. This type of planning methodology is similar to that provided in the Government Code for the creation of a Specific Plans (Government Code Section 65450 et seq.). However creation of procedures to evaluate future proposals does not necessitate environmental review because no New Towns (planned communities) or Corridor Plans are currently proposed as part of this General Plan Update.

The Board of Supervisors adopted a planned community zone ordinance in 2007 which provides regulatory procedures by which large land areas can be planned, zoned, developed, serviced, and administered as individually integrated communities. The General Plan 2030 Update includes policies to provide criteria for planned communities in Part I Planning Framework Chapter Section 5 (New Towns). The planned community area land use designation is included in Part I Land Use Chapter 4. This designation when applied in the future in site specific development will provide the means for comprehensive planning for long term community development on large tracts of land, typically under unified ownership or development control, which requires a minimum of 200 contiguous acres and allows for master planning where a community plan typically does not currently exist. Planned communities must be in compliance with Policy PF 5.2-13 which requires that a future

Planned Community must be consistent with an associated area plan. Proposed General Plan 2030 Update Goal PF-5 policies address development of new towns (planned communities). These policies direct the County to discourage haphazard development, and to consider how such future planned communities would affect the area as whole, and other policies and proposals of the General Plan, including preservation of the agricultural economic base. Policy PF-5-2 includes a criterion that such communities should not cause any conversion of Prime Farmland, if Farmland of State wide Importance or of lesser quality is available and suitable for development. Nevertheless, as discussed above, conversion of Important Farmland to non-agricultural uses is considered a significant, unavoidable impact of the proposed General Plan 2030 Update.

Additionally, any such future proposals will have separate environmental review under CEQA. As an example, the commenter is directed to Master Response #11, which provides background on the Yokohl Ranch Project. While this project is considered a “New Town”, the entitlements for the Yokohl Ranch Project are not included and will not be considered for approval as part of the General Plan 2030 Update. The Yokohl Ranch Company has filed an individual general plan application (GPA 07-002) with the County that will be considered on a separate timing track independent of the General Plan 2030 Update. The Yokohl Ranch project will be subject to a program and project level EIR which will be circulated in the future on a separate timing track.

The referenced New Town (planned community) procedures are discussed in General Plan, Part I, Section 2.5, page 2-67. Similarly, Corridor Framework Plans establish policies that will guide the potential adoption of Corridor Plan areas within the County (See General Plan, Part I, pages 1-7; Part II, Sections 2.1 and 2.2). Further analysis of impacts of a new town (planned community) or corridor plan are not proposed at this time and would be inappropriate for analysis at this planning level. Please see Master Response #3.

Response to Comments A8-8:

The commenter is directed to Response to Comment A8-2, A8-7, and Master Response #3. As discussed in these comments individual policies should not be reviewed in a vacuum. For example, the comment references Policy PF-1.1[“The County shall strive to maintain distinct urban edges for all unincorporated communities...”]. This policy must be read in conjunction with the other related policies which provide less flexible language. For example Policy PF-1.2 provides that “The County *shall ensure that urban development only takes place in the following areas:* (1) within incorporated cities and County adopted City UDB’s; (2) Within the UDBs of adjacent cities in other counties, unincorporated communities, planned areas, and HDB’s of hamlets; (3) Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan; (4) Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and (5) Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan [Urban Boundaries Element, as amended]” (Emphasis Added).

Furthermore, as discussed in the Master Response #3, the County must maintain some flexibility which provides the County discretion to make choices based upon site specific considerations which would not be accomplished if every Goal and Policy were mandatory.

Response to Comments A8-9:

Please see Response to Comment A8-2, A8-7, A8-8, and Master Response #3.

The commenter suggests that the County should consider a policy that includes development phasing so that land is not developed until available infill (areas in or adjacent to developed areas) have been used to the maximum extent feasible. As currently proposed, the General Plan 2030 Update contains the following policies and implementation measures designed to cluster development and provide for infill opportunities similar to those concerns identified by the commenter:

Planning Framework Element

- **Policy PF-1.2 Location of Urban Development.** The County shall ensure that urban development only takes place in the following areas:
 1. Within incorporated cities and County Adopted City UDBs;
 2. Within the UDBs of adjacent cities in other counties, unincorporated communities, planned community areas, and HDBs of hamlets;
 3. Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan;
 4. Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and
 5. Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan [*Urban Boundaries Element, as amended*].
- **Policy PF-2.2 Modification of Community UDB.**
 1. The County may consider modification to a community UDB under the following circumstances:
 - The location of the UDB shall be evaluated during preparation or update of a community plan.
 - All community UDBs should be reviewed on a five-year cycle to reflect changes in growth and development patterns.
 - A request for expansion of the UDB boundary can be applied for as part of a General Plan Amendment to the Land Use Diagram.
 - At the request of a special district or the community.
 - A UDB should be considered for expansion at such time as land for infill becomes limited. This condition is considered satisfied when 80 percent of the non-Williamson Act land within the UDB is developed for urban uses.
 - UDBs should not be expanded onto Prime Farmland if Farmland of Statewide Importance or of lesser quality is available and suitable for expansion.

2. Prior to approval of a UDB boundary expansion, the County shall ensure that infrastructure can be provided to service the new areas added to the UDB and that sufficient water supplies are also available. This may require preparation of an infrastructure master plan that includes methods of financing of improvements and maintenance, as well as representation/documentation of availability and sufficiency of long-term water supplies.
3. Preservation of productive agricultural lands shall be the highest priority when considering modifications. Expansion of a UDB to include additional agricultural land shall only be allowed when other non-agricultural lands are not reasonably available to the community or suitable for expansion.

- **Policy PF-3.2 Modification of HDB - Hamlet.**

1. The County may consider modification of a HDB under any of the following circumstances:
 - All HDBs should be reviewed on a five-year cycle to reflect changes in growth and development patterns.
 - A request for expansion can be applied for as part of a subdivision or specific plan proposal, or at the request of a special district or Hamlet. A request for expansion of the HDB can be applied for as part of a General Plan Amendment to the Land Use Diagram.
 - An HDB should be considered for expansion at such time as land for infill becomes limited. This condition is considered satisfied when 80 percent of the non-Williamson Act land within the HDB is developed.
 - HDBs should not be expanded onto Prime Farmland if Farmland of Statewide Importance or of lesser quality is available and suitable for expansion.
2. Prior to approval of a HDB expansion, the County shall ensure that appropriate infrastructure can be provided to serve the new areas added to the HDB and that sufficient water supplies are available. If the expansion pushes the hamlet towards a community classification, an infrastructure master plan for the hamlet should be prepared to plan and finance community water and sewer services, and representation/documentation of availability and sufficiency of long-term water supplies should be provided.
3. Preservation of productive agricultural lands shall be the highest priority when considering modifications. Expansion of a HDB to include additional agricultural land shall only be allowed when other non-agricultural lands are not available to the community for expansion.
4. All changes to a HDB shall require a General Plan amendment [*Urban Boundaries Element; I. Urban Development Policies; Goal 1; Policy 1.2*] [*Urban Boundaries Element Amendment (88-01); 1988, Modified*] [*Urban Boundaries Element; Chapter IV; B. Planning Policies; Implementation Program B-4*].

Land Use Element

- **Policy LU-1.1 Smart Growth and Healthy Communities.**
The County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including:
 - Creating walkable neighborhoods,
 - Providing a mix of residential densities,
 - Creating a strong sense of place,
 - Mixing land uses,
 - Directing growth toward existing communities,
 - Building compactly,
 - Discouraging sprawl,
 - Encouraging infill,
 - Preserving open space,
 - Creating a range of housing opportunities and choices,
 - Utilizing planned community zoning to provide for the orderly pre-planning and long term development of large tracks of land which may contain a variety of land uses, but are under unified ownership or development control, and
 - Encouraging connectivity between new and existing development *[New Policy] [Board of Supervisors, November 2005, September 2007]*.
- **Policy LU-1.8 Encourage Infill Development.** The County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development *[New Policy]*.
- **Policy LU-5.4 Compatibility with Surrounding Land Use.** The County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses *[New Policy] [Board of Supervisors, November 2005]*
- **Land Use Implementation Measure 3.** During preparation of the Zoning Ordinance and Land Development Regulations, the County shall consider appropriate incentives to encourage smart growth implementation, including but not limited to such factors as infill, densification, transportation alternatives, provision of public amenities, and commercial standards *[New Program]*.
- **Land Use Implementation Measure 7.** The County shall develop a set of criteria to determine whether proposed projects are infill developments and develop a set of incentive programs for infill projects located within UDBs *[New Program]*.
- **Land Use Implementation Measure 8.** The County shall develop and maintain a GIS based database of infill sites and encourage new development to occur on the identified sites *[New Program]*.

- **Land Use Implementation Measure 9.** The County shall create a program to consolidate infill sites when permits are sought for development and shall require access to public roads be present or secured prior to development *[New Program]*.

Air Quality Element

- **Policy AQ-3.2 Infill Near Employment.** The County shall identify opportunities for infill development projects near employment areas within all unincorporated communities and hamlets to reduce vehicle trips *[New Policy]*.
- **Air Quality Implementation Measure 11.** The County shall identify opportunities for infill sites in all new community updates, hamlet plans, and redevelopment project area plans as they are prepared over time *[New Program]*.

Public Facilities and Services Element

- **Policy PFS-1.15 Efficient Expansion.** The County shall provide incentives for infill projects where an efficient expansion of the infrastructure delivery system is fully funded *[New Policy]*.
- **PFS Implementation Measure 4.** For infill projects which include improvements to infrastructure, the County shall offer incentives including but not limited to density bonuses, CEQA exemptions, and financial assistance through redevelopment or Community Development Block Grants *[New Program]*.

The comment also suggests that the General Plan 2030 Update also include policies that address coordination between the County and the cities in its jurisdiction to help influence where future growth will occur. As currently proposed, the General Plan 2030 Update includes a number of policies that have been developed to foster “city-centered growth”. These are described on pages 2-9 and 2-10 of the RDEIR, with the summary table provided below:

**TABLE 2-7
SUMMARY OF POLICIES (SECTION 2.4 – CITIES) FROM PLANNING FRAMEWORK ELEMENT**

PF-4.1	CACUABs for Cities	PF-4.15	Urban Improvement Areas for Cities
PF-4.2	CACUDBs for Cities – Twenty Year Planning Area	PF-4.16	Coordination with Cities in Adjacent Counties
PF-4.3	Modification of CACUABs and CACUDBs	PF-4.17	Cooperation with Individual Cities
PF-4.4	Planning in CACUDBs	PF-4.18	Future Land Use Entitlements in a CACUDB
PF-4.5	Spheres of Influence	PF-4.19	Future Land Use Entitlements in a CACUAB
PF-4.6	Orderly Expansion of City Boundaries	PF-4.20	Application of a Checklist to control Development in a CACUDB
PF-4.7	Avoiding Isolating Unincorporated Areas	PF-4.21	Application of the RVLP Checklist to Control Development in a CACUAB
PF-4.8	General Plan Designations Within City UDBs	PF-4.22	Reuse of Abandoned Improvements in a CACUDB
PF-4.9	Updating Land Use Diagram in CACUDBs	PF-4.23	Reuse of Abandoned Improvements in a CACUAB
PF-4.10	City Design Standards	PF-4.24	Annexations to a City within the CACUDB
PF-4.11	Transition to Agricultural Use	PF-4.25	Sphere of Influence Criteria
PF-4.12	Compatible Project Design	PF-4.26	City 50 Year Growth Boundaries
PF-4.13	Coordination with Cities on Development Proposals	PF-4.27	Impacts of Development within the County on City Facilities
PF-4.14	Revenue Sharing		

In addition, the County is considering the following change that addresses “in-fill” development to Policy PF-4.6 to address

- **Policy PF-4.6 Orderly Expansion of City Boundaries.** While the County supports infill development prior to the development of new towns, when the County is considering the outward expansion of County adopted city UDBs, the following criteria shall be encouraged:
 - The city has demonstrated a need for additional territory after documenting a good faith effort to implement programs for infill development and/or increased efficiency of development and minimize conversion of agricultural lands.
 - UDBs should not be expanded onto Prime Farmland if Farmland of Statewide Importance or of lesser quality is available and suitable for expansion.
 - Emphasis shall be placed upon reasonable expectations for the provision of urban services within the next twenty years as reflected in LAFCo’s Municipal Service Reviews when determining the location of UDBs [*New Policy*].

Response to Comments A8-10:

The commenter suggests that the RDEIR did not provide a sufficiently detailed project description. CEQA Guidelines Section 15124 provides that project description “should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.” Consistent with CEQA requirements the RDEIR describes the proposed project in the Project Description (Section 2.0) and includes text of the General Plan in Appendix C. The RDEIR goes on to describe the secondary indirect effects associated with Buildout and Population Growth under the proposed General Plan starting on RDEIR page 2-24. As discussed in Master Response #4, this is a program level EIR and the level of detail provided in the project description is appropriate. The comment also requests that the County determine where the actual development can occur, and the timeframe for that development. While population growth and the associated development under the horizon year (2030) of the General Plan is reasonably foreseeable, development on any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). However, the RDEIR Table 2-11 (RDEIR page 2-25) provides population growth and distribution assumptions and the location of these areas can be viewed in RDEIR Figure 2-2. The commenter is also referred to Master Response #5.

CEQA requires analysis of reasonably foreseeable impacts (see CEQA Guidelines Section 15064(d)). As a corollary to this rule, CEQA does not require analysis of impacts that are too remote or speculative. It is appropriate to discuss reasonably foreseeable growth at the horizon year of the proposed project; impacts beyond this time frame are highly speculative. As discussed in *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173, over a 30-year period, it is “impracticable to foresee with certainty specific source of water and their impacts...” Similarly, for the proposed project, maximum theoretical buildout would not occur, if ever, until the year 2023 (see Master Response #5). It is not possible to determine how development will occur beyond the project’s horizon year in the year 2023. The approach taken in the RDEIR is consistent with OPR’s 2003 General Plan Guidelines, which states that most jurisdictions select a 15 to 20 year planning horizon. This approach is also consistent with recent CEQA case law (see *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th

1437 [holding the DEIR did not need to assume second dwelling unit [theoretical buildout] would be constructed even though allowed by zoning].

The comment states that “the plan itself does not direct and control growth, the DEIR relied on market driven projections.” This is incorrect. The General Plan 2030 Update contains a number of policies to limit and focus development. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan 2030 Update focuses future growth within and around established community areas, such as in UDBs and UABs. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. (See also Response to Comment A8-8.) However, as discussed in the comment and the RDEIR, total growth is only partially controlled by the General Plan 2030 Update, much of this growth is market driven and dependent upon the intent of the property owners, environmental constraints, policies and regulations, and infrastructure constraints (*Id.*). As discussed under CEQA Guidelines Section 15204(a), “reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (see also CEQA Guidelines Section 15151). Furthermore, the Supreme Court has acknowledged that “[a] project opponent or reviewing court can always imagine some additional study or analysis that might provide helpful information. It is not for them to design the EIR. That further study [] might be helpful does not make it necessary” (*Laurel Heights Improvement Association of San Francisco, Inc. v. The Regents of the University of California* (1988) 47 Cal.3d 376, 415).

The comment also notes that the RDEIR made assumptions about how growth and projected buildout will occur within the County based in part upon the considerations discussed above as well as the General Plan 2030 Update goals and policies. The County is entitled to make such reasonable assumptions (see *City of Long Beach v. Los Angeles Unified School District* (2010) 176 Cal.App.4th 889; *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018 [“A public agency can make reasonable assumptions based on substantial evidence about future conditions without guaranteeing that those assumptions will remain true (Pub. Resources Code, § 21080, subd. (e); *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 412, 183 Cal.Rptr. 898.”)]. While the comment suggests that “other outcomes are possible,” the County is not required to guarantee the assumptions. Furthermore, as discussed under Master Response #4, the County is not required to assume a worst case scenario; CEQA only requires analysis of those impacts that are reasonably foreseeable.

As evidence that additional development is possible, the comment cites to the Yokohl Ranch project, which has *not* been approved. As discussed in Master Response #11, the Yokohl Ranch project is not part of the proposed project and is going through separate environmental review, which includes both a programmatic and project level EIR. However, the Yokohl Ranch project was included in the Cumulative Impact analysis. This treatment of the Yokohl Ranch project is consistent with CEQA (see *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1174 [Holding additional detail on second tier project, the WSE, was not

required in the first tier EIR.]; see also *Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners of the City of Long Beach* (1993) 18 Cal.App.4th 729, 746 [“deferral of more detailed analysis to a project EIR is legitimate” even though some of those project level EIRs were certified concurrently with the PMP first-tier EIR.]). The Court in *Al Larson* also noted that this approach is consistent with allowing the Port to consider “a broad range of policy alternatives for the overall development of the port to permit the Board to consider alternative directions for the Port independent of particular projects” (*Id.* at 744).

The approach taken with Yokohl Ranch allows the decision makers to separately consider the impacts of Yokohl Ranch from those of the currently proposed General Plan in the RDEIR. Similarly, this treatment of Yokohl Ranch allows the decision makers to consider approval of these two projects separately. Finally, it would be speculative to determine whether Yokohl Ranch as proposed or an alternative would be approved, approved with modifications, or denied.

Response to Comment A8-11:

The commenter is directed to Response to Comment A8-2, A8-8 and Master Response #3 for a description of the implementation and enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. As noted above, individual policies should not be reviewed in a vacuum. While some policies contain needed flexibility, other policies and implementation measures throughout the General Plan typically use the word “shall”. For example, using Policy LU-6.3 “Schools in Neighborhoods” (as referenced by the commenter), the complete policy reads as follows:

- **Policy LU-6.3 Schools in Neighborhoods.** The County shall encourage school districts to locate new schools in areas that allow students to safely walk or bike from their homes. [*New Policy*]

Similarly, as discussed under Response to Comment A8-8, Policy PF-1.2 limits the location of new development.

As clearly indicated in the policy, the word “shall” indicates an unequivocal directive for the County. By not completely including the entire text of specific policies in the comment letter, the commenter is misrepresenting the intent of several policies (and the General Plan as a whole) to act as enforceable County actions designed to address specific environmental issues (in this case greenhouse gas emissions) associated with the proposed project. It is also important to note, that in some cases, the County may not have direct authority over the actions of other entities (i.e., cities, schools districts) with land use decision-making powers in the County. In the case of Policy LU-6.3, the County does not have direct authority over the development of public schools in the County. However, as indicated in the policy, the County will work with school districts to effectively implement the intent of the policy.

The commenter also suggests that the County review and consult a number of resources that have been developed to help jurisdictions address climate change, energy efficiency, and smart growth issues, including guidance provided by the California Air Pollution Control Officers’ Model Policies for Greenhouse Gases in General Plans (June 2009). The County has reviewed these reference materials and (as indicated in Master Response #10) has incorporated many of the concepts as policies and implementation measures in the General Plan 2030 Update. The commenter is directed to Master

Response #10 and to pages 3.4-33 through 3.4-38 of the RDEIR which provides a summary of key General Plan 2030 Update policies that would implement or support the measures recommended by the Attorney General for addressing global warming in general plans. The summary table of policies provided on these pages is presented below.

**TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS**

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Conservation Element	
Climate Action Plan or Policy: Include a comprehensive climate change action plan that includes: a baseline inventory of greenhouse gas emissions from all sources; greenhouse gas emissions reduction targets and deadlines; and enforceable greenhouse gas emissions reduction measures. (Note: If the Climate Action Plan complies with the requirements of Section 15064(h) (3) of the CEQA Guidelines, it may allow for the streamlining of individual projects that comply with the plan's requirements.)	AQ-1.7 Support Statewide Climate Change Solutions
Require that all new government buildings, and all major renovations and additions, meet identified green building standards.	AQ-3.5 Alternative Energy Design AQ Implementation Measure #12
Adopt a "Green Building Program" to require or encourage green building practices and materials. The program could be implemented through, e.g., a set of green building ordinances.	LU-7.15 Energy Conservation LU Implementation Measure #24 ERM-4.4 Promote Energy Conservation Awareness AQ-3.5 Alternative Energy Design AQ Implementation Measure #12
Require orientation of buildings to maximize passive solar heating during cool seasons, avoid solar heat gain during hot periods, enhance natural ventilation, and promote effective use of daylight. Building orientation, wiring, and plumbing should optimize and facilitate opportunities for on-site solar generation and heating.	LU-7.15 Energy Conservation ERM-4.1 Energy Conservation and Efficiency Measures ERM-4.6 Renewable Energy AQ-3.5 Alternative Energy Design AQ Implementation Measure #12
Provide permitting-related and other incentives for energy efficient building projects, e.g., by giving green projects priority in plan review, processing and field inspection services.	ERM-4.3 Local and State Programs AQ Implementation Measure #3
Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization, for low income residents.	ERM-4.3 Local and State Programs
Require environmentally responsible government purchasing. Require or give preference to products that reduce or eliminate indirect greenhouse gas emissions, e.g., by giving preference to recycled products over those made from virgin materials.	ERM-4.6 Renewable Energy AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles PFS-5.4 County Usage of Recycled Materials and Products
Adopt a "heat island" mitigation plan that requires cool roofs, cool pavements, and strategically placed shade trees. (Darker colored roofs, pavement, and lack of trees may cause temperatures in urban environments to increase by as much as 6-8 degrees Fahrenheit as compared to surrounding areas.) Adopt a program of building permit enforcement for re-roofing to ensure compliance with existing state building requirements for cool roofs on non-residential buildings.	ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation

**TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS**

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Adopt a comprehensive water conservation strategy. The strategy may include, but not+ be limited to, imposing restrictions on the time of watering, requiring water-efficient irrigation equipment, and requiring new construction to offset demand so that there is no net increase in water use. Include enforcement strategies, such as citations for wasting water.	WR-1.6 Expand Use of Reclaimed Water WR-3.7 Emergency Water Conservation Plan WR Implementation Measure #10 WR Implementation Measure #22
Adopt water-efficient landscape ordinances.	WR Implementation Measure #21
Require water efficiency training and certification for irrigation designers and installers, and property managers.	WR-3.8 Educational Programs WR Implementation Measure #23
Implement or expand city or county-wide recycling and composting programs for residents and businesses.	PFS-5.3 Solid Waste Reduction PFS Implementation Measure #10
Require commercial and industrial recycling.	PFS-5.3 Solid Waste Reduction
Extend the types of recycling services offered (e.g., to include food and green waste recycling).	PFS-5.3 Solid Waste Reduction
Preserve existing conservation areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) that provide carbon sequestration benefits.	AG-1.7 Preservation of Agricultural Lands AG Implementation Measure #8 AG Implementation Measure #9 ERM-1.12 Management of Oak Woodland Communities ERM-1.14 Mitigation and Conservation Banking Program ERM Implementation Measure #15 FGMP-3.1 Innovative Residential Design
Establish a mitigation program for development of conservation areas. Impose mitigation fees on development of such lands and use funds generated to protect existing, or create replacement, conservation areas.	ERM Implementation Measure #54
Land Use Element	
Adopt land use designations to carry out policies designed to reduce greenhouse gas emissions, e.g., policies to minimize or reduce vehicle miles traveled, expand development near existing public transportation corridors, encourage alternative modes of transportation, and increase infill, mixed use, and higher density development.	LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.4 Compact Development LU-1.8 Encourage Infill Development LU-2.1 Agricultural Lands LU-3.1 Residential Developments LU Implementation Measure #3 LU Implementation Measure #7 LU Implementation Measure #8 LU Implementation Measure #9 LU Implementation Measure #10 AQ-3.6 Mixed Land Uses AQ Implementation Measure #1 AQ Implementation Measure #11 HS-9.1 Healthy Communities HS-9.2 Walkable Communities PFS Implementation Measure #4
Identify and facilitate the development of land uses not already present in local districts – such as supermarkets, parks and recreation fields, and schools in neighborhoods; or residential uses in business districts – to reduce vehicle miles traveled and allow bicycling and walking to these destinations.	
Create neighborhood commercial districts.	LU-4.1 Neighborhood Commercial Uses LU Implementation Measure #3 LU Implementation Measure #14
Require bike lanes and bicycle/pedestrian paths.	HS-9.1 Healthy Communities HS-9.2 Walkable Communities
Site schools to increase the potential for students to walk and bike to school.	LU-6.3 Schools in Neighborhoods PFS-8.3 Location of School Sites
Enact policies to limit or discourage low density development that segregates employment, services, and residential areas.	PF Implementation Measure #21 AQ-3.6 Mixed Land Uses

TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Where there are growth boundaries, adopt policies providing certainty for infill development.	AG-1.7 Preservation of Agricultural Lands LU Implementation Measure #7 LU Implementation Measure #8 AQ Implementation Measure #11
Require best management practices in agriculture and animal operations to reduce emissions, conserve energy and water, and utilize alternative energy sources, including biogas, wind and solar.	AG-2.6 Biotechnology and Biofuels AG-2.11 Energy Production WR-3.6 Water Use Efficiency WR Implementation Measure #23 PFS-5.9 Agricultural Waste
Circulation Element	
In conjunction with measures that encourage public transit, ride sharing, bicycling and walking, implement circulation improvements that reduce vehicle idling. For example, coordinate controlled intersections so that traffic passes more efficiently through congested areas.	AQ-2.1 Transportation Demand Management Programs TC Implementation Measure #6
Create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking. Before funding transportation improvements that increase vehicle miles traveled, consider alternatives such as increasing public transit or improving bicycle or pedestrian travel routes.	LU-7.3 Friendly Streets LU Implementation Measure #3 AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ-3.3 Street Design AQ Implementation Measure #8 HS-9.1 Healthy Communities HS-9.2 Walkable Communities TC-1.6 Intermodal Connectivity TC-1.18 Balanced System TC-2.4 High Speed Rail (HSR) TC-3.7 Multi-modal Development TC-4.2 Determine Transit Needs TC-4.3 Support Tulare County Area Transit TC Implementation Measure #8 TC Implementation Measure #16 TC Implementation Measure #19 TC Implementation Measure #20 FGMP-8.16 Proximity to Transportation
Give funding preference to investment in public transit over investment in infrastructure for private automobile traffic.	AQ Implementation Measure #8 TC-1.19 Balanced Funding TC Implementation Measure #8 TC Implementation Measure #18
Include safe and convenient bicycle and pedestrian access in all transportation improvement projects.	LU-7.3 Friendly Streets AQ-3.3 Street Design HS-9.1 Healthy Communities HS-9.2 Walkable Communities TC-5.2 Consider Non-Motorized Modes in Planning and Development TC Implementation Measure #21 TC Implementation Measure #22

**TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS**

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Ensure that non-motorized transportation systems are complete, connected and not interrupted by impassable barriers, such as freeways.	AQ-3.3 Street Design TC-4.2 Determine Transit Needs TC-4.3 Support Tulare County Area Transit TC-5.1 Bicycle/Pedestrian Trail System TC-5.2 Consider Non-Motorized Modes in Planning and Development TC Implementation Measure #21 TC Implementation Measure #22 TC Implementation Measure #24 TC Implementation Measure #25 TC Implementation Measure #26 TC Implementation Measure #27 TC Implementation Measure #28
Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.	TC-5.1 Bicycle/Pedestrian Trail System TC-5.2 Consider Non-Motorized Modes in Planning and Development TC-5.3 Provisions for Bicycle Use TC-5.4 Design Standards for Bicycle Routes TC-5.6 Regional Bicycle Plan TC-5.7 Designated Bike Paths TC-5.9 Existing Facilities TC Implementation Measure #21 TC Implementation Measure #22 TC Implementation Measure #24 TC Implementation Measure #25 TC Implementation Measure #26 TC Implementation Measure #27 TC Implementation Measure #28
Provide adequate and affordable public transportation choices including expanded bus routes and service and other transit choices such as shuttles, light rail, and rail where feasible.	AQ-2.4 Transportation Management Associations AQ Implementation Measure #8 TC-1.18 Balanced System TC-2.6 Rail Abandonment TC-4.1 Transportation Programs TC-4.2 Determine Transit Needs TC-4.3 Support Tulare County Area Transit TC Implementation Measure #19 FGMP-8.16 Proximity to Transportation
Adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation. For example, reduce parking for private vehicles while increasing options for alternative transportation; eliminate minimum parking requirements for new buildings; “unbundle” parking (require that parking is paid for separately and is not included in rent for residential or commercial space); and set appropriate pricing for parking.	AQ-2.5 Ridesharing AQ Implementation Measure #9
Housing Element	
Improve the jobs-housing balance and promote a range of affordable housing choices near jobs, services and transit.	AQ-3.2 Infill Near Employment AQ Implementation Measure #11 TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development

TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Concentrate mixed use, and medium to higher density residential development in areas near jobs, transit routes, schools, shopping areas and recreation.	PF Implementation Measure #21 AQ-2.2 Indirect Source Review AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.6 Mixed Land Uses TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development FGMP-8.16 Proximity to Transportation FGMP-8.17 Reduce Vehicle Emissions FGMP Implementation Measure #1
Increase density in single family residential areas located near transit routes or commercial areas. For example, promote duplexes in residential areas and increased height limits of multi-unit buildings on main arterial streets, under specified conditions.	AQ-2.2 Indirect Source Review TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development
Encourage transit-oriented developments.	TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development
Impose minimum residential densities in areas designated for transit-oriented, mixed use development to ensure higher density in these areas.	PF Implementation Measure #21 AQ-3.6 Mixed Land Uses TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development
Designate mixed use areas where housing is one of the required uses.	PF Implementation Measure #21 AQ-2.2 Indirect Source Review
In areas designated for mixed use, adopt incentives for the concurrent development of different land uses (e.g., retail with residential).	PF Implementation Measure #21
Promote infill, mixed use, and higher density development by, for example, reducing developer fees; providing fast-track permit processing; reducing processing fees; funding infrastructure loans; and giving preference for infrastructure improvements in these areas.	LU Implementation Measure #7 LU Implementation Measure #8 AQ-2.2 Indirect Source Review AQ Implementation Measure #11
Open Space Element	
Preserve forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, groundwater recharge areas and other open space that provide carbon sequestration benefits.	FGMP-8.9 Removal of Natural Vegetation
Establish a mitigation program for development of those types of open space that provide carbon sequestration benefits. Require like-kind replacement for, or impose mitigation fees on development of such lands. Use funds generated to protect existing, or create replacement, open space.	AQ-3.4 Landscape
Allow alternative energy projects in areas zoned for open space where consistent with other uses and values.	AG-2.11 Energy Production
Protect existing trees and encourage the planting of new trees. Adopt a tree protection and replacement ordinance, e.g., requiring that trees larger than a specified diameter that are removed to accommodate development must be replaced at a set ratio.	FGMP-8.12 Vegetation Removal
Connect parks and publicly accessible open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.	HS-9.1 Healthy Communities HS-9.2 Walkable Communities

TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Safety Element	
Address expected effects of climate change that may impact public safety, including increased risk of wildfires, flooding and sea level rise, salt water intrusion; and health effects of increased heat and ozone, through appropriate policies and programs.	HS-5.2 Development in Floodplain Zones HS-5.4 Multi-Purpose Flood Control Measures HS-5.5 Development in Dam and Seiche Inundation Zones HS-6.2 Development in Fire Hazard Zones HS-6.4 Encourage Cluster Development HS-6.6 Wildland Fire Management Plans HS-6.7 Water Supply System HS-6.9 Fuel Modification Programs HS-6.10 Fuel Breaks HS-6.11 Fire Buffers HS-6.15 Coordination of Fuel Hazards on Public Lands HS Implementation Measure #11 HS Implementation Measure #14 HS Implementation Measure #15 FGMP-8.3 Development in the Floodplain FGMP-8.15 Development in Chaparral

In addition, the RDEIR, recommended the adoption of additional policies and a Specific Implementation measure to help ensure that impacts associated with greenhouse gas emissions are reduced to the greatest extent feasible:

- **AQ-1.8 Greenhouse Gas Emissions Reduction Plan/Climate Action Plan.** The County will develop a Greenhouse Gas Emissions Reduction Plan (Plan) that identifies greenhouse gas emissions within the County as well as ways to reduce those emissions. The Plan will incorporate the requirements adopted by the California Air Resources Board specific to this issue. In addition, the County will work with the Tulare County Association of Governments and other applicable agencies to include the following key items in the regional planning efforts.
 - Inventory all known, or reasonably discoverable, sources of greenhouse gases in the County,
 - Inventory the greenhouse gas emissions in the most current year available, and those projected for year 2020, and
 - Set a target for the reduction of emissions attributable to the County’s discretionary land use decisions and its own internal government operations. [*New Policy – Draft EIR Analysis*]
- **AQ-1.9 Support Off-Site Measures to Reduce Greenhouse Gas Emissions.** The County will support and encourage the use of off-site measures or the purchase of carbon offsets to reduce greenhouse gas emissions. [*New Policy – Draft EIR Analysis*]
- **Air Quality Implementation Measure #16.** The County shall develop and maintain a climate action plan. The climate action plan shall include the following elements: an emissions inventory, emission reduction targets, applicable greenhouse gas control measures, and monitoring and reporting plan. [*New Implementation Measure – Draft EIR Analysis*]
- **Air Quality Implementation Measure #17.** The County may inspect County facilities to evaluate energy use, the effectiveness of water conservation measures, production of

GHGs, use of recycled and renewable products and indoor air quality to develop recommendations for performance improvement or mitigation. The County shall update the audit periodically and review progress towards implementation of its recommendations.
[New Implementation Measure – Draft EIR Analysis]

Response to Comment A8-12:

The County has prepared a Draft Climate Action Plan (CAP) that demonstrates a good faith initial effort with its investment of resources to date. This should be considered a large step toward adoption. The County is fully committed to implementation of the policies of the General Plan 2030 Update that support achievement of the CAP targets even prior to CAP adoption. The County recognizes that the most important role for the County in addressing climate change is through its land use decisions as guided by the General Plan 2030 Update. As stated in Master Response #10, the County believes that the policy language, although more flexible than some may like, is effective and enforceable. The CAP will be most useful as a single document that provides a comprehensive collection of the County's land use, transportation, and conservation policies that combine to set Tulare County on a path to meeting greenhouse gas emission reduction targets. The CAP is intended to be a living document that is responsive to actual conditions as they occur. The CAP provides a monitoring and reporting framework that will enable the County to track metrics and adjust the strategy to address shortfalls if any occur over time. The County will continue to require project level analysis of greenhouse gas impacts for projects proposed prior to adoption of the CAP and will propose suitable project level mitigation measures at that time. For additional information specific to the County's CAP, please see Master Response #10.

Response to Comment A8-13:

The RDEIR considers a reasonable range of potentially feasible alternatives, as required by CEQA Guidelines Section 15126.6. This "reasonable range" of alternatives discussed is governed by the "rule of reason" (CEQA Guidelines §15126.6(f)). Please see Master Response #9 for additional information regarding the methodology and analysis provided in the RDEIR to address the evaluation of alternatives.

As discussed in Master Response #9, the "range of alternatives required in an EIR is governed by a 'rule of reason' that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice" (CEQA Guidelines Section 15126.6(f)). CEQA does not require an EIR to consider multiple variations on the alternatives analyzed in the draft EIS/EIR. "What is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned" (*Village Laguna of Laguna Beach, Inc. v. Board of Supervisors of Orange County* (1982) 134 Cal.App.3d 1022). As discussed in the *Village Laguna* case, "there are literally thousands of 'reasonable alternatives' to the proposed project... But, no one would argue that the EIR is insufficient for failure to describe the alternative [suggested in the comment letters]" (*Village Laguna* (supra) 134 Cal.App.3d at 1028). Consistent with these requirements, the RDEIR analyzed five alternatives (six including the proposed project). These included (1) No Project Alternative, (2) City-Centered Growth Alternative, (3) Rural Communities Alternative, (4) Transportation Corridor Alternative, (5) Confined Growth Alternative (See RDEIR Section 4.3).

The comment also states that there is a “cursory rejection” of alternatives in the RDEIR and asks why “the County has not adopted this alternative.” The only alternatives eliminated from further consideration in the RDEIR were those discussed in Section 4.2, which included the (1) Proportional Growth Alternative, (2) Alternative Project Location, (3) and the Existing Trends Alternative. The discussion in Section 4.2 is consistent with CEQA Guidelines Section 15126.6(c) [“the EIR should also identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process...”]. These alternatives were eliminated because they would not eliminate or reduce significant environmental impacts and would not accomplish the primary project objectives as discussed in greater detail in the RDEIR.

The commenter is incorrect that there has been a rejection of any of the five proposed potential alternatives described in Section 4.3. Consistent with CEQA requirements, the RDEIR compared the potential alternatives to the proposed project and determined the environmentally superior alternative (see RDEIR Section 4.4). The commenter is correct that the analysis noted the alternatives’ ability to meet the project objectives (RDEIR page 4-19). This however did not constitute a rejection of any of these alternatives. As noted in CEQA Guidelines Section 15126.6, potential alternatives are only required to meet most of the project objectives. Furthermore, decisions regarding adoption of the proposed project or an alternative are made after certification of the RDEIR (see CEQA Guidelines Section 15092 [“*After considering the final EIR and in conjunction with the findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project*”]). It would therefore be inappropriate to “adopt this alternative” in the RDEIR, as suggested in the comment.

Response to Comment A8-14:

The commenter is directed to the response prepared for Comment A8-13.

Response to Comment A8-15:

The commenter is directed to the response prepared for Comment A8-13. As noted therein, CEQA does not require an EIR to consider multiple variations on the alternatives analyzed in the draft EIS/EIR. “What is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned” (*Village Laguna of Laguna Beach, Inc. v. Board of Supervisors of Orange County* (1982) 134 Cal.App.3d 1022). As discussed in the *Village Laguna* case, “there are literally thousands of ‘reasonable alternatives’ to the proposed project... But, no one would argue that the EIR is insufficient for failure to describe the alternative [suggested in the comment letters]” (*Village Laguna* (supra) 134 Cal.App.3d at 1028).

As noted on RDEIR page 4-18, the City/Focused Community alternative was not significantly different than Alternative 2, and is therefore considered a variation on an existing Alternative that did not need to be carried forward because there was sufficient information to permit a reasoned choice with the existing alternatives in RDEIR Section 4.3.

Response to Comment A8-16:

The comment states that “the DEIR does not evaluate an alternative that would limit growth to the cities and existing unincorporated community (hamlet, etc) boundaries...” The commenter is directed to the response prepared for Comment A8-13. As noted therein, the RDEIR is only required to have a reasonable range of alternatives that fosters informed decision making. The RDEIR provided a reasonable range of alternatives including alternatives that increased growth in and around surrounding cities (Alternative 2 and 4) and in the eleven unincorporated communities (Alternative 3 and 5). These alternatives constitute a reasonable range, and the RDEIR was not required to provide additional minor variations to these alternatives.

Response to Comment A8-17:

Please see Response to Comments A8-1 through A8-16 which address the summary of comments pertaining to the adequacy of the project description (Response to Comment A8-10), Policy Implementation and Enforceability (Response to Comments A8-2, A8-7, A8-11), and Alternatives (Response to Comment A8-13).

The County has comprehensively analyzed and addressed the environmental challenges associated with long-term planning for population growth, and has developed detailed policies and implementation measures intended to reduce environmental effects to less than significant levels where feasible. The seemingly large number of “significant, unavoidable, and adverse” environmental impacts is a function of (i) the County’s conservative approach in characterizing the significance of impacts (i.e., calling effects significant in close situations); (ii) the long-term time horizon of the General Plan 2030 Update and RDEIR; (iii) the size of the County’s jurisdictional boundaries and development of a realistic long-range planning scenario, given projected population growth; (iv) the specificity used in the RDEIR in formulating categories of environmental impacts; (v) the magnitude of development pressures in the region, regardless of the actions of the County; and (vi) the nature of the existing environmental conditions within the region. In current California planning practice, it is rare to adopt significant planning documents with only 1 or 2 impacts that cannot be mitigated to a less than significant level.

The RDEIR has also sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). The RDEIR is intended to analyze impacts of the General Plan 2030 Update and must identify measures to minimize any significant impacts (State Guidelines Section 15121[a]). Although the General Plan 2030 Update is intended to be a self-mitigating document, many of the impacts remain significant and unavoidable despite the implementation of mitigating policies and implementation measures found in the existing General Plan and those modified through the environmental analysis (i.e. mitigation measures).

As the commenter clearly states, environmental documents are required to identify potentially significant issues, and then recommend and adopt mitigation measures to reduce or avoid the impacts if feasible. However, the CEQA Guidelines do not limit or provide guidance on the specific number of “significant and unavoidable” impacts that an Environmental Impact Report (EIR) must identify. Typically, general plans are broad in scope and scale in terms of land coverage (4.839 square miles),

population, and impacts to resources and services. It is often likely that impacts to resources and public services are considered significant and unavoidable at this stage due to individual project specific details that are currently unknown at this time and will likely become available as specific projects are brought forward for their own consideration. Future individual projects subsequent to the draft General Plan 2030 Update may be required to undergo additional environmental review that will determine site-specific impacts and accompanying mitigation measures pursuant to policies of the General Plan and other local, State, and federal regulatory requirements (please see Master Response #3).

Response to Comment A8-18:

The commenter's concluding remarks are noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter A9. Kings Canyon Unified School District

Response to Comment A9-1:

While the Kings Canyon Unified School District is considered a Fresno County School District; the commenter is correct that portions of the district are located within Tulare County. This comment is on information contained in the Background Report and does not affect conclusions reached in the RDEIR; no further response required.

Response to Comment A9-2:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A9-3:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter A10. City of Dinuba

Response to Comment A10-1:

This comment doesn't point to a specific inadequacy within the RDEIR. The commenter is directed to the Planning Framework Element of the General Plan 2030 Update (specifically pages 2-49 through 2-66), which describes the various goals and policies that have been designed to foster a cooperative planning environment between the County and each city with respect to development within the fringe areas of the cities. A summary of the key policies that have been developed to foster "city-centered growth" are also described on pages 2-9 and 2-10 of the RDEIR, with the summary table provided below:

TABLE 2-7
SUMMARY OF POLICIES (SECTION 2.4 – CITIES) FROM PLANNING FRAMEWORK ELEMENT

PF-4.1	CACUABs for Cities	PF-4.15	Urban Improvement Areas for Cities
PF-4.2	CACUDBs for Cities – Twenty Year Planning Area	PF-4.16	Coordination with Cities in Adjacent Counties
PF-4.3	Modification of CACUABs and CACUDBs	PF-4.17	Cooperation with Individual Cities
PF-4.4	Planning in CACUDBs	PF-4.18	Future Land Use Entitlements in a CACUDB
PF-4.5	Spheres of Influence	PF-4.19	Future Land Use Entitlements in a CACUAB
PF-4.6	Orderly Expansion of City Boundaries	PF-4.20	Application of a Checklist to control Development in a CACUDB
PF-4.7	Avoiding Isolating Unincorporated Areas	PF-4.21	Application of the RVLP Checklist to Control Development in a CACUAB
PF-4.8	General Plan Designations Within City UDBs	PF-4.22	Reuse of Abandoned Improvements in a CACUDB
PF-4.9	Updating Land Use Diagram in CACUDBs	PF-4.23	Reuse of Abandoned Improvements in a CACUAB
PF-4.10	City Design Standards	PF-4.24	Annexations to a City within the CACUDB
PF-4.11	Transition to Agricultural Use	PF-4.25	Sphere of Influence Criteria
PF-4.12	Compatible Project Design	PF-4.26	City 50 Year Growth Boundaries
PF-4.13	Coordination with Cities on Development Proposals	PF-4.27	Impacts of Development within the County on City Facilities
PF-4.14	Revenue Sharing		

Response to Comment A10-2:

This comment doesn't point to a specific inadequacy within the RDEIR, but expresses the general opinion that the RDEIR does not adequately describe or mitigate the environmental impacts of the General Plan 2030 Update. Therefore no further response on this issue is possible (see CEQA Guidelines Section 15204(a).)

The comment also states that the General Plan does not focus growth within the existing Cities. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas (existing unincorporated communities and cities). In fact one of the main objectives of the RDEIR is to “strictly limit rural residential development in important agricultural areas outside of unincorporated communities’ and cities’ UABs and UDBs (i.e. avoid residential sprawl)” (see RDEIR page 2-5). The UDBs and UABs surround these existing communities as demonstrated in RDEIR Figure 2-2. Many of the goals and policies used to accomplish focused growth are also discussed in the Table on page 3.10-15 of the RDEIR. Please also note that the RDEIR also provides a City-Centered Alternative (Alternative 2) in Section 4.

However, the commenter is also directed to Master Response #4, which explains the adequacy of the RDEIR analysis and level of detail required, given the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update.

Response to Comment A10-3:

Comment noted. The commenter is directed to Letter I21 and Responses to Comments I21-1 through I21-170 for specific responses to comments submitted on behalf of the Tulare County Council of Cities.

Letter A11. City of Farmersville***Response to Comment A11-1:***

Comment noted. The UDBs and UABs are described in the RDEIR starting on page 2-17. More detailed information is also provided in the proposed General Plan starting in Part I, Page 2-3, which describes an existing adopted UDB/UAB surrounding the City of Farmersville (see General Plan Figure 2.4-4). As noted in the response prepared for Comment A8-7 and Master Response #5, the County has incorporated land use designations from these existing plans and is not changing the designations at this time. The current land use designations for the City of Farmersville UDB are set out in the County adopted City General Plan for Farmersville in Part III. Development within UDBs and UABs will consist of an appropriate combination of land uses consistent with the County's General Plan and the area plan for Farmersville. See Figure 4-1 on page 4-5 of the General Plan 2030 Update to see the boundaries for Tulare County Planning Areas. Table 4.2 on page 4-10 of the General Plan 2030 Update lists the land use designations permitted in the County and descriptions for those land use designations can be found starting on page 4-15 of the General Plan 2030 Update.

The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required (CEQA Guidelines Section 15204(a)).

The comment also states that use of the term “may” in some General Plan policies “makes the Plan’s commitment to certain issues unclear and weak.” The commenter is directed to Master Response #3 for discussion of implementation and enforceability of the General Plan 2030 Update policies.

Response to Comment A11-2:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required. Please also see Master Response #3 for discussion of implementation and enforceability of the proposed General Plan, and Response to Comment A11-1 for discussion of the land use designations surrounding the City of Farmersville.

Response to Comment A11-3:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Please see response to Comment A10-1 regarding the County’s development of a specific “Planning Framework Element” as part of its General Plan 2030 Update in an effort to foster a cooperative planning environment between the County and each city with respect to development within the fringe areas of the cities. The County’s use of the word “may” in some of the General Plan policies is intentional and reflects the County’s desire to maintain flexibility as it works with the various cities to address future land use decisions within these fringe areas around cities. The commenter is also directed to Master Response #3 for discussion of implementation and enforceability of the General Plan policies.

Response to Comment A11-4:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A11-5:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A11-6:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Letter A12. City of Porterville

Response to Comment A12-1:

This comment doesn’t point to a specific inadequacy within the RDEIR, but expresses the general opinion that the Tulare County General Plan 2030 Update does not promote city-centered growth. Similar to the response to Comment A10-1, the commenter is directed to the Planning Framework Element of the General Plan 2030 Update (specifically pages 2-49 through 2-66), Master Response #5, and Response to Comment A10-2, which describes the various goals and policies that have been designed to foster a cooperative planning environment between the County and each city with respect to development within the fringe areas of the cities. A summary of the key policies that have been developed to foster “city-centered growth” are also described on pages 2-9 and 2-10 of the RDEIR, with the summary table provided below:

TABLE 2-7
SUMMARY OF POLICIES (SECTION 2.4 – CITIES) FROM PLANNING FRAMEWORK ELEMENT

PF-4.1	CACUABs for Cities	PF-4.15	Urban Improvement Areas for Cities
PF-4.2	CACUDBs for Cities – Twenty Year Planning Area	PF-4.16	Coordination with Cities in Adjacent Counties
PF-4.3	Modification of CACUABs and CACUDBs	PF-4.17	Cooperation with Individual Cities
PF-4.4	Planning in CACUDBs	PF-4.18	Future Land Use Entitlements in a CACUDB
PF-4.5	Spheres of Influence	PF-4.19	Future Land Use Entitlements in a CACUAB
PF-4.6	Orderly Expansion of City Boundaries	PF-4.20	Application of a Checklist to control Development in a CACUDB
PF-4.7	Avoiding Isolating Unincorporated Areas	PF-4.21	Application of the RVLP Checklist to Control Development in a CACUAB
PF-4.8	General Plan Designations Within City UDBs	PF-4.22	Reuse of Abandoned Improvements in a CACUDB
PF-4.9	Updating Land Use Diagram in CACUDBs	PF-4.23	Reuse of Abandoned Improvements in a CACUAB
PF-4.10	City Design Standards	PF-4.24	Annexations to a City within the CACUDB
PF-4.11	Transition to Agricultural Use	PF-4.25	Sphere of Influence Criteria
PF-4.12	Compatible Project Design	PF-4.26	City 50 Year Growth Boundaries
PF-4.13	Coordination with Cities on Development Proposals	PF-4.27	Impacts of Development within the County on City Facilities
PF-4.14	Revenue Sharing		

Response to Comment A12-2:

This comment doesn't point to a specific inadequacy within the RDEIR, but expresses the general opinion that the RDEIR does not adequately describe or mitigate the environmental impacts of the General Plan 2030 Update. Therefore no further response on this issue is possible (see CEQA Guidelines Section 15204(a)). Please also note that the RDEIR also provides a City-Centered Alternative (Alternative 2) in Section 4.

The commenter is directed to Master Response #4, which explains the adequacy of the RDEIR analysis and level of detail required, given the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update.

Response to Comment A12-3:

Comment noted. The commenter is directed to Letter I21 and Responses to Comments I21-1 through I21-170 for specific responses to comments submitted on behalf of the Tulare County Council of Cities.

Letter A13. City of Tulare

Response to Comment A13-1:

This comment is the same as that provided above under Comment A12-1. Please see the response to Comment A12-1.

Response to Comment A13-2:

This comment is the same as that provided above under Comment A12-2. Please see the response to Comment A12-2.

Response to Comment A13-3:

This comment is the same as that provided above under Comment A12-3. Please see the response to Comment A12-3.

Letter A14. City of Visalia**Response to Comment A14-1:**

This comment is the same as that provided above under Comment A12-1. Please see the response to Comment A12-1.

Response to Comment A14-2:

This comment is the same as that provided above under Comment A12-2. Please see the response to Comment A12-2.

Response to Comment A14-3:

This comment is the same as that provided above under Comment A12-3. Please see the response to Comment A12-3.

Letter A15. City of Woodlake**Response to Comment A15-1:**

Comment noted. The UDBs and UABs are described in the RDEIR starting on page 2-17. More detailed information is also provided in the proposed General Plan 2030 Update starting in Part I, Page 2-3, which describes an existing and adopted UDB/UAB surrounding the City of Woodlake (see General Plan Figure 2.4-9). As noted in the response prepared for Comment A8-7 and Master Response #5, the County has incorporated land use designations from these existing plans and is not changing the designations at this time. Development within UDBs and UABs will consist of an appropriate combination of land uses consistent with the County's General Plan and the area plan for Woodlake. See Figure 4-1 on page 4-5 of the General Plan 2030 Update to see the boundaries for Tulare County Planning Areas. Table 4.2 on page 4-10 of the General Plan 2030 Update lists the land use designations permitted in the County and descriptions for those land use designations can be found starting on page 4-15 of the General Plan 2030 Update.

The County will consider all comments received on the General Plan 2030 Update in its deliberations prior to adoption of the General Plan. This comment does not address the content or adequacy of the RDEIR but expresses some general concerns about the General Plan 2030 Update; no further response required. Regarding the use of the word "may" in some of the General Plan policies, the County has developed a specific "Planning Framework Element" as part of its General Plan 2030

Update in an effort to foster a cooperative planning environment between the County and each city with respect to development within the fringe areas of the cities. The County's use of the word "may" is intentional and reflects the County's desire to maintain flexibility as it works with the various cities to address future land use decisions within these fringe areas around cities.

Response to Comment A15-2:

Comment noted. The commenter is directed to Response to Comment A15-1.

The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required (CEQA Guidelines Section 15204(a)).

Response to Comment A15-3:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. The commenter is directed to Master Response #3 for discussion of implementation and enforceability of the General Plan policies. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A15-4:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A15-5:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. The commenter is directed to Master Response #3 for discussion of implementation and enforceability of the General Plan policies. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A15-6:

Comment noted. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update and does not address the content or adequacy of the RDEIR; no further response required.

Letter A16. San Joaquin Valley Air Pollution Control District

Response to Comment A16-1:

The commenter's statement that the General Plan 2030 Update and RDEIR appear to fulfill the requirements of AB 170 (Reyes) is noted.

Response to Comment A16-2:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required. As indicated in the comment, the County will continue to cooperate with the San Joaquin Valley Air Pollution Control District (SJVAPCD) as part of future environmental review of individual projects.

Response to Comment A16-3:

Comment noted. As indicated by the commenter, the General Plan 2030 Update includes an Air Quality Element and the RDEIR references a number of these policies designed to address air quality concerns (including possible health effects) in the county, with a number of these policies summarized below. The County will continue to cooperate with the SJVAPCD as part of the environmental review of individual projects.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality Element
Policies designed to improve air quality through a regional approach and interagency cooperation include the following:
AQ-1.1 Cooperation with Other Agencies AQ-1.2 Cooperation with Local Jurisdictions AQ-1.3 Cumulative Air Quality Impacts AQ-1.4 Air Quality Land Use Compatibility AQ-1.5 California Environmental Quality Act (CEQA) Compliance AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles AQ-1.7 Support Statewide Climate Change Solutions
Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:
AQ-2.1 Transportation Demand Management Programs AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ Implementation Measure #8
Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:
AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.3 Street Design AQ-3.4 Landscape AQ-3.5 Alternative Energy Design AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 and #12
Policies designed to implement the best available controls and monitoring to regulate air emissions include the following:
AQ-4.1 Air Pollution Control Technology AQ-4.2 Dust Suppression Measures AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions AQ-4.4 Wood Burning Devices

Land Use Element

Policies designed to encourage economic and social growth while retaining quality of life standards include the following:

- LU-1.1 Smart Growth and Healthy Communities
- LU-1.2 Innovative Development
- LU-1.3 Prevent Incompatible Uses
- LU-1.4 Compact Development
- LU-1.8 Encourage Infill Development

Environmental Resources Management Element

Policies designed to encourage energy conservation in new and developing developments include the following:

- ERM-4.1 Energy Conservation and Efficiency Measures
- ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation
- ERM-4.3 Local and State Programs
- ERM-4.4 Promote Energy Conservation Awareness
- ERM-4.5 Advance Planning
- ERM-4.6 Renewable Energy

Response to Comment A16-4:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required. However, the County concurs with the recommendations in the comment regarding the use of Health Risk Assessments to address site-specific projects with the potential to generate some degree of toxic air contaminants.

Response to Comment A16-5:

Comment noted. Please see the responses to Comments A16-2 through A16-4.

Response to Comment A16-6:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment A16-7:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Individuals

Letter I1. Chevron Environmental Management Company

Response to Comment I1-1:

The commenter's background information regarding historic pipeline rights-of-way and infrastructure locations is appreciated. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I1-2:

Comment noted. This comment does not address the content or adequacy of the RDEIR. The commenter's suggestion to ensure pipeline/land uses coordination activities are part of future project-specific environment reviews is noted.

Response to Comment I1-3:

The commenter's offer to share land development planning data specific to pipeline rights-of-way is appreciated. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I1-4:

The commenter's closing remarks are noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter I2. Del Strange**Response to Comment I2-1:**

The RDEIR was circulated to numerous agencies, organizations, and interested groups and persons for comment during the 60-day public review period. Public notice detailing the release of the RDEIR was posted at the Tulare County Resource Management Agency, Tulare County public libraries, on the General Plan website, and in various local newspapers. Additionally, the RDEIR, along with supporting documents were available for review at the Tulare County Resource Management Agency, Tulare County public libraries (15 in total), and on the General Plan website. All EIR notification and availability requirements as detailed in Section 15087 of the CEQA Guidelines were followed thereby allowing for active public participation.

Furthermore, the commenter received more than 45 days to review the document consistent with CEQA requirements (See CEQA Guidelines Section 15105(a)). Even with receipt of the Notice of Availability by mail on April 9, 2010, the commenter had 48 days to review and comment (the comment period did not end until May 27, 2010).

The comment further states that a free personal copy of the Recirculated EIR should have been provided. As noted above, copies were made available for review to the public for free. However, CEQA and State law permit the County "to charge and collect a reasonable fee for members of the public for a copy of an environmental document ..." (CEQA Guidelines Section 15045(b); see also Pub. Res. Code §§ 21089 and 21105). Furthermore, charging a fee for a personal copy of environmental documents is consistent with CEQA and public participation (See *Friends of Glendora v. City of Glendora* (2010) 182 Cal.App.4th 573, 580).

Response to Comment I2-2:

As more fully described in Section 15105(a) of the CEQA Guidelines, "the public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under

unusual circumstances.” There are no unusual circumstances that warrant a review period longer than that required by CEQA. Please see the response to Comment I1 (above) for additional information regarding the various methods in which the RDEIR was made available during the public review period.

Letter I3. Chevron Environmental Management Company

This letter is a duplicate of Comment Letter I1. Please see the responses prepared for Comment Letter I1 provided above.

Letter I4. Carole A. and J. Peter Clum

Response to Comment I4-1:

As advertised in the RDEIR, the RDEIR was substantially revised from 2008 DEIR. Commenters were encouraged to independently review the RDEIR. Table ES-4 was revised during this revision, the old table ES-4 included a list of the mitigating policies in the General Plan update as well as new mitigation measures, while the revised table ES-4 in the 2010 RDEIR contains only the new policies and implementation measures identified in the CEQA analysis. As clearly identified on page ES-8 of the RDEIR, Table ES-3 is intended to solely focus on the new or revised General Plan 2030 Update policies/implementation measures and Table ES-4 is intended to summarize these new policies/implementation measures in context to the specific impact they are intended to address. As clearly stated on page 1-12 of the RDEIR, the proposed General Plan 2030 Update is intended to be self-mitigating, in that some or all policies and implementation measures are designed to mitigate specific environmental impacts. The contents of the entire proposed General Plan (474 pages), including the proposed goals and policies, were included as Appendix C to the RDEIR. The introduction to the environmental analysis (see pages 3-3 to 3-4) also explains how the impacts are evaluated and presented in the RDEIR. Each impact statement within the RDEIR describes key general plan policies/implementation measures that are included as part of the proposed project (i.e., Goals and Policies Report of the General Plan 2030 Update) which serve to help avoid impacts. Summary tables of these various policies are also provided as part of each impact discussion. The general plan policies and implementation measures are part of the proposed project itself, and while self mitigating, are not stand alone mitigation measures. Consequently, reformatting of the document is not necessary and is not considered sufficient reason to extend the 60 day public review period.

Please also see Response to Comment I11-3.

Response to Comment I4-2:

Please see the response to Comment I4-1.

Letter I5. California Native Plan Society

Response to Comment I5-1:

The commenter's introductory remarks are noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I5-2:

This comment identifies the President of the Alta Peak Chapter of the CNPS as a retired professional botanist. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I5-3:

The comment expresses a general concern regarding the effectiveness of General Plan 2030 Update goals and policies to provide habitat connectivity. Please see response to comment I5-4 for a discussion of policies that would protect biological resources. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I5-4:

The commenter alleges that the wording of the General Plan 2030 Update would result in ineffective policies to avoid or reduce significant impacts to native vegetation and biological resources as a whole. Please see Master Response 4 for a discussion of implementation and enforceability of General Plan 2030 Update policies. It should also be noted that these policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. Consistent with the general level of detail of the biological impact analysis, the RDEIR sets forth programmatic mitigation measures that would apply to future projects and site specific actions. As discussed in Master Response #4, a Program EIR is permitted to set forth generalized mitigation measures (in this case general plan policies), and General Plan EIR mitigation measures must be flexible enough to address long-term impacts of development in a County with a large land area and broad diversity of habitats.

For example, the impact description for Impact 3.11-2: "The proposed project would have a substantial adverse effect on riparian habitats or other sensitive natural communities" (see pages 3.11-35 through 3.11-38 of the RDEIR) identifies several general plan policies designed to address impacts to biological resources, with a summary from the RDEIR provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resources Management Element

Policies designed to protect sensitive habitats from the impacts of future development in Tulare County include the following:

ERM-1.1	Protection of Rare and Endangered Species	ERM-1.12	Management of Oak Woodland Communities
ERM-1.2	Development in Environmentally Sensitive Areas	ERM-1.13	Pesticides
ERM-1.3	Encourage Cluster Development	ERM-1.14	Mitigation and Conservation Banking Program
ERM-1.4	Protect Riparian Areas	ERM-5.8	Watercourse Development
ERM-1.5	Riparian Management Plans and Mining Reclamation Plans	ERM-5.15	Open Space Preservation
ERM-1.6	Management of Wetlands	ERM Implementation Measures #2, #5, #7, #8, #9, #10, #11, #13, #14, and #54	
ERM-1.7	Planting of Native Vegetation		
ERM-1.8	Open Space Buffers		
ERM-1.9	Coordination of Management on Adjacent Lands		

Implementation Measures designed to identify and mitigate the impact of development on key biological resources include the following:

ERM Implementation Measure #3
ERM Implementation Measure #4
ERM Implementation Measure #6

Foothill Growth Management Plan

Policies designed to preserve and maintain biological resources within the Foothill Growth Management Plan include the following:

FGMP-4.1	Identification of Environmentally Sensitive Areas	FGMP-8.12	Vegetation Removal
FGMP-5.1	Protect Agricultural Lands	FGMP-8.13	Use of Native Landscaping
FGMP-8.1	Riparian Area Development	FGMP-8.14	Identification of Wildlife
FGMP-8.5	Protection of Lakes	FGMP-8.19	Preservation of Unique Features
FGMP-8.9	Removal of Natural Vegetation	FGMP Implementation Measures #15, #23, and #26	

In addition, the impact discussion also identifies the following additional new policy and revised policy (ERM-1.9) as mitigation for inclusion into the final General Plan 2030 Update:

- **ERM-1.15 Minimize Lighting Impacts.** The County shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis]*.
- **ERM-1.9 Coordination of Management on Adjacent Lands.** The County shall work with other government land management agencies (such as the Bureau of Land Management, US Forest Service, National Park Service) to preserve and protect biological resources, including those within and adjacent to designated critical habitat, reserves, preserves, and other protected lands, while maintaining the ability to utilize and enjoy the natural resources in the County *[Revised Policy]*.

The comment also states that the proposed General Plan “appears to intend to allow extensive development in areas presently “natural”, quite outside existing development. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment I5-5:

The commenter references a number of preserve sites and refuges (Figure 3.11-2 of the RDEIR) that are currently managed by a variety of entities other than the County. While the County lacks direct authority over these preserve areas, the County supports the protection of these and other open space areas through a variety of policies contained in the General Plan 2030 Update. For example, the General Plan 2030 Update focuses development in and around established community areas, with policies designed to cluster and support infill development which would serve to protect and maintain habitat connectivity by limiting development within larger open space areas (see also the response prepared for Comment A8-9). Additionally, the General Plan 2030 Update provides a number of policies and implementation measures designed to directly protect sensitive species and habitats. Impact 3.11-4 of the RDEIR analyzes potential impacts to wildlife corridors (i.e., habitat fragmentation, etc.) and identifies a number of these policies (summarized below). Specifically, ERM-1.5 “Protect Riparian Areas”, serves to protect a variety of riparian areas, in particular those associated with stream corridors and waterways which support regional migratory corridors and preserve areas. Similarly, ERM-1.12 “Management of Oak Woodland Communities” and ERM-5.15 “Open Space Preservation” support habitat connectivity concerns.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resources Management Element	
Policies designed to protect sensitive habitats from the impacts of future development in Tulare County include the following:	
ERM-1.1 Protection of Rare and Endangered Species	ERM-1.12 Management of Oak Woodland Communities
ERM-1.2 Development in Environmentally Sensitive Areas	ERM-1.13 Pesticides
ERM-1.3 Encourage Cluster Development	ERM-1.14 Mitigation and Conservation Banking Program
ERM-1.4 Protect Riparian Areas	ERM-5.8 Watercourse Development
ERM-1.5 Riparian Management Plans and Mining Reclamation Plans	ERM-5.15 Open Space Preservation
ERM-1.6 Management of Wetlands	ERM Implementation Measures #2, #5, #7, #8, #9, #10, #11, #13, #14, and #54
ERM-1.7 Planting of Native Vegetation	
ERM-1.8 Open Space Buffers	
ERM-1.9 Coordination of Management on Adjacent Lands	
Implementation Measures designed to identify and mitigate the impact of development on key biological resources include the following:	
ERM Implementation Measure #3	
ERM Implementation Measure #4	
ERM Implementation Measure #6	

Response to Comment I5-6:

Comment noted. Keeping in context with the broad nature of the General Plan 2030 Update, Figure 3.11-2 is intended to provide a general description of protected lands within the County. It is not intended to provide an inclusive parcel by parcel description of all lands with protective easements or the precise nature of the protective easement. However the protected lands identified in Figure 3.11-2 enjoy a sufficient degree of protection to justify the assumptions used to analyze potential impacts in the RDEIR, specifically, that development, if it occurs, must be compatible with the biological resources in protected areas. Additionally, as many of the identified lands are managed by a variety of other agencies (i.e., State and federal, etc.) with the

specific intent of preserving sensitive habitats/species, coordination and approval with these agencies would also be required prior to their development.

Response to Comment I5-7:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I5-8:

Please see responses to comments I5-4 and I5-5, and Master Responses #3 and #4.

Response to Comment I5-9:

The commenter's opinion regarding analysis of alternatives is noted. As discussed in greater detail in Section 4.0 of the RDEIR, the RDEIR evaluates a reasonable range of alternatives to the proposed project that could feasibly attain most of the basic objectives of the project, but that would avoid or substantially lessen one or more significant effects of the project.

As previously described in the response to Comment I5-5, The General Plan 2030 Update provides a number of policies and implementation measures designed to directly protect sensitive species and habitats. As appropriate, the County supports a variety of wildlife/open space protection measures including the use of conservation easements. This support is provided in the following implementation measures contained in the Environmental Resources Management Element of the General Plan 2030 Update:

- **Environmental Resources Management Element #8.** If feasible and needed, the County shall develop and administer a mitigation banking program in conjunction with TCAG and other stake holders [*New Program*].
- **Environmental Resources Management Element #10.** The County shall actively pursue a program of acquisition or preservation of vernal pools. This can be done through a variety of mechanisms, including establishing a mitigation banking program, conservation easements, and trusts [*ERME IV-C; Biological Resources; Issue 12; Recommendation 6*] [*ERME; Pg 33, Modified*].

Response to Comment I5-10:

The comment expresses a general opinion, but does not specifically address the content or adequacy of the RDEIR. Please see RDEIR, p. 4-1 through 4-6, and Master Response #9 for additional information regarding the methodology and analysis provided in the RDEIR to address the evaluation of alternatives. Overall, the County is guided by the need to describe a “reasonable range” of alternatives (CEQA Guidelines §15126.6(f)).

Response to Comment I5-11:

At the time that the biological resources analysis for the RDEIR was conducted, California satintail (*Imperata brevifolia*) was listed in the California Native Plant Society's (CNPS) Rare Plant Inventory. In a recent discussion with a CNPS botanist, it was indicated that *Imperata*

brevifolia should be evaluated during the CEQA process. It was also mentioned that the species was discussed as a possible addition to the CNPS Inventory prior to the 6th edition (2001) of the CNPS Inventory. However, progress in reviewing the species was delayed as it was mistakenly classified as a noxious weed by the California Department of Food and Agriculture (CDFA) from about 1960 to 2004, due to concerns over a population of the species which had colonized an agricultural canal during the 1950's (personal communication, Sims). A recent review of CDFA records indicates that the species has been removed from its previous classification as a noxious weed. No change to the RDEIR is necessary.

Response to Comment I5-12:

The commenter is correct. While the Sequoia Riverlands Trust (SRT) is not considered a sensitive habitat, the SRT does manage a number of preserve areas that contain a variety of sensitive habitats. Page 3.11-20 of the RDEIR has been corrected to remove the reference to the SRT.

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I5-13:

The commenter's closing remarks reiterate the concerns expressed in this comment letter and recommend enlarging and connecting protected areas, and preserving natural habitat within protected areas. The commenter is referred to the responses prepared to Comments I5-5 and I5-9, which address the concerns of protecting open space areas and described several of the County's policies regarding the acquisition and preservation of sensitive habitats.

Letter I6. Carole A. and J. Peter Clum

Response to Comment I6-1:

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for the Executive Summary which summarizes the issues to be resolved and the choice among alternatives, which were appropriately addressed in Chapter 4.0 of the RDEIR. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I6-2:

Comment noted. Please see Response to Comments I4-1 through I4-2.

Letter I7. Del Strange***Response to Comment I7-1:***

The commenter is directed to the response prepared to their previous letter reflecting similar comments. Please see the response to Comment I2-1.

Letter I8. Robert Krase (Law Offices of Robert Krase)***Response to Comment I8-1:***

Comment noted. This comment does not address the content or adequacy of the RDEIR. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update; no further response required.

Response to Comment I8-2:

Comment noted. This comment does not address the content or adequacy of the RDEIR. The County will consider all comments received on the General Plan in its deliberations prior to adoption of the General Plan. This comment pertains to the General Plan 2030 Update; no further response required.

Response to Comment I8-3:

The commenter is referred to Response I8-4.

Response to Comment I8-4:

While the County recognizes that air quality is a larger regional concern, the County does not limit its approach to one or two methods (i.e., regional cooperation) to address the issue of air pollution as the commenter indicates. The commenter is referred to RDEIR Section 3.3 for discussion of the air quality analysis and applicable General Plan policies. Please also see Comment A16-1 from the San Joaquin Valley Air Pollution Control District which states that the General Plan is in compliance with air quality requirements contained in AB 170 (Reyes).

As part of the General Plan 2030 Update, the County has included a comprehensive Air Quality Element, with additional air quality related policies found through out other elements of the general plan. Additionally, as described on page 3.3-21 of the RDEIR, the General Plan 2030 Update was designed specifically to address a variety of air quality issues including the need to reduce vehicle and other operational-related air quality emissions. Individual projects to be developed under the proposed project would be subject to San Joaquin Valley Air Pollution Control District (SJVAPCD) Rules and Regulations, including Rule 9510 (Indirect Source Review), if applicable, Regulation VIII (Fugitive Dust Prohibitions), and rules directed at agricultural operations including Rule 4550 (Conservation Management Practices) and Rule 4570 (Confined Animal Facilities). Projects that are large employers (over 100 employees) will be subject to Rule 9410 (Employer Based Trip Reduction) that was approved by the SJVAPCD

Governing Board on December 17, 2009. Specific policies direct the County to improve air quality through a regional approach with interagency cooperation (see Policies AQ-1.1 through AQ-1.7). Other policies call for the reduction of air emissions associated with transportation (see Policies AQ-2.1 through AQ-2.5). Additional policies call for a variety of strategies designed to improve air quality through land use planning (see Policies AQ-3.1 through AQ-3.6, LU-1.1 through LU-1.4, and LU-1.8), implement the best available controls to regulate air emissions (see Policies AQ-4.1 through AQ-4.4 and encourage energy conservation (see Policies ERM-4.1 through ERM-4.6).

A summary of key air quality policies from all applicable elements of the General Plan 2030 Update is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality Element
<p>Policies designed to improve air quality through a regional approach and interagency cooperation include the following:</p> <p>AQ-1.1 Cooperation with Other Agencies AQ-1.2 Cooperation with Local Jurisdictions AQ-1.3 Cumulative Air Quality Impacts AQ-1.4 Air Quality Land Use Compatibility AQ-1.5 California Environmental Quality Act (CEQA) Compliance AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles AQ-1.7 Support Statewide Climate Change Solutions</p> <p>Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:</p> <p>AQ-2.1 Transportation Demand Management Programs AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ Implementation Measure #8</p> <p>Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:</p> <p>AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.3 Street Design AQ-3.4 Landscape AQ-3.5 Alternative Energy Design AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 and #12</p> <p>Policies designed to implement the best available controls and monitoring to regulate air emissions include the following:</p> <p>AQ-4.1 Air Pollution Control Technology AQ-4.2 Dust Suppression Measures AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions AQ-4.4 Wood Burning Devices</p>
Land Use Element
<p>Policies designed to encourage economic and social growth while retaining quality of life standards include the following:</p> <p>LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.3 Prevent Incompatible Uses LU-1.4 Compact Development LU-1.8 Encourage Infill Development</p>

Environmental Resources Management Element

Policies designed to encourage energy conservation in new and developing developments include the following:

- ERM-4.1 Energy Conservation and Efficiency Measures
- ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation
- ERM-4.3 Local and State Programs
- ERM-4.4 Promote Energy Conservation Awareness
- ERM-4.5 Advance Planning
- ERM-4.6 Renewable Energy

Response to Comment I8-5:

Comment noted. Please see Master Response #3 for discussion of General Plan implementation and enforceability. The comment also states that “no project should be allowed in Tulare County if that project increase air pollution or decreases air quality.” Such a policy is infeasible for health, safety, welfare, economic, legal, and policy reasons. Such a policy would preclude any developments requiring the use of construction equipment which could potentially trigger local air quality significance thresholds. This ban would preclude development that has short term impacts but long term air quality benefits (for example, construction of renewable energy facilities, or other projects designed to increase density and reduce VMT). Furthermore such a policy could lead to potential unconstitutional takings.

Response to Comment I8-6:

Comment noted. Please see Response to Comment I8-5 and Master Response #3. As discussed in this Master Response, General Plan policies should not be read in a vacuum, but rather part of a comprehensive series of goals, policies, and implementation measures. As further noted in this Master Response, an outright ban would not provide sufficient flexibility in County policies to address unknown and unforeseen circumstances. Once site specific projects are proposed the County will need to balance numerous planning, environmental, and policy considerations in the General Plan based upon the specific parcels of land and the specific projects that are proposed.

Response to Comment I8-7:

Please see Response to Comment I8-6 for discussion of policy flexibility. The commenter is also directed to Section 9.2 “Transportation Design” of the Air Quality Element, which more appropriately includes several policies designed to address the transportation-related air quality concerns expressed by the commenter. Specific policies included in the section include the following:

- **Policy AQ-2.1 Transportation Demand Management Programs.** The County shall coordinate and provide support for County Transportation Demand Management programs with other public and private agencies, including programs developed by the TCAG and the SJVAPCD [*New Policy*].
- **Policy AQ-2.2 Indirect Source Review.** The County shall require major development projects, as defined by the SJVAPCD, to reasonably mitigate air quality impacts associated with the project. The County shall notify developers of SJVAPCD Rule 9510 – Indirect Source Review requirements and work with SJVAPCD to determine mitigations, as feasible, that may include, but are not limited to the following:

- Providing bicycle access and parking facilities,
 - Increasing density,
 - Encouraging mixed use developments,
 - Providing walkable and pedestrian-oriented neighborhoods,
 - Providing increased access to public transportation,
 - Providing preferential parking for high-occupancy vehicles, car pools, or alternative fuels vehicles, and
 - Establishing telecommuting programs or satellite work centers [*New Policy*].
- **Policy AQ-2.3 Transportation and Air Quality.** When developing the regional transportation system, the County shall work with TCAG to comprehensively study methods of transportation which may contribute to a reduction in air pollution in Tulare County. Some possible alternatives that should be studied are:
 - Commuter trains (Light Rail, Amtrak, or High Speed Rail) connecting with Sacramento, Los Angeles, and San Francisco, with attractive services scheduled up and down the Valley,
 - Public transportation such as buses and light rail, to serve between communities of the Valley, publicly subsidized if feasible,
 - Intermodal public transit such as buses provided with bicycle racks, bicycle parking at bus stations, bus service to train stations and airports, and park and ride facilities, and
 - Community transportation systems supportive of alternative transportation modes, such as cycling or walking trails, with particular attention to high-density areas [*ERME IV-C; Open Space for the Preservation of Air Quality; Recommendation 4*] [*ERME; Pg 139, Modified*].
 - **Policy AQ-2.4 Transportation Management Associations.** The County shall encourage commercial, retail, and residential developments to participate in or create Transportation Management Associations (TMAs) that may assist in the reduction of pollutants through strategies that support carpooling or other alternative transportation modes [*New Policy*].
 - **Policy AQ-2.5 Ridesharing.** The County shall continue to encourage ridesharing programs such as employer-based rideshare programs [*New Policy*].

Response to Comment I8-8:

The commenter is directed to the response prepared for Comment I8-7.

Response to Comment I8-9:

The commenter is directed to the response prepared for Comment I8-4 and I8-5.

Response to Comment I8-10:

The commenter is directed to the response prepared for Comment I8-5 and I8-7.

Response to Comment I8-11:

The commenter is directed to the response prepared for Comment I8-7. The policy issues raised by the commenter are addressed in the Air Quality Element. Additionally, please see RDEIR pages 3.2-35 through 3.2-38 for discussion of proposed General Plan policies which address mass transit, pedestrians, and bicyclists.

Response to Comment I8-12:

Comment noted. Please see Response to Comment I8-5 and Master Response #3.

Response to Comment I8-13:

The commenter is directed to the response prepared for Comment I8-7. The policy issues raised by the commenter are addressed in the Air Quality Element. Please see Master Response #3.

Response to Comment I8-14:

The commenter is directed to the response prepared for Comment I8-6 and I8-7. As noted above, individual policies should not be reviewed in a vacuum. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-15:

Comment noted.

Response to Comment I8-16:

The commenter is directed to the response prepared for Comment I8-5 and I8-7. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-17:

The commenter is directed to the response prepared for Comments I8-4 and I8-7. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-18:

The commenter is directed to the response prepared for Comments I8-4 and I8-7, Master Response #3 for discussion of General Plan implementation and enforceability, and Master Response #4 for discussion of the level of detail in the RDEIR and General Plan. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-19:

The principles provided on page C-2 are intended to reflect broader goals specific to a particular issue. The commenter is directed to the response prepared for Comments I8-4, I8-5, and I8-7. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-20:

The commenter is directed to the response prepared for Comments I8-4 and I8-7. The policy issues raised by the commenter are addressed in the Air Quality Element. Please also note that the RDEIR address impacts in comparison to existing conditions. While an important issue, existing aesthetic issues are not impacts of the proposed project and are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

Response to Comment I8-21:

The commenter indicates that the wording of several General Plan 2030 Update policies specific to air quality lacks sufficient detail to avoid or reduce air quality issues. As previously described in the response to Comment A8-11, policies in the General Plan 2030 Update include use of the word “shall”, which indicates an unequivocal directive for the County. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is directed to Master Response #3 and #4. The comment is also referred to Response to Comments I8-1 through I8-20.

The commenter states that the words “when feasible” should be deleted when referring to mitigating impacts. The RDEIR Section 4.3 uses the term “feasible” consistent with CEQA Guidelines Section 21061.1 and CEQA Guidelines Section 15364. Such a policy without this language would provide insufficient flexibility and is considered infeasible for the reasons described here, under Response to Comment I8-5, and Master Response #3.

The comment also suggests banning “brush and Ag burns.” These burns are considered standard practice for fire protection. If these burns were prohibited, the material would have to be hauled to a landfill. Hauling this material to a landfill would increase vehicle miles traveled within the County, would increase fuel consumption or use, would increase related vehicular emissions, and would decrease landfill capacity at an accelerated rate.

Response to Comment I8-22:

The commenter is directed to the response prepared for Comments I8-4 and I8-7. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-23:

Comment noted.

Response to Comment I8-24:

The commenter is directed to the response prepared for Comments I8-4 and I8-7, and Master Response #3 and #4. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-25:

The commenter is directed to the response prepared for Comments I8-4 and I8-7, and Master Response #3 and #4. The policy issues raised by the commenter are addressed in the Air Quality Element.

Response to Comment I8-26:

The commenter's closing remarks are noted. The commenter is directed to Response to Comments I8-1 through I8-25, and Master Response #3 and #4 for discussion of General Plan implementation, enforceability, and level of detail. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter I9. Edgar & Associates***Response to Comment I9-1:***

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response is required.

Response to Comment I9-2:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required. However, the commenter's suggestions regarding the Climate Action Plan will be forwarded to County decision makers for consideration.

Response to Comment I9-3:

The comment re-states the Solid Waste Reduction and Recycling Measures Summary from the Climate Action Plan, which is: (1) Encourage the use of recycled materials in its own operations and purchases; (2) provide sites and publicity for recycling events; and (3) work with recycling contractors on innovative programs to encourage residents and businesses to take advantage of recycling services. The comment also lists a fourth goal: to reduce agricultural burning through cogeneration and composting. This is actually part of the voluntary programs section of the CAP, and is an example of the project and initiatives being pursued by the agricultural industry in cooperation with government agencies and universities.

Response to Comment I9-4:

Comment noted.

Response to Comment I9-5:

The County agrees with the suggestion to coordinate with existing business recycling infrastructure to help ensure a comprehensive approach to help achieve recycling and AB 32 goals. The commenter is referred to Section PFS-5 of the General Plan 2030 Update which identifies a number of policies designed to address the efficient disposal and recycling of solid waste in Tulare County.

Response to Comment I9-6:

The commenter is referred to the response prepared for Comment I9-5.

Letter I10. Home Builders Association of Tulare/Kings Counties**Response to Comment I10-1:**

The commenter's introductory statement is noted. The Housing Element has already been adopted but not certified at this time. The County anticipates that there will be changes to the Housing Element through a separate tract as a General Plan Amendment. Changes to the Housing Element are not proposed as part of the proposed project in the RDEIR and hence not reviewed as part of this RDEIR. Furthermore, neither the RDEIR nor the proposed General Plan rely upon or discuss the County Public Facilities Impact Fee Study dated October 21, 2008 (referenced in the comment as "PFIF"). This 2008 study has not yet been considered and not yet received further revisions. We anticipate changes to the study through an adoption process described in the California Fee Mitigation Act (Government Code 66000). This comment does not address the content or adequacy of the RDEIR; no further response required (CEQA Guidelines Section 15204(a)).

Response to Comment I10-2:

The commenter's introductory statement is noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I10-3:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required (CEQA Guidelines Section 15204(a)). However, the commenter's suggestions regarding consistency of the County's Housing Element with the County's Public Facilities Impact Fee Study will be forwarded to County decision makers for additional consideration in those separate adoption processes.

Response to Comment I10-4:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required. Please see response to comment I10-3.

Response to Comment I10-5:

Comment noted. The General Plan provides standards for population density and building intensity in the General Plan consistent with Government Code requirements. This comment does not address the content or adequacy of the RDEIR; no further response required. The commenter is referred to Section 2.5 (page 2-29) of the General Plan Background Report (included as Appendix B in the RDEIR) for a description of population projections and demographics used in developing the General Plan 2030 Update, including those projections prepared by the California Department of Finance.

Response to Comment I10-6:

Comment noted. The commenter is referred to the response prepared to Comment I10-3 and to the following existing policy in the General Plan 2030 Update that addresses the commenter's concern:

- **ERM-5.6 Location and Size Criteria for Parks.** Park types used in Tulare County are defined as follows:
 - **Neighborhood Play Lots (Pocket Parks).** The smallest park type, these are typically included as part of a new development to serve the neighborhood in which they are contained. Typical size is one acre or less. If a park of this type is not accessible to the general public, it can not be counted towards the park dedication requirements of the County. Pocket Parks can be found in communities, hamlets, and other unincorporated areas.
 - **Neighborhood Parks.** Neighborhood parks typically contain a tot lot and playground for 2-5 year olds and 5-12 year olds, respectively, one basketball court or two half-courts, baseball field(s), an open grassy area for informal sports activities (for example, soccer), and meandering concrete paths that contain low-level lighting for walking or jogging. In addition, neighborhood parks typically have picnic tables and a small group picnic shelter. These park types are typically in the range of 2 to 15 acres and serve an area within a ½ mile radius. Neighborhood parks can be found in communities, hamlets, and other unincorporated areas.
 - **Community Parks.** Community parks are designed to serve the needs of the community as a whole. These facilities can contain the same facilities as the neighborhood park. In addition, these parks can contain sports facilities with night lighting, community centers, swimming pools, and facilities of special interest to the community. These parks are typically 15 to 40 acres in size and serve an area within a 2 mile radius. Community parks can be found in communities planned community areas, and large hamlets.
 - **Regional Parks.** Regional parks are facilities designed to address the needs of the County as a whole. These facilities may have an active recreation component (play area, group picnic area, etc.), but the majority of their area is maintained for passive

recreation (such as hiking or horseback riding), and natural resource enjoyment. Regional parks are typically over 200 acres in size, but smaller facilities may be appropriate for specific sites of regional interest.

- The following guidelines should be observed in creating and locating County parks:
- The County shall strive to maintain an overall standard of five or more acres of County-owned improved parkland per 1,000 population in the unincorporated portions of the County,
- Neighborhood play lots (pocket parks) are encouraged as part of new subdivision applications as a project amenity, but are not included in the calculation of dedication requirements for the project,
- Neighborhood parks at three acres per 1,000 population, if adjoining an elementary school and six acres per 1,000 population if separate [*ERME IV-C; Open Space; Policy 3; Pg. 101*],
- Community parks at one-acre per 1,000 population if adjoining a high school and two acres per 1,000 population if separate [*ERME IV-C; Open Space; Policy 4; Pg. 101*],
- Regional parks at one-acre per 1,000 population,
- Only public park facilities shall be counted toward Countywide parkland standards, and
- A quarter mile walking radius is the goal for neighborhood parks [*ERME IV-C; Open Space; Policy 7; Pg. 101*].

Response to Comment I10-7:

Comment noted. Please see Master Response #4 regarding the level of detail in the General Plan and the RDEIR. Furthermore, individual policies should not be reviewed in a vacuum. All of the goals and policies have been proposed as part of a comprehensive system (i.e. the entire General Plan); (For example see Table on RDEIR page 3.6-39). Rather these policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the General Plan which provide additional clarity on how they will be implemented and the goals and standards by which they will be achieved. The commenter is also directed to General Plan, Part I, starting on page 13-1 for discussion of infrastructure requirements and implementation measures. The existing service levels for all public services and utilities are discussed in RDEIR section 3.9, Public Services, Recreation, and Utilities. This comment does not address the content or adequacy of the RDEIR; no further response required. However, the commenter's suggestion on the General Plan will be forwarded to County decision makers for additional consideration. Please see Master Response #4. The level of infrastructure will be determined on a community/hamlet site specific level. Please see PFS1.3 on page 14-3 of the General Plan Update.

Response to Comment I10-8:

Comment noted. Please see Master Response #3 for discussion of implementation of the General Plan and Master Response #4 for discussion of the level of detail required in the General Plan and

the RDEIR. As discussed therein, more detailed information will be provided in future implementation measures, ordinances, and in some instances, site specific/project specific requirements may be conditioned at the time projects are considered for approval by the County.

Response to Comment I10-9:

The commenter's summary of issues and closing remarks are noted. Please see Response to Comment I10-1 and I10-3. This comment does not address the content or adequacy of the RDEIR; no further response required.

Letter I11. Sierra Club Kern-Kaweah Chapter (Clums)

Response to Comment I11-1:

The commenter provides introductory remarks, consisting of a table of contents, and a list of attachments. The comment describes the attachments as comment letters submitted on the previously published 2008 DEIR. Consistent with CEQA Guidelines §15088.5(f)(1), the RDEIR advised the public that written responses would not be prepared for previous comments on the 2008 DEIR. Written responses are provided for comments on significant environmental issues related to the project as currently proposed and the RDEIR (CEQA Guidelines §15088.5(f)). Please see Master Response #2 for additional discussion. This comment does not address the content or adequacy of the RDEIR; no further response required. Responses to specific comments in this letter are provided in the responses below.

Response to Comment I11-2:

The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Additionally, please see response to Comment A8-11. The commenter is also directed to the response to Comment A8-17 regarding the impact analysis and Master Response #9 for additional information regarding the alternatives analysis for the RDEIR.

As noted in these Master Responses, the General Plan is a long term comprehensive plan for the physical development of the County (see Gov. Code §65300). These policies and objectives are implemented through various other actions, such as specific plans and zoning which are more detailed and specific (See Gov. Code §§ 65359, 65400, 65455, and 65860). Furthermore, the County's proposed General Plan also contains a number of implementations measures included in Part I, Sections 2.8, 3.3, 4.8, 5.7, .7.5, 8.8, 9.5, 10.10, 11.4, 13.6, 13.7, 14.10; Part II Sections 1.2, 2.2, 3.11, 3.12, 4.2 at the end of each chapter or element.

As discussed in the Government Code, the Legislature recognized that the level of detail in the General Plan will vary. "The Legislature recognizes that the capacity of the California cities and counties to respond to state planning laws varies due to the legal differences between cities and counties, both charter and general law, and to differences among them in physical size and characteristics, population size and density, fiscal and administrative capabilities, land use and development issues, and human needs...recognizing that each city and county is required to

establish its own appropriate balance in the context of the local situation when allocating resources to meet these purposes (see Gov. Code §65300.9; see also Gov. Code §65301(c)). As further discussed in the Governor’s Office of Planning and Research (OPR) General Plan Guidelines, “given the long-term nature of a general plan, its diagrams and text should be general enough to allow a degree of flexibility in decision-making as times change” (Office of Planning and Research 2003, page 14).

As discussed in Section 1.4 of the RDEIR, the County prepared a “program EIR,” also referred to as a “first tier” document. CEQA authorizes the preparation of a “program EIR” when the project at hand consists of a program, regulation, or series of related actions that can be characterized as one large project. Typically, such a project involves actions that are closely related either geographically or temporally. Program EIRs are typically prepared for general plans, specific plans, and regulatory programs. Generally speaking, program EIRs analyze broad environmental effects of the program with the acknowledgment that site-specific environmental review will be required when future development projects are proposed under the approved regulatory program (CEQA Guidelines §15168). As discussed by the California Supreme Court “it is proper for a lead agency to use its discretion to focus a first-tier EIR on only the general plan or program, leaving project-level details to subsequent EIR’s when specific projects are being considered” (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143).

While the County strives to provide as much detail as possible in the mitigation measures and policies, some flexibility must be maintained to provide a General Plan capable of covering 4,840 square miles of land. As also discussed by the Court of Appeal, “a first-tier EIR may contain generalized mitigation criteria and policy-level alternatives” (*Koster v. County of San Joaquin* (1996) 47 Cal.App.4th 29; see also CEQA Guidelines Section 15126.4(a)(2)).

Response to Comment I11-3:

The commenter indicates that only minor revisions to the general plan and environmental analysis have been implemented as part of the General Plan 2030 Update and associated RDEIR. In all, the County completed approximately 350 difference changes to the 2008 version of the Goals and Policies Report, including the development of 24 new policies and 13 new implementation measures. This misconception is addressed on pages 1-3 through 1-4 of the RDEIR. The commenter is also directed to Master Response #2, which provides a summary of all proposed changes to the General Plan 2030 Update (including a description of the updated Background Report, Climate Action Plan, and Goals and Policies Report).

Additionally, it should be noted that the list of revised or new policies and implementation measures provided on Table ES-3 of the RDEIR is not intended to represent a complete list of all policy changes from the 2008 version of the General Plan 2030 Update. As indicated on page ES-8 of the RDEIR, Table ES-3 only provides a list of the revised or new policies and implementation measures that were identified through the CEQA or environmental analysis process. As previously indicated, the County underwent an exhaustive update to the 2008 version that is reflected in the current version of the General Plan 2030 Update.

In reviewing Table ES-3, it was identified that Agricultural Element Implementation Measure #15 was inadvertently omitted from the table. The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text. This revision does not change the analysis or conclusions presented in the RDEIR.

The comment also suggests that the proposed General Plan would allow development throughout the County. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment I11-4:

Comment noted.

Response to Comment I11-5:

The commenter's summary is noted.

Response to Comment I11-6:

As noted in the RDEIR there have been substantial revisions to the proposed General Plan EIR released in 2010, as well as the RDEIR, which was recirculated in its entirety. Please also see Response to Comment I11-3 for discussion of these changes. In drafting these revisions the County carefully considered each of the comment letters received on the previous Draft EIR.

As discussed under CEQA Guidelines Section 15088.5(f)(1), "When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previously comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR." Consistent with the requirements of this section, the County notified reviewers that responses would not be prepared for comments on the 2008 DEIR on page ES-8 of the RDEIR as well as in the Notice of Availability. This does need trigger the need to recirculate the RDEIR under CEQA Guidelines Section 15088.5.

This approach is also consistent with CEQA Guidelines Section 15204(a), which states that in drafting comment letters the public should "focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and the way in which the significant effects of the project might be avoided or mitigated" (Emphasis Added). In the current instance, both the project and the RDEIR have been revised substantially. Previous comments are not longer applicable to the currently proposed General Plan (project), which is why additional opportunities to comment on the revised General Plan and the RDEIR have been provided. The commenter also appears to have availed themselves of this opportunity, having provided an

extensive comment letter. The commenter is also referred to Master Response #2 for a description of how the previously submitted comment letters were addressed as part of the recirculation process.

Response to Comment I11-7:

The commenter provides an opinion or criticism on the General Plan Update (i.e. on policies, implementation measures, etc.) without providing suggestions on how to improve the plan; consequently this comment does not address the content or adequacy of the RDEIR, and no further response is required (CEQA Guidelines Section 15204(a). Please see Master Response #2 for a discussion of previously submitted comment letters.

Response to Comment I11-8:

The commenter's opinion regarding the Notice of Availability prepared for the RDEIR is noted. The Notice of Availability prepared for the RDEIR was prepared consistent with the requirements outlined in Section 15087(c) and 15088.5(f)(1) of the CEQA Guidelines. Please see Master Response #2 and Response to Comment I11-6 for a discussion of previously submitted comment letters.

Response to Comment I11-9:

As clearly identified on page ES-8 of the RDEIR, Table ES-3 is intended to solely focus on the new or revised General Plan 2030 Update policies/implementation measures and Table ES-4 is intended to summarize these policies/implementation measures in context to the specific impact they are intended to address. Mitigation Measures, as is the case here, can take the form of new policies. As noted under CEQA Guidelines Section 15126.4(a)(2), "In the case of adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design. The Executive Summary therefore provides a summary of both the project's impacts and mitigation measures. As clearly stated on page 1-12 of the RDEIR, the proposed General Plan 2030 Update is intended to be self-mitigating, in that some or all policies and implementation measures are designed to mitigate specific environmental impacts. The introduction to the environmental analysis (see pages 3-3 to 3-4) identifies (and provides an example) of how each impact statement within the RDEIR describes key policies/implementation measures included as part of the proposed project (i.e., Goals and Policies Report of the General Plan 2030 Update) serve to mitigate each identified impact. Summary tables of these various policies are also provided as part of each impact discussion.

The commenter is referred to Chapter 2, "Minor Revisions to the Recirculated Draft EIR", of this Final EIR which includes the revised text for the Executive Summary. This revised text includes a summary of the issues to be resolved and the choices among alternatives, which were addressed in Chapter 4.0 of the RDEIR. This revision does not change the analysis or conclusions presented in the RDEIR. The commenter is also referred to Response to Comments I4-1 and Master Response #3 which clearly describes the use of policies and implementation measures as mitigation measures.

Response to Comment I11-10:

The commenter is referred to the response prepared for Comment I11-9 regarding changes to the Executive Summary.

Response to Comment I11-11:

The County understands that reviewing the extensive amount of information that comprises both the General Plan 2030 Update and the RDEIR can be daunting. To help facilitate review of this important document, not only has the County included an “Executive Summary”, meeting the requirement of CEQA guidelines §15123, it also includes an “Introduction” (Chapter 1) section which specifies several important items that provide background and understanding of the format of the RDEIR. These include the following:

- Background on the RDEIR
- Recirculation of the Draft EIR Pursuant to CEQA
- Purpose of the EIR
- Type of EIR
- EIR Process
- EIR Organization
- Overall EIR Approach and Assumptions
- EIR Preparation

Finally, to help the reader even further understand the key assumptions and methods used to describe the environmental analysis for individual resource topics, the RDEIR provides a “Reader’s Guide” as part of Chapter 3 “Environmental Analysis”. This guide includes a description of key terms, impact analyses methodologies, environmental baseline, and a description of the planning area. With this extensive presentation of summary, background, and RDEIR methodology information, the County has demonstrated its commitment to both encourage and facilitate public review of this important County document within the legal timeframes mandated by CEQA.

Response to Comment I11-12:

The commenter is referred to the various responses prepared for Comment Letter I4. As noted above, the RDEIR included extensive discussion of alternatives in Chapter 4.0. As also noted in Response to Comment I11-9, the Executive Summary section of the RDEIR has also been revised. None of this information is considered significant new information under CEQA Guidelines Section 15088.5 which would necessitate recirculation.

Response to Comment I11-13:

The commenter is referred to the response prepared for Comment I11-12.

Response to Comment I11-14:

There is no “Dumbing Down” of Significance Criteria for Impact 3.6-2, 3.6-5, and 3.8-6 from that of the 2008 DEIR and CEQA Guidelines Appendix G” as alleged by the comments.

The lead agency (Tulare County) has discretion to set its own significance criteria. “The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An iron clad definition of significant effect is not always possible because the significance of an activity may vary with the setting” (CEQA Guidelines Section 15064(b)). Therefore, “a lead agency has the discretion to determine whether to classify an impact described in an EIR as ‘significant,’ depending on the nature of the area affected” (*Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477).

It is important to keep in mind that Appendix G is a test for determining whether there are potentially significant impacts and consequently whether an EIR needs to be prepared. Furthermore, Appendix G is by no means a mandatory set of thresholds. While Appendix G is sometimes adopted, in part, to determine a project’s significant impacts, Appendix G was created for the purpose of evaluating potential impacts for an initial study. Even in this capacity, the guidelines make it clear that appendix G is not mandatory; “Sample forms for an applicant’s project description and review form for use by the lead agency are contained in Appendices G and H... These forms are only suggested, and public agencies are free to devise their own format for an initial study” (CEQA Guidelines §15063(f)).

This EIR has tailored Appendix G to suit the unique qualities and characteristics of the project area given the mandates to analyze site specific characteristics. The significance thresholds were also updated to more efficiently describe the specific impact being addressed by the analysis. In the case of Impact 3.6-2 several minor changes (including changing the project’s reference from “General Plan Update” to “proposed project” and eliminating “in the long-term”) were made to more efficiently identify the impact being described. Essentially, the focus of the impact analysis is concentrated on addressing the issue of aquifer volumes and or the lowering of the local groundwater level (consistent with guidance provided in the CEQA Guidelines Appendix G). The commenter is directed to review the extensive analysis beginning on page 3.6-40 through 3.6-47 of the RDEIR which includes analysis regarding groundwater overdraft conditions, expected population growth within the study area, management of groundwater resources, groundwater adjudications, potential future changes in groundwater legislation, and detailed descriptions of General Plan 2030 Update policies and implementation measures designed to address groundwater issues. The analysis for Impact 3.6-2 is also based on the water supply evaluation prepared for the proposed project. Please see Master Response #6 specific to water supply issues.

Response to Comment I11-15:

This comment expresses an opinion. Please see Response to Comment I11-14. It should also be noted that existing environmental conditions are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to

resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324). This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I11-16:

The comment is noted. Please also see Response to Comments I11-14 and I11-15.

Response to Comment I11-17:

The comment is noted. Please also see Response to Comments I11-14 and I11-15.

Response to Comment I11-18:

As indicated in the response prepared for Comment I11-14, the impact statement was updated to more efficiently describe the specific impact being addressed by the analysis, but in no way affected the methods and analysis used to thoroughly address the impact. The commenter is directed to review the extensive analysis beginning on page 3.6-52 through 3.6-54 of the RDEIR which includes a review of applicable FEMA flood maps, analysis of floodplain impacts to people and habitable structures, and detailed descriptions of General Plan 2030 Update policies and implementation measures designed to address flooding issues. The commenter is also directed to Figure 3.6-5 of the RDEIR which identifies existing mapped FEMA flood zone areas along with dam inundation areas. As indicated in the figure and text of the RDEIR, a number of existing cities and communities are located within or near 100-year floodplains, including Cutler-Orosi, East Orosi, Traver, Woodlake, West Goshen, Visalia, Farmersville, Lindsay, Tulare, Strathmore, Tipton, Porterville, Pixley, Teviston, and Allensworth. While the impact analysis (and General Plan 2030 Update policies) apply to all areas of the County, it should be noted that most mapped flood zone areas of the County are located within the lower elevations of the Rural Valley Lands Plan area of the County. This is also the location of a majority of the County’s anticipated growth over the horizon of the General Plan 2030 Update. It should also be noted that the RDEIR disclosed this impact as Significant and Unavoidable.

The commenter is also directed to Master Response #4, which discusses the level of detail required for a programmatic EIR.

Response to Comment I11-19:

As indicated in the response prepared for Comment I11-14, the impact statement was updated to more efficiently describe the specific impact being addressed by the analysis, but in no way affected the methods and analysis used to thoroughly address the impact.

The commenter’s opinion regarding growth in the foothill and mountain areas of the County is incorrect. Due to a variety of factors (including slope factors, state/federal land ownership, and water supply), development in the foothill and mountain areas is limited, with a majority of future development anticipated under the horizon of the General Plan 2030 Update to occur within the

lower elevations of the County. As discussed on page 2-17 and 2-24, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Please see Master Response #11 for discussion of Yokohl Ranch proposal. Please note that the Yokohl Ranch Project is not included as part of the proposed project and will not be considered for approval as part of the general plan 2030 update project. It should however be noted that it was discussed under the Cumulative analysis on page 5-6 of the RDEIR.

Response to Comment I11-20:

The comment cites to language discussed under the “Summary of Impacts” statement on page 3.8-30. The comment is directed to more detailed impact analysis on the ensuing pages 3.8-33 through 3.8-35, which describes the risk associated with Urban and Wildland Fires. The comment is also directed to page ES-7 of the RDEIR, which notes that the Background Reports were incorporated by reference and made available as Appendix B of the RDEIR. “Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or negative declaration” (CEQA Guidelines Section 15150).

The RDEIR acknowledges the potential impacts associated with wildland fires and indicates potential threats to the people and structures of the County, in particular those residing in the Foothill Growth Management Plan and Mountain Framework Plan Areas, which are more susceptible to wildland fires due to potential fuel loads (grassland and other vegetation). Pages 3.8-33 through 3.8-35 of the RDEIR also identify the range of General Plan 2030 Update policies designed to address wildland fire impacts. A summary is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Health & Safety Element	Planning Framework, Public Facilities & Services Elements and Foothill Growth Management Plan
Policies and implementation measures designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:	
HS-1.4 Building and Codes	PF-5.2 Criteria for New Towns (Planned Communities)
HS-1.5 Hazard Awareness and Public Education	PFS-1.3 Impact Mitigation
HS-1.6 Public Safety Programs	PFS-2.1 Water Supply
HS-1.8 Response Times Planning in GIS	PFS-7.1 Fire Protection
HS-1.9 Emergency Access	PFS-7.2 Fire Protection Standards
HS-1.10 Emergency Services Near Assisted Living Housing	PFS-7.3 Visible Signage for Roads and Buildings
HS-1.12 Addressing	PFS-7.4 Interagency Fire Protection Cooperation
HS-6.1 New Building Fire Hazards	PFS-7.5 Fire Staffing and Response Time Standards
HS-6.2 Development in Fire Hazard Zones	PFS-7.6 Provision of Station Facilities and Equipment
HS-6.3 Consultation with Fire Service Districts	PFS-7.7 Cost Sharing
HS-6.4 Encourage Cluster Development	PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations
HS-6.5 Fire Risk Recommendations	FGMP-10.2 Provision of Safety Services
HS-6.6 Wildland Fire Management Plans	FGMP-10.3 Fire and Crime Protection Plan
HS-6.7 Water Supply System	
HS-6.8 Private Water Supply	
HS-6.9 Fuel Modification Programs	
HS-6.10 Fuel Breaks	
HS-6.11 Fire Buffers	

Health & Safety Element	Planning Framework, Public Facilities & Services Elements and Foothill Growth Management Plan
<p>Policies and implementation measures designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:</p> <ul style="list-style-type: none"> HS-6.12 Weed Abatement HS-6.13 Restoration of Disturbed Lands HS-6.14 Coordination with Cities HS-6.15 Coordination of Fuel Hazards on Public Lands HS-7.1 Coordinate Emergency Response Services with Government Agencies HS-7.2 Mutual Aid Agreement HS-7.3 Maintain Emergency Evacuation Plans HS-7.4 Upgrading for Streets and Highways HS-7.5 Emergency Centers HS-7.6 Search and Rescue HS-7.7 Joint Exercises HS Implementation Measure #15 HS Implementation Measures #16 	
Public Facilities & Services Element	
<p>Public Facilities and Services Implementation Measures designed to ensure funding for County services to provide adequate service levels include the following:</p> <ul style="list-style-type: none"> Public Facilities & Services Implementation Measure #1 Public Facilities & Services Implementation Measure #2 Public Facilities & Services Implementation Measure #3 Public Facilities & Services Implementation Measure #12 	

Response to Comment I11-21:

Please see Response to Comment I11-14 for information on CEQA Guidelines Appendix G (County not required to use Appendix G thresholds or format). Based upon the language of the comment, the environmental concern is not clear. One of the italicized thresholds [Question C] involves impacts to timber production (i.e. would the project interrupt existing logging activities), whereas the other threshold addresses habitat impacts. The comment goes on to raise concerns involving greenhouses gases, watersheds, water supply, water quality, soil erosion, and wildfires. As described in greater detail below, all of these resources areas have been addressed in other Sections of the RDEIR.

As noted in Response to comment I11-3, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Please also see Response to Comment I11-19 and Master Response #11 for discussion of development in the foothills.

To address the comments first potential concern regarding impacts to timber production, the majority of timber lands are located on state/federal lands with specific guidelines protecting their use or development, outside the jurisdiction of the County. Nevertheless land use designations have been provided for these areas to comply with Government Code requirements necessitating land use designations for all areas of the County regardless of jurisdiction (See Government Code Section 65302(a) and (a)(1)). Because of the lack of jurisdiction over those areas, the proposed project would not affect those operations, as described in greater detail on RDEIR page 5-11.

For those areas within the jurisdiction of the County, Government Code 65302(a)(1) requires the County to designate *existing parcels zoned for* timberland production under the California Timberland Productivity Act of 1982 (“TPZ”). However, as also noted under Government Code Section 51115, the County has limited authority to interfere with timberland operations. As also noted in General Plan, Part I, page 4-16, the General Plan provides for Timberland areas that have already been zoned Timberland Production. Existing Timberlands are discussed in Table 3.1-1. Additional existing information on the location of forests is also shown in Figure 3.10-1. However, at this time no new TPZ zones have been proposed, and any new development would need to prepare a Timber Harvesting Plan [Functional equivalent of an EIR; Forest Practice Rules (Title 14, California Code of Regulations, Chapters 4, 4.5, and 10)].

Additionally, as also noted in RDEIR page 2-10, no residential units are allowed to be developed in “Timber Production” designations and any additional development is highly limited (0.02 Floor to Area Ratio). Furthermore, General Plan policy ERM-5.20 does not allow uses if they would interfere with forest practices, are incompatible with forestry uses, or degrade the watershed and/or water quality due to increased erosion. Any uses within Timber Production Lands must also meet standards relating to availability of fire protection, water supply, and waste disposal, and well as minimizing the loss of productive forest lands.

For specific impacts to agricultural resources (including impacts to important farmlands and Williamson Act contract lands) the commenter is directed to Section 3.10 “Agricultural Resources” of the RDEIR. Given the importance of this topic to the County landscape, the issues surrounding agricultural resources have been provided a separate section in the RDEIR. The majority of timber lands are located on state/federal lands with specific guidelines protecting their use or development outside the jurisdiction of the County. However, the County acknowledges the importance of this resource to both the natural environment and economic future of the County and region. The commenter is directed to Section 3.11 “Biological Resources” of the RDEIR which includes mapping and analysis of these sensitive resources and identifies impacts from a habitat or vegetation perspective. The commenter is also directed to Section 3.4 which discusses greenhouse gas impacts, Section 3.6 which discusses watersheds, Section 3.6 and 3.9 which discuss water supply, Section 3.6 which discusses water quality, Section 3.7 which discusses soil erosion, and Section 3.8 which discusses wildfires.

Response to Comment I11-22:

Comment noted. The Housing Element has already been adopted but not certified at this time. The County anticipates that there will be changes to the Housing Element through a separate tract as a General Plan Amendment. Changes to the Housing Element are not proposed as part of the proposed project analyzed in the RDEIR and hence not reviewed as part of this RDEIR. The County is familiar with the requirements of AB 162 and has prepared the Health and Safety Element to reflect the necessary mapping and policy requirements, as appropriate and available for the County, to ensure compliance with AB 162. The commenter is directed to the Health and Safety Element of the General Plan 2030 Update to review the resource maps (including flood zones, dam inundation areas, etc.) available.

Response to Comment I11-23:

Comment noted. This comment does not address the content or adequacy of the RDEIR (See CEQA Guidelines Section 15204(a); no further response required. However, the commenter's suggestion will be forwarded to County decision makers for additional consideration.

Comment suggests that the policies are not enforceable. Please see Master Responses #3 and #4 regarding enforceability of General Plan Goals and Policies and the level of detail in the RDEIR.

Response to Comment I11-24:

Comment noted.. The commenter is referred to the response prepared for Comment I11-22.

Response to Comment I11-25:

While the reference to the 85%/15% split identified on page 5-4 is incorrect, the correct population split of 75%/25% is correctly used in the RDEIR analysis, as indicated in Table 5-1 and 2-11 of the RDEIR. The correct population assumptions are also more fully described on page 2-24 of the RDEIR in the section titled "Build out and Population Growth Assumptions under the General Plan".

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for page 5-4. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I11-26:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-27:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-28:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project. As described in the master response, the proposed Yokohl Ranch Project will require compliance with CEQA and the project-level environmental document is anticipated to address a similar range of topics as those addressed in the RDEIR (including aesthetics, water supply, agricultural resources, biological resources, traffic, and air quality, etc.). The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-29:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

The comment also suggests that the Proposed Projects significance conclusions “pre-judge” the impacts of the Yokohl Ranch Project. As noted in the Master Response #11, separate CEQA analysis is being prepared for the Yokohl Ranch project. While there is discussion in the cumulative analysis of this RDEIR, including the Yokohl Ranch Project, the purpose of this cumulative analysis is to determine the proposed General Plan’s contribution to cumulative impacts, in combination with other projects. However, the significance conclusions are still based upon the contributions/impacts of the proposed General Plan, not the significance conclusions for the Yokohl Ranch Project (please also see Response to Comment A8-10).

Response to Comment I11-30:

As noted in the comment, the referenced tables are in the sections titled “Summary of Impacts”, for more detailed discussion of the impacts please see the ensuing impact analysis. For example, Table 3.1-6 summarizes the analysis provided on pages 3.1-18 through 3.1-33. Please also see Master Response #4 regarding the level of detail in the RDEIR.

Response to Comment I11-31:

The commenter is referred to the response prepared for Comment I11-6 and Master Response #2 for a description of how previously submitted comments (2008) have been addressed as part of the FEIR. The commenter is incorrect in their claim that public health impacts have not been addressed in a meaning full fashion. The commenter is referred to several sections of the RDEIR including Section 3.3 “Air Quality and Section 3.8 “Hazardous Materials and Public Safety which address a variety of public health issues. Additionally, the commenter is referred to the following responses prepared for Comments I11-32 through I11-35 for details regarding the impacts associated with air and water quality impacts to public health issues.

Response to Comment I11-32:

Contrary to the comment, the RDEIR does address the public health issues associated with air quality emissions. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #3 also describes the appropriate use of general plan policies as to help mitigate impacts analyzed in the RDEIR. Please also see comment letter A16-1 from the San Joaquin Valley Air Pollution Control District which states that the General Plan is in compliance with AB 170 [2003] (Reyes).

Consistent with the programmatic nature of the RDEIR, Impact 3.3-4 (see pages 3.3-25 through 3.3-27 of the RDEIR) provides a meaningful description of the potential sources of toxic air contaminants (including those produced through vehicle, dairy operations, and industrial processes) associated with the proposed project, a description of the health effects associated with

air quality contaminants in Table 3.3-1, the regulatory environment (including guidance provided by the California Air Resources Board's Air Quality and Land Use Handbook), and refers the reader to the appropriate section of the RDEIR for a list of general plan policies and implementation measures that serve to mitigate the air quality impacts associated with the General Plan 2030 Update. For this specific impact, the reader of the RDEIR is referred to a summary table of mitigating policies prepared for a previous impact (Impact 3.3-2). This summary table is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality Element
<p>Policies designed to improve air quality through a regional approach and interagency cooperation include the following:</p> <p>AQ-1.1 Cooperation with Other Agencies AQ-1.2 Cooperation with Local Jurisdictions AQ-1.3 Cumulative Air Quality Impacts AQ-1.4 Air Quality Land Use Compatibility AQ-1.5 California Environmental Quality Act (CEQA) Compliance AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles AQ-1.7 Support Statewide Climate Change Solutions</p> <p>Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:</p> <p>AQ-2.1 Transportation Demand Management Programs AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ Implementation Measure #8</p> <p>Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:</p> <p>AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.3 Street Design AQ-3.4 Landscape AQ-3.5 Alternative Energy Design AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 and #12</p> <p>Policies designed to implement the best available controls and monitoring to regulate air emissions include the following:</p> <p>AQ-4.1 Air Pollution Control Technology AQ-4.2 Dust Suppression Measures AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions AQ-4.4 Wood Burning Devices</p>
Land Use Element
<p>Policies designed to encourage economic and social growth while retaining quality of life standards include the following:</p> <p>LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.3 Prevent Incompatible Uses LU-1.4 Compact Development LU-1.8 Encourage Infill Development</p>
Environmental Resources Management Element
<p>Policies designed to encourage energy conservation in new and developing developments include the following:</p> <p>ERM-4.1 Energy Conservation and Efficiency Measures ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation ERM-4.3 Local and State Programs ERM-4.4 Promote Energy Conservation Awareness ERM-4.5 Advance Planning ERM-4.6 Renewable Energy</p>

It should be noted, that the above mentioned summary does not represent a comprehensive list of policies or implementation measures designed to address a specific impact (in this case air quality). The summary tables provided in the various impact discussions of the RDEIR are intended to present only the key policies designed to address a specific issue.

Key policies included as part of the proposed project (and summarized in the table) to help address a variety of issues (including air quality and TAC concerns) associated with the inappropriate siting of sensitive land uses near other incompatible uses include Policies AQ-3.1 through AQ-3.6, LU-1.1 through LU-1.4, and LU-1.8. The RDEIR section also identified that subsequent CEQA documentation prepared for individual projects would have project-specific data and will be required to address, and to the extent feasible, mitigate any significant or potentially significant air quality impacts to a less-than-significant level. Examples of mitigation that may be proposed include intersection/roadway capacity improvements or additional land use siting and required setbacks or moving truck loading docks farther from sensitive receptors. It was also noted in the RDEIR, that the ability to mitigate these potential impacts is contingent on a variety of factors including the severity of the air quality impact, existing land use conditions and the technical feasibility of being able to implement any proposed mitigation measures (e.g., relocations, road widening, etc.). However, even with implementation of these policies, the impact was still considered potentially significant. The impact analysis further concluded that no additional feasible mitigation is currently available and therefore, the impact remains significant and unavoidable.

The comment also suggests that the proposed General Plan would allow “rampant sprawl” throughout the County. As discussed in Master Response #5 and RDEIR pages 2-17 and 2-24, the proposed General Plan focuses future growth within and around established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment I11-33:

Impact 3.6-1 addresses the issue of possible water quality violations associated with future development under the proposed project. Keeping in mind the nature of the RDEIR, the impact description (provided on pages 3.6-38 through 3.6-40 of the RDEIR) identifies the potential sources of pollution that could affect water quality and identifies the key General Plan 2030 Update policies developed to address this issue.

The policies are comprehensive (see summary table from the RDEIR below) and include policies WR-1.9 and WR-2.1 through WR-2.8 which require continued compliance with water quality standards and implementation of best management practices (BMPs). These BMPs could include but are not limited to the following:

- Excavation and grading activities in areas with steep slopes or directly adjacent to open water shall be scheduled for the dry season only (April 30 to October 15), to the extent possible. This will reduce the chance of severe erosion from intense rainfall and surface runoff.

- Temporary erosion control measures (such as fiber rolls, staked straw bales, detention basins, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) shall be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. For construction within 500 feet of a water body, appropriate erosion control measures shall be placed upstream adjacent to the water body.
- Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.
- No disturbed surfaces will be left without erosion control measures in place during the rainy season, from October 15th through April 30th.
- Erosion protection shall be provided on all cut-and-fill slopes. Revegetation shall be facilitated by mulching, hydroseeding, or other methods and shall be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).
- A vegetation and/or engineered buffer shall be maintained, to the extent feasible, between the construction zone and all surface water drainages including riparian zones.
- Effective mechanical and structural BMPs that could be implemented at the project site include the following:
 - Mechanical storm water filtration measures, including oil and sediment separators or absorbent filter systems such as the Stormceptor® system, can be installed within the storm drainage system to provide filtration of storm water prior to discharge.
 - Vegetative strips, high infiltration substrates, and grassy swales can be used where feasible throughout the development to reduce runoff and provide initial storm water treatment.
 - Roof drains shall discharge to natural surfaces or swales where possible to avoid excessive concentration and channelizing storm water.
 - Permanent energy dissipaters can be included for drainage outlets.
 - Water quality detention basins shall be designed to provide effective water quality control measures including the following, as relevant:
 - Maximize detention time for settling of fine particles;
 - Establish maintenance schedules for periodic removal of sedimentation, excessive vegetation, and debris that may clog basin inlets and outlets;
 - Maximize the detention basin elevation to allow the highest amount of infiltration and settling prior to discharge.
- Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, vandalism, and accidental release to the environment. All stored fuels and solvents will be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals shall be designated as responsible for prevention and cleanup activities.
- Equipment shall be properly maintained in designated areas with runoff and erosion control measures to minimize accidental release of pollutants.

Additional policies address water quality concerns by ensuring adequate stormwater drainage infrastructure (see PFS-4.1 through PFS-4.5). Additionally, Policy PFS-1.3 and Public Facilities and Services Implementation Measures #1, #2, and #3 provide for the funding mechanism to provide additional or expanded services in conjunction with new development. The proposed project also includes policies that identify resources that should be protected from water quality impacts (see Policies ERM-2.7, ERM-5.20, FGMP-8.6, FGMP-9.5, and WR-3.10). A number of policies require new development to minimize water quality impacts associated with wastewater and stormwater runoff through implementation of development standards and maintenance requirements for septic systems (see Policies FGMP-8.2, FGMP-8.4, PFS-2.5, PFS-3.1, PFS-3.3, PFS-3.5, PFS-3.6, WR-2.8, WR-2.9, and PFS Implementation Measure #7). The Water Resources Element includes policies that require monitoring and collection of water quality data for surface water and groundwater resources (see Policies WR-1.2 and WR-1.7). Consequently, with implementation of all the policies and implementation measures, the water quality impact was considered less than significant.

The commenter's assertion that the RDEIR "cherry-picks" favorable information regarding water quality conditions from the General Plan Background Report is untrue. While the General Plan Background is intended to provide a more comprehensive picture of the County's environmental, social, and economic setting, the RDEIR includes sufficient information from the General Plan Background Report to adequately identify the environmental setting or baseline for the impact analysis. Please also see Response to Comment I11-20 which explains that the Background Report has been incorporated by reference pursuant to CEQA Guidelines Section 15150, and was made available with the RDEIR. The commenter is directed to page 3.6-27 of the RDEIR which unequivocally identifies the severity of this existing issue as it relates to the County. The following information is provided from page 3.6-27 of the RDEIR:

The salinity of groundwater typically increases in a westward direction across the San Joaquin Valley. Conversely, nitrates and radiological components present near the Sierra foothills region decrease with distance from the Foothills.

The Kings Sub-basin's groundwater near the Sierra foothills may be high in nitrates and sometimes radiological contaminants, and there are localized instances of pesticide impairment (DWR, page 4, 2006). Farther from the foothills, naturally occurring contaminants are diluted by surface water recharge, and replaced with organic contaminants. All communities in the Kings Sub-basin are influenced by water quality issues to some extent (Keller, Wegley & Associates, page C-8, 2006).

The Kaweah sub-basin has high nitrate areas on its eastern side where TDS values typically range from 300-600 mg/L.

The Tule Sub-basin has some of the most significant issues in the County, with chlorides, nitrates, and DBCP extending several miles from the Sierra foothills including beneath the City of Lindsay. Water quality in this area is variable. Communities along the Highway 99 axis have access to good quality deep and shallow sources, while water quality in other areas is unacceptable due to arsenic and other naturally occurring contaminants. Arsenic is a locally specific problem. For example, several communities, such as Alpaugh, had wells brought into noncompliance when Maximum Contaminant Levels for arsenic were reduced from 50 ppb to 10 ppb several years ago.

It should also be noted that existing conditions, such as existing groundwater overdraft and existing water quality issues, are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42)).

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resource Management, Health and Safety, Public Facilities and Services Elements and the Foothill Growth Management and Planning Framework Plans	Water Resources Element
Policies designed to minimize this impact through adherence to appropriate levels of water, wastewater, and storm drainage infrastructure planning, financing and construction include the following:	
ERM-2.7 Minimize Adverse Impacts ERM-5.20 Allowable Uses on Timber Production Lands FGMP-8.5 Protection of Lakes FGMP-9.5 Alternate Sewage Disposal HS-4.4 Contamination Prevention PF-5.2 Criteria for New Towns (Planned Communities) PFS-1.3 Impact Mitigation PFS-2.5 New Systems or Individual Wells PFS-3.1 Private Sewage Disposal Standards PFS-3.3 New Development Requirements PFS-3.7 Financing PFS-4.7 NPDES Enforcement ERM Implementation Measure #45 FGMP Implementation Measure #30	WR-1.2 Groundwater Monitoring WR-1.7 Collection of Additional Groundwater Information WR-1.9 Collection of Additional Surface Water Information WR-2.1 Protect Water Quality WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement WR-2.3 Best Management Practices (BMPs) WR-2.4 Construction Site Sediment Control WR-2.5 Major Drainage Management WR-2.6 Degraded Water Resources WR-2.7 Industrial and Agricultural Sources WR-2.8 Point Source Control WR-2.9 Private Wells WR Implementation Measure #14, #16, and #17
Policies designed to minimize water quality impacts associated with stormwater, water, and wastewater utility infrastructure needed to serve existing and planned urban areas include the following:	
ERM-5.7 Public Water Access ERM-7.3 Protection of Soils on Slopes FGMP-8.2 Development Drainage Patterns FGMP-8.4 Development of Wastewater Systems FGMP-8.6 Development in the Frazier Valley Watershed HS-5.8 Road Location HS-5.9 Floodplain Development Restrictions PF-5.2 Criteria for New Towns (Planned Communities) PFS-2.5 New Systems or Individual Wells PFS-3.5 Wastewater System Failures PFS-3.6 Care of Individual Systems PFS-4.1 Stormwater Management Plans PFS-4.2 Site Improvements PFS-4.3 Development Requirements PFS-4.4 Stormwater Retention Facilities PFS-4.5 Detention/Retention Basins Design PFS-4.6 Agency Coordination PFS-4.7 NPDES Enforcement	WR-1.9 Collection of Additional Surface Water Information WR-2.1 Protect Water Quality WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement WR-2.3 Best Management Practices (BMPs) WR-2.4 Construction Site Sediment Control WR-2.5 Major Drainage Management WR-2.6 Degraded Water Resources WR-2.7 Industrial and Agricultural Sources WR-2.8 Point Source Control WR-2.9 Private Wells WR-3.10 Diversion of Surface Water WR Implementation Measure #14, #16, and #17 FGMP Implementation Measure #33
Public Facilities and Services Element	
Public Facilities and Services Implementation Measures designed to ensure funding for County utilities to provide adequate service levels.	
Public Facilities and Services Implementation Measure #1 Public Facilities and Services Implementation Measure #2 Public Facilities and Services Implementation Measure #3 Public Facilities and Services Implementation Measure #7	

Response to Comment I11-34:

The commenter is referred to Response to Comment I11-2 and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #3 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Response to Comment I11-35:

The commenter's point of an inconsistency between the water quality impact and the various infrastructure impacts to service and utility providers is incorrect. The water quality significance thresholds and the infrastructure capacity thresholds (wastewater treatment, solid waste facilities) address different impacts. As identified in the water quality discussion, the RDEIR concluded that water quality impacts from both point and non-point sources discharged via storm drains and individual septic systems to receiving "Waters of the United States would be less than significance with compliance with federal and State water quality regulations, best management practices, and water quality monitoring. However, infrastructure capacity impacts associated with wastewater treatment facilities (i.e. centralized treatment facilities, not septic systems), and solid waste facilities were determined to be significant and unavoidable due to future long term capacity issues that would limit the amount of growth that can adequately be provided service with existing infrastructure as noted on page 3.9-50 and 3.9-56. Given the uncertainty or limited amount of private, local, State, or federal funding that could be made available to help provide additional infrastructure improvements, these infrastructure-related impacts were determined to be significant and unavoidable.

While there may currently be insufficient infrastructure capacity in some locations of the County to meet projected population growth in the year 2030, new development would be limited and water quality protected under Policy PFS-1.3, as well as the other water quality policies and measures described in Section 3.6, if and when there is inadequate wastewater treatment facility capacity and solid waste disposal capacity. As noted on page 3.9-53, this policy requires the County to review development proposals with regard to their impacts on infrastructure and requires that new development pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. At any time that sufficient capacity is not available, the supplier can notify the County of that fact and provide the basis for County denial of a project or projects until service capacity is available.

Response to Comment I11-36:

The commenter's summary of the previous four comments (I11-32 through I11-35) is noted. Please see Response to Comments I11-32 through I11-35.

Response to Comment I11-37:

The commenter is referred to Master Response #6 for information on the water supply evaluation conducted for the proposed project and the RDEIR. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic

nature of the RDEIR. Master Response #3 also describes the appropriate use of general plan policies to help mitigate impacts identified in the RDEIR.

The water supply analysis provided in the RDEIR is comprehensively addressed from two perspectives. Section 3.6 “Hydrology, Water Quality, and Drainage” address the potential impacts to the County’s hydrologic resources focusing on both surface/groundwater quantity and quality. Section 3.9 “Public Services, Recreation Resources, and Utilities” focuses on the potential impacts for local infrastructure or service providers to ensure continued levels of service for a variety of public services and utilities (including water supply).

It should also be noted that the proposed project is expected to reduce water use below existing levels (baseline), as described on RDEIR pages 3.9-11 and 3.9-47. Existing groundwater overdraft and existing water quality issues, are beyond the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; see also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). Nevertheless, Sections 3.6 and 3.9 both acknowledge existing conditions such as groundwater overdraft and water quality issues. The RDEIR also discusses potential solutions to existing problems on pages 3.9-37 through 3.9-39. This is consistent with the requirements of CEQA for a General Plan. As discussed in the *Watsonville* case [General Plan EIR], “The FEIR’s discussion of the overdraft situation and its analysis of the steps that the City would take to address this situation satisfy the standards set forth by the California Supreme Court in *Vineyard*. It is not necessary for an EIR for a general plan to establish a ‘likely source of water.’”

The comment is all directed to Response to Comments I11-38 through I11-57.

Response to Comment I11-38:

Comment noted. The entire paragraph (on page 3.9-47 of the RDEIR) with the identified quote is provided below.

Overall, it is important to note that Tulare County lacks a comprehensive water supply assessment and approach, and implementation strategy to address complex, regional water supply issues. Due to the fact that water supply sources are not always contained within jurisdictional boundaries, cooperation and coordination between all relevant regulatory agencies, municipalities, public and private water suppliers, and other stakeholders is critical. The County Water Commission can provide coordination and implementation functions. Policies included as part of the proposed project that would minimize this impact are summarized below by general plan element.

As indicated in context of the complete paragraph, the intent of the leading sentence is not to indicate that the water supply evaluation or the RDEIR is in anyway incomplete or inadequate. Rather the intent of the paragraph is to identify the complexity of the water supply situation in Tulare County, with the County required to coordinate with a variety of localized or individual irrigation districts and water supply purveyors to address larger regional concerns.

It should also be noted that existing conditions, such as existing groundwater overdraft and existing water quality issues, are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; see also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324).

Response to Comment I11-39:

The current comment references enclosure 10 to Exhibit 39 of the 2008 DEIR comment letter attached to the 2010 RDEIR comment letter. These comments do not explain what the commenter believes to be incorrect in Table 3.9-9 in the RDEIR or the previous Table in the 2008 DEIR. Furthermore, the preparers of the RDEIR did review all comments received on the 2008 Draft EIR for the proposed project (please see Master Response #2). No significant differences were identified between the information provided by the commenter and the technical data collected for Table 3.9-9. Consequently, no significant changes to Table 3.9-9 were made.

Response to Comment I11-40:

The preparers of the RDEIR understand that there has been no recent enlargement of Success Reservoir. The preparers of the RDEIR also understand that a project of that magnitude has to undergo an extensive (project-specific) environmental review (including possible compliance with the National Environmental Policy Act) and permitting phase prior to its approval, with no guarantee of its approval or dedication of funds for construction. The statement on page 3.9-39 should indicate a future possibility rather than recent enlargement.

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for page 3.9-39. This revision does not change the analysis or conclusions presented in the RDEIR.

It should be noted that the intent of the reference to possible enlargement to Success Reservoir was considered as a qualitative statement to discuss potential future water supply infrastructure (information requested by the comment in comment I11-37 [i.e. water sources]). Its possible water storage capacity was not quantified or referenced in the RDEIR water supply analysis to address future sources of water and does not affect the significance conclusion.

Response to Comment I11-41:

The commenter is referred to Master Response #6 which describes the assumptions and methodology used in developing the Water Supply Evaluation (WSE) for the proposed project. The commenter is also referred to Response to Comment I11-37 which clarifies that while existing overdraft is an important issue, it is beyond the scope of the RDEIR to solve existing overdraft problems. Overall, the WSE concluded that because existing irrigated lands would be displaced by new urban development, and new urban development consumes equal or less water than historic agricultural operations, conditions would remain as they are (see also RDEIR pages 3.9-11 and 3.9-47). Impacts associated with groundwater overdraft are analyzed in RDEIR in

Section 3.6. Secondary effects associated with groundwater overdraft are acknowledged on RDEIR page 3.6-42

The commenter is incorrect in their assertions that the County does not take the issue of groundwater quality/quantity and water supply with a degree of concern. The focus of the groundwater impact analysis is concentrated on addressing the issue of aquifer volumes and or the lowering of the local groundwater level. The commenter is also directed to pages for discussion of water supply analysis starting on pages 3.6-40 and 3.9-36. The commenter is directed to review the extensive analysis beginning on page 3.6-40 through 3.6-47 of the RDEIR which includes analysis regarding groundwater overdraft conditions, expected population growth within the study area, management of groundwater resources, groundwater adjudications, potential future changes in groundwater legislation, and detailed descriptions of General Plan 2030 Update policies and implementation measures designed to address groundwater issues. Page 3.6-47 of the RDEIR also identifies the range of General Plan 2030 Update policies designed to address groundwater quality/quantity impacts. A summary is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Water Resources Element
<p>Policies designed to minimize groundwater impacts through the early identification of required infrastructure and the orderly construction and rehabilitation of the facilities needed to serve existing and planned urban areas include the following:</p> <ul style="list-style-type: none"> WR-1.1 Groundwater Withdrawal WR-1.2 Groundwater Monitoring WR-1.3 Water Export Outside County WR-1.4 Conversion of Agricultural Water Resources WR-1.5 Expand Use of Reclaimed Wastewater WR-1.6 Expand Use of Reclaimed Water WR-1.7 Collection of Additional Groundwater Information WR-1.8 Groundwater Basin Management WR-3.2 Develop an Integrated Regional Water Master Plan WR-3.6 Water Use Efficiency WR-3.9 Establish Critical Water Supply Areas WR-3.10 Diversion of Surface Water WR Implementation Measure #9, #18 and #27
<p>Additional policies designed to minimize this impact through the provision and conservation of water resources and service include the following:</p> <ul style="list-style-type: none"> WR-3.4 Water Resource Planning WR-3.7 Emergency Water Conservation Plan WR-3.8 Educational Programs WR-3.11 Policy Impacts to Water Resources

The impact discussion also concludes that while the County will continue to implement a variety of policies designed to improve groundwater management efforts throughout the County and the larger region, the effectiveness of these extensive and feasible groundwater management efforts is uncertain whether or not they will eventually reverse declining groundwater levels. Consequently, the impact remains significant and unavoidable.

Similarly, the related Impact 3.9-1 “The proposed project would require new or expanded water supplies, facilities and entitlements” provides a comprehensive analysis of the issue of water

supply. The commenter is directed to review the extensive analysis beginning on page 3.9-36 through 3.9-50 of the RDEIR which includes analysis regarding the following:

- Domestic Water Supply and Service Facilities.
- Regional Water Supply and Water Entitlements.
- Issues Affecting Supplies (including groundwater overdraft, the San Joaquin River Restoration Settlement, population growth within and surrounding the County, joint management of shared aquifers, groundwater adjudications, water transfers and exchanges, delta supply issues, climate change, potential changes in groundwater law, and water supply use legislation).
- Summary of Water Supplies and Future Water Scenarios.

Page 3.9-49 of the RDEIR also identifies the range of General Plan 2030 Update policies designed to address water supply impacts. Policies include a variety of water conservation, water planning/policy measures, and infrastructure/capital improvement measures. A summary is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Planning Framework, Economic Development, Public Facilities and Services, and Foothills Elements	Water Resources Element
Policies designed to minimize this impact through the early identification of required infrastructure and the orderly construction and rehabilitation of the facilities needed to serve existing and planned urban areas include the following:	
PF-2.3 UDB and Other Boundaries PF-2.4 Community Plans PF-2.5 Collaborative Community Planning Partnerships PF-2.6 Land Use Consistency PF-3.3 Hamlet Plans PF-6.5 Regional Planning Coordination ED-1.6 Develop Public/Private Partnerships PFS-1.7 Coordination with Service Providers PFS-1.8 Funding for Service Providers PFS-1.14 Capital Improvement Plans PFS-1.16 Joint Planning Efforts PFS-2.1 Water Supply FGMP-9.1 Infrastructure Capacity FGMP-9.2 Provision of Adequate Infrastructure	WR-1.3 Water Export Outside County WR-3.1 Develop Additional Water Sources WR-3.2 Develop an Integrated Regional Water Master Plan WR-3.3 Adequate Water Availability WR-3.4 Water Resource Planning WR-3.9 Establish Critical Water Supply Areas WR-3.10 Diversion of Surface Water WR-3.11 Policy Impacts to Water Resources WR-3.12 Joint Water Projects with Neighboring Counties WR-3.13 Coordination of Watershed Management on Public Land WR Implementation Measures #17, #18, and #27
Additional policies designed to minimize this impact through the provision and conservation of water resources and service include the following:	
	WR-3.4 Water Resource Planning WR-3.5 Use of Native and Drought Tolerant Landscaping WR-3.6 Water Use Efficiency WR-3.7 Emergency Water Conservation Plan WR-3.8 Educational Programs WR-3.11 Policy Impacts to Water Resources

The impact also concludes that while the County will continue to implement a variety of policies and programs designed to coordinate with local water service providers to ensure the provision of an adequate water supply that meets clean, safe water standards prior to development, the uncertainty over long-term availability of water supplies and the lack of direct County jurisdiction over public water purveyors results in a level of unpredictability about the adequacy of future water supply availability (including long term sustainability) in some of the unincorporated

areas throughout the County results in an uncertain water supply condition for future users. In addition, several projects related to the acquisition of surface water for domestic use, construction of additional surface water conveyance facilities, and reservoir enlargement projects are currently pending and could significantly affect the long term availability of future water supplies throughout the County. For this reason, the impact remains significant and unavoidable.

Response to Comment I11-42:

The commenter is referred to the response prepared for Comment I11-41. For impacts to existing wells the commenter is also referred to discussion on RDEIR page 3.6-42

Response to Comment I11-43:

The commenter is referred to pages 3.6-21 through 3.6-27 of the RDEIR which identify the current condition of the groundwater basin.

Response to Comment I11-44:

The commenter is referred to the response prepared for Comment I11-41.

Response to Comment I11-45:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41. Please also note that a public agency can make reasonable assumptions based on substantial evidence about future conditions (Pub. Resources Code §21080(e)).

Response to Comment I11-46:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41.

Response to Comment I11-47:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41. The comment does not explain how, if at all, this information changes the current impact analysis. As noted under CEQA Guidelines Section 15204(a) “in reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment...the adequacy of the EIR is determined in light of what is reasonably feasible...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.”

Response to Comment I11-48:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41. The comment is also referred RDEIR pages 3.9-2 – 3.9-4 (RDEIR Appendix G, pages 2 – 5), which explain why use of this data for baseline conditions was appropriate and consistent with CEQA.

Response to Comment I11-49:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41 and I11-47.

Response to Comment I11-50:

As referenced at the end of the table, the information was obtained from “Bookman-Edmonston Engineering Inc. Water Resources Management in the Southern San Joaquin Valley, Table A-1.” The details from this table were not used in the evaluation of supply and demand conditions in the WSE. The WSE used the 2003 DWR water budgets, which reflect appropriate data throughout the County. Table 3-1 was intended to provide the reader with a representation of the number of water purveyors receiving federal water supplies.

The comment is also referred RDEIR pages 3.9-2 – 3.9-4 (Appendix G, pages 2 – 5), which explain why use of this data for baseline conditions was appropriate and consistent with CEQA.

Response to Comment I11-51:

The entire value indicated for 2003 was delivered within Tulare County. As noted in the associated footnote, the information was obtained from the detailed 2003 DWR water budget. Detailed budgets are available from DWR at <http://www.waterplan.water.ca.gov/technical/cwpu2009>.

Response to Comment I11-52:

As discussed in the RDEIR, information was used from numerous resources. As noted in the comment the information was included on RDEIR page 3.6-44. The commenter is referred to Master Response #6 and the response prepared for Comment I11-41. No further response is required as this information was included in the RDEIR, and does not address the adequacy of the RDEIR in analyzing the proposed projects significant impacts (see CEQA Guidelines Section 15204(a)).

Response to Comment I11-53:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41. As noted above in Response to Comment I11-20, the Background Report was incorporated by reference pursuant to CEQA Guidelines Section 15150, and should be considered to be set forth in full in the RDEIR.

Response to Comment I11-54:

The commenter’s opinion regarding growth in the foothill and mountain areas of the County is incorrect. As discussed in Master Response #5 and RDEIR pages 2-17 and 2-24, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Furthermore, due to a variety of factors (including slope factors, state/federal land

ownership, and water supply), development in the foothill and mountain areas is limited, with a majority of future development anticipated under the horizon of the General Plan 2030 Update to occur within the lower elevations of the County. Please also see Master Response #4 for discussion of the level of detail in the RDEIR and Master Response #11 for discussion of development in the foothills (Yokohl Ranch).

The comment also takes issue with the “Summary of Impacts” language on page 3.9-35. As noted in the header this discussion this language is only intended to summarize the impact conclusions. For more detailed discussion of this impact please see the ensuing analysis on pages 3.9-36 through 3.9-45.

Response to Comment I11-55:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41 and 54. As discussed in Master Response #5 and RDEIR pages 2-17 and 2-24, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

The comment also suggests that projected buildout of the proposed project did not account for its effects on groundwater recharge. The RDEIR discussed this issue on pages 3.6-42, 3.6-45, and 3.9-40. Please see the response to Comment I11-22 for information regarding the General Plan 2030 Update’s compliance with AB 162 and I11-91 for greater details on policies to address groundwater infiltration.

Response to Comment I11-56:

Please see Master Responses #3 and #4 which discuss enforceability of the General Plan and the level of detail in the General Plan. Please also see Response to Comment I11-2 which explains how the General Plan is implemented.

Response to Comment I11-57:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-38 through 57.

Response to Comment I11-58:

The comment introduces and references other comments in this comment letter, and opines that the RDEIR is inadequate in various respects. Responses to the specific comments referenced in this comment are provided, above, and below, as identified by comment bracket numbers.

Response to Comment I11-59:

The comment states that the RDEIR fails to consider a reasonable range of alternatives, and that an alternative, suggested by other commenters, to the 2008 DEIR should have been considered. Contrary to this comment, the RDEIR considers a reasonable range of potentially feasible

alternatives, as required by CEQA Guidelines Section 15126.6. This “reasonable range” of alternatives discussed is governed by the “rule of reason” (CEQA Guidelines §15126.6(f)). Please see Master Response #9 for additional information regarding the methodology and analysis provided in the RDEIR to address the evaluation of alternatives. As indicated in Master Response #9, the RDEIR’s level of analysis for each alternative, including the no project alternative, is sufficient to allow meaningful evaluation, analysis, and comparison with the proposed project and therefore meets the requirements of CEQA (Id.; CEQA Guidelines, §15126.6(d)). The discussion of alternatives need not be exhaustive and is necessarily limited by what is realistically possible. The RDEIR provides an objective, good faith effort to compare the proposed project with the alternatives.

The County did consider the “The Healthy Growth Alternative” provided by the Tulare County Citizens for Responsible Growth, which is a variation on RDEIR Alternative 5, in that it represents restrictive population assumptions for the County’s planning areas. Alternative 5 is considered the environmental superior alternative. A “Healthy Communities” policy section was also included as part of the updated Health and Safety Element that considered many of the policy objectives suggested by the Tulare County Citizens for Responsible Growth.

These alternatives have been analyzed at the appropriate level of detail for a General Plan under CEQA. The alternatives analysis requires less detail than the analysis of the project’s impacts and it need not be exhaustive (CEQA Guidelines, § 15126.6(d); *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523). It is sufficient if it allows the relative merits and impacts of the project and the alternatives to be comparatively assessed (*Del Mar Terrace Conservancy, Inc. v. City Council* (1992) 10 Cal.App.4th 712; *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143). The RDEIR provides a narrative description of each alternative and a discussion of the impacts of each as compared to the proposed project as well as several tables comparing the alternatives with the proposed project (RDEIR Chapter 4). The RDEIR’s level of analysis for each alternative, including the no project alternative, is sufficient to allow meaningful evaluation, analysis, and comparison with the proposed project and therefore meets the requirements of CEQA (CEQA Guidelines, §15126.6(d)).

The comment states that a comparison of the wildland-urban interface fire area risk among alternatives is omitted from the analysis. The commenter’s opinion regarding the evaluation of alternatives is incorrect. As discussed in the RDEIR, under Impact 3.8-6, the impact of the proposed project and associated wildfire risk is considered less than significant with implementation of a variety of policies and implementation measures designed to address wildfire prevention and exposure. The listed policies and implementation measures identified in the RDEIR include the following:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Health & Safety Element		Planning Framework, Public Facilities & Services Elements and Foothill Growth Management Plan	
Policies and implementation measures designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:			
HS-1.4	Building and Codes	PF-5.2	Criteria for New Towns (Planned Communities)
HS-1.5	Hazard Awareness and Public Education	PFS-1.3	Impact Mitigation
HS-1.6	Public Safety Programs	PFS-2.1	Water Supply
HS-1.8	Response Times Planning in GIS	PFS-7.1	Fire Protection
HS-1.9	Emergency Access	PFS-7.2	Fire Protection Standards
HS-1.10	Emergency Services Near Assisted Living Housing	PFS-7.3	Visible Signage for Roads and Buildings
HS-1.12	Addressing	PFS-7.4	Interagency Fire Protection Cooperation
HS-6.1	New Building Fire Hazards	PFS-7.5	Fire Staffing and Response Time Standards
HS-6.2	Development in Fire Hazard Zones	PFS-7.6	Provision of Station Facilities and Equipment
HS-6.3	Consultation with Fire Service Districts	PFS-7.7	Cost Sharing
HS-6.4	Encourage Cluster Development	PFS-7.11	Locations of Fire and Sheriff Stations/Sub-stations
HS-6.5	Fire Risk Recommendations	FGMP-10.2	Provision of Safety Services
HS-6.6	Wildland Fire Management Plans	FGMP-10.3	Fire and Crime Protection Plan
HS-6.7	Water Supply System		
HS-6.8	Private Water Supply		
HS-6.9	Fuel Modification Programs		
HS-6.10	Fuel Breaks		
HS-6.11	Fire Buffers		
HS-6.12	Weed Abatement		
HS-6.13	Restoration of Disturbed Lands		
HS-6.14	Coordination with Cities		
HS-6.15	Coordination of Fuel Hazards on Public Lands		
HS-7.1	Coordinate Emergency Response Services with Government Agencies		
HS-7.2	Mutual Aid Agreement		
HS-7.3	Maintain Emergency Evacuation Plans		
HS-7.4	Upgrading for Streets and Highways		
HS-7.5	Emergency Centers		
HS-7.6	Search and Rescue		
HS-7.7	Joint Exercises		
HS Implementation Measure #15			
HS Implementation Measures #16			
Public Facilities & Services Element			
Public Facilities and Services Implementation Measures designed to ensure funding for County services to provide adequate service levels include the following:			
Public Facilities & Services Implementation Measure #1			
Public Facilities & Services Implementation Measure #2			
Public Facilities & Services Implementation Measure #3			
Public Facilities & Services Implementation Measure #12			

In response to this comment, the commenter is referred to Table 4-3 of the RDEIR which identifies that this impact would also be less than significant because the same mitigating policies and implementing measures would also be required. The comparison of alternatives in the RDEIR appropriately considers significant impacts, and need not compare less than significant impacts. CEQA requires comparison of the significant impacts of the alternatives.

Regarding the impact statements identified in Table 4-3 (pages 4-7 through 4-12 of the RDEIR), Impact 3.5-1 “The proposed project would result in the 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; or would result in a substantial permanent increase in ambient noise levels

in the project vicinity above levels existing without the project; or would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project” is intended to encompass the impacts resulting from the individual noise generators (i.e., construction noise, traffic noise, railroad noise, and stationary noise sources) described in Section 3.5 “Noise” of the RDEIR. As indicated within the noise evaluation for each alternative, these individual noise generators are evaluated consistent with the CEQA Guidelines for alternatives to the proposed project.

The commenter’s general disagreement with the conclusions presented in RDEIR Section 4.0, (Alternatives) regarding comparison of the proposed project and Alternative 2 for various impacts (hydrology and water quality, hazards and hazardous materials, energy and climate change, geology and soils) is noted.

Response to Comment I11-60:

The comment criticizes the analysis of growth inducing effects. The commenter indicates that the proposed project would result in urban sprawl, and implies that the analysis overlooks the Yokohl Ranch project. Please see Master Response #11 for discussion of Yokohl Ranch proposal.

Please note that the Yokohl Ranch Project is not included as part of the proposed project and will not be considered for approval as part of the general plan 2030 update project. It should however be noted that it was discussed under the Cumulative analysis on page 5-6 of the RDEIR (please also see the response prepared for Comment A8-10).

The CEQA Guidelines provide that an EIR should “discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment [CEQA Guidelines Section 15126.2(d)].” Consistent with this direction, Chapter 5.0 “Additional Statutory Considerations” of the RDEIR includes a discussion of the ways the General Plan 2030 Update could foster growth.

As discussed in the RDEIR (see pages 5-1 through 5-3), the County’s population (according to TCAG projections) is projected to exceed 742,900 by 2030. Under the proposed project, the percent of residents living in the incorporated cities is expected to increase to approximately 70% of the County’s total population, whereas the percent of residents living in the unincorporated areas would decline to approximately 30%. TCAG also projects population growth within the entire County to grow by over 313,900 people by 2030. Under the proposed project, these projections distribute population growth between the various cities and the unincorporated areas of the County. As shown in the table, the cities would accommodate an estimated 75 percent of the overall growth by 2030. While growth would be allowed under the proposed project, population projections based on State and local government data indicate that similar growth would occur in the County under the existing General Plan without the benefit of concentrating growth in specified community plan/hamlet areas, updating polices to incorporate current environmental and regulatory trends, and identifying opportunities for increased economic sustainability.

As identified throughout the RDEIR, the proposed project contains goals and policies to maintain the character of the County and minimize the environmental impacts of anticipated growth. Proposed policies are considered feasible and as such, take into account market conditions and realistic growth assumptions that are consistent with the land use principles/concepts of the region and that discourage undesirable development in areas with sensitive natural resources, critical habitats and important scenic resources. In addition, the proposed project encourages orderly growth by encouraging new development to occur in areas adjacent to existing urban uses and requires developers to provide service extensions.

Response to Comment I11-61:

The commenter is referred to the response to Comment I11-25.

Response to Comment I11-62:

The comment indicates that analysis of significant irreversible environmental changes should be expanded to address specific topics suggested by the commenter. The commenter's opinion regarding organization of the RDEIR is noted. Section 5.5 "Significant Irreversible Environmental Changes which would Result from the Proposed Action should it be Implemented" was prepared consistent with the Public Resources Code section 21100(b)(2) and CEQA Guidelines section 15126.2(b). Discussion in this section of the RDEIR focuses on irreversible effects such as the commitment of nonrenewable resources, including mining resources. This section also discloses that changes in land use would result in development that converts or intensifies uses on vacant and agricultural/open space lands. Please note that timber preserves are considered an open space land use. The commenter is referred to Chapter 3 "Environmental Analysis" for specific details regarding water supply, climate change, and agricultural resource issues identified in the comment. The analyses provided in Chapter 3.0 provide decision makers with sufficient information to make a decision which intelligently takes account of the environmental consequences, consistent with CEQA Guidelines §15151.

Response to Comment I11-63:

The comment asks why the wording for significance criteria evaluated under Impact 3.2-1 is different from the language in CEQA Appendix G. Please see Response to Comment I11-14.

The lead agency (Tulare County) has discretion to set its own significance criteria. While Appendix G is sometimes adopted, in part, to determine a project's significant impacts, Appendix G was created for the purpose of evaluating potential impacts for an initial study. However, the Guidelines make clear that Appendix G is not mandatory; "Sample forms for an applicant's project description and review form for use by the lead agency are contained in Appendices G ... These forms are only suggested, and public agencies are free to devise their own format for an initial study" (14 Cal. Code Regs. §15063(f)). This EIR has tailored Appendix G to suit the unique qualities and characteristics of the project area. The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis. Please also see Responses to Comments I11-14 and I11-21. As indicated in the comment, the impact remains significant and unavoidable.

Response to Comment 111-64:

The commenter expresses general concerns about the adequacy of Measure R funds for road, bicycle and pedestrian transportation improvements, if certain actions, including the purchase of a railroad line, are taken by the Tulare County Association of Governments (TCAG) and the Tulare County Board of Supervisors. The commenter also expresses concern that the information in the Background Report is out of date.

The Background Report is a comprehensive document which provides a detailed description of the conditions that existed within the County during the development of the General Plan 2030 Update. Topics addressed in the Background Report are extensive and include several that are not considered necessary to characterize the environmental setting of the RDEIR. For example, background information related to transportation funding sources identified by the commenter is considered one of these topics and has been summarized (with relevant updated detail specific to the County's Traffic Impact Fee Study) in the RDEIR (see page 3.2-2 of the RDEIR). The following response provides additional background information related to transportation improvements and funding.

The General Plan 2030 Update would not change the funding basis for traffic improvements, including Measure R. Throughout the entire United States, infrastructure needs are greater than the financial resources to maintain and build new transportation related improvements. Measure R was approved in November of 2006 by Tulare County voters and is expected to generate over \$650 million to improve transportation facilities countywide. Additionally, Caltrans has a regional source of funds to help improve inter-regional corridors throughout the state. However, as the commenter correctly points out, funding sources can be unreliable or may be insufficient to complete all necessary improvements.

The RDEIR acknowledges and addresses these potential funding constraints as part of the traffic analysis. The commenter is directed to page 3.2-31 – 3.2-32 of the RDEIR. As stated, a number of roadway improvements are identified in the traffic analysis that would improve roadway level of service conditions resulting from implementation of development anticipated under the proposed project. However, most of the roadway infrastructure improvements identified are on facilities under the jurisdiction of entities outside the County (such as Caltrans or the City of Visalia, etc.). Therefore, implementation of the proposed improvements would be subject to approval by other agencies, as well as to funding programs that are not fully developed at this time. Timely construction of the proposed improvements would require substantial coordination and cooperation between the County and other agencies.

In summary, the proposed project addresses its traffic effects through a combination of policies and the physical improvements identified above. Despite the policies identified above, proposed deterioration in the traffic LOS as compared to current conditions that would occur as a result of the General Plan 2030 Update is mostly due to city growth not directly controlled by this plan. The physical improvements would require cooperation and funding from a variety of entities inside and outside the County, so implementation of these improvements cannot be guaranteed

solely through the County’s actions. As a result, this impact remains significant and unavoidable. No additional feasible mitigation is currently available.

Key policies and implementation measures identified in the impact analysis include the following:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Transportation and Circulation Element			
Policies and implementation measures designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:			
TC-1.1	Provision of an Adequate Public Road Network	TC-1.13	Land Dedication for Roadways and Other
TC-1.2	County Improvement Standards		Travel Modes
TC-1.3	Regional Coordination	TC-1.14	Roadway Facilities
TC-1.4	Funding Sources	TC-1.15	Traffic Impact Study
TC-1.5	Public Road System Maintenance	TC-1.16	County LOS Standards
TC-1.6	Intermodal Connectivity	TC-1.17	Level of Service Coordination
TC-1.8	Promoting Operational Efficiency	TC-1.18	Balanced System
TC-1.9	Highway Completion	TC-1.19	Balanced Funding
TC-1.10	Urban Interchanges	Implementation Measure #1 through #18	
TC-1.11	Regionally Significant Intersections		
Transportation and Circulation Element		Land Use Element	
Policies designed to integrate land use and circulation concepts during the early planning and design phases of Countywide development to minimize land use conflicts include the following:			
TC-1.3	Regional Coordination	LU-1.10	Roadway Access
TC-1.7	Intermodal Freight Villages	LU-4.4	Travel-Oriented Tourist Commercial Uses
TC-1.12	Scenic Highways and Roads	LU-5.4	Compatibility with Surrounding Land Use
TC-1.13	Land Dedication for Roadways and Other Travel Modes		

Other more relevant portions of the Background Report that were used in the traffic analysis for the RDEIR (including the existing traffic volumes found on pages 5-21 through 5-24 of the Background Report) have been updated using the most current information available at the time the RDEIR analysis was conducted.

Finally, the railroad line purchase identified by the commenter is a specific project not considered as part of the General Plan 2030 Update. However, it should be noted, if the proposed railroad line purchase is part of a “Rails to Trails” program, further implementation of the project could benefit a variety of non-vehicular users through creation of a new pedestrian/bicycle trail project. Implementation of this trail project would also contribute to lower regional air quality emissions and is consistent with the County objectives and policies outlined in the Goals and Policies Report, in particular those associated with the “Healthy Communities” section of the Health and Safety Element.

Response to Comment I11-65:

The comment expresses an opinion that County road maintenance, particularly for rural roads, is already inadequate, and would deteriorate further as a result of the General Plan 2030 Update and development in foothill and mountain areas, resulting in increased air pollution (dust). The

comment cites specific roads as examples. Please also note that CEQA requires identification of significant impacts from the proposed project (See CEQA Guidelines Section 15125 and 15126.2). Roadway and traffic-related impacts are addressed in Section 3.2 “Traffic and Circulation” of the RDEIR. However, the comment references a number of existing deficiencies and related issues (including roadway dust) which are not based upon the proposed project’s impacts. While these issues will be considered by the County, these existing issues are beyond the scope of the RDEIR and the project to solve (See *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

The County acknowledges the importance of these roadway related issues and has adopted a Pavement Management System to prioritize improvements with its limited resources. The General Plan also contains policies which address this issue:

- **Policy TC-1.1 Provision of an Adequate Public Road Network.** The County shall establish and *maintain* a public road network comprised of the major facilities illustrated on the Tulare County Road Systems to accommodate projected growth in traffic volume [*New Policy*].
- **Policy TC-1.2 County Improvement Standards.** The County's public roadway system shall be built and *maintained* consistent with adopted County Improvement Standards, and the need and function of each roadway, within constraints of funding capacity [*New Policy*].
- **Policy TC-1.4 Funding Sources.** The County shall work to enhance funding available for transportation projects. This includes:
 - Working with TCAG, Federal and State agencies, and other available funding sources to maximize funding available to the County for transportation projects and programs, and
 - Enhance local funding sources, including assessment of transportation impact fees to pay for appropriate construction, enhancement, and *maintenance* of transportation facilities [*New Policy*].
- **Policy TC-1.5 Public Road System Maintenance.** The County shall give priority for maintenance to roadways identified by the Tulare County Pavement Management System (PMS) and other inputs relevant to *maintaining* the safety and integrity of the County roadway system [*Transportation/ Circulation, General Plan, 1964, Modified*].
- **Policy TC-1.14 Roadway Facilities.** As part of the development review process, new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and *maintenance* of roadway facilities impacted by the project. As projects or locations warrant, construction or payment of pro-rata fees for planned road facilities may also be required as a condition of approval [*New Policy*].
- **TC Implementation Measure #2.** The County shall develop an impact fee program to offset the cost of development and *maintenance* of the County roadway system as necessitated by new development [*New Program*].

- **TC Implementation Measure #5.** The County shall require new subdivisions to join or create an assessment district for *maintaining public roads* installed with the development [Existing Policy Tulare County Board of Supervisors Resolution No. 2005-0519].

Response to Comment I11-66:

The commenter's inclusion of the Background Report section related to road system conditions is noted. Please see Responses to Comments I11-64 and I11-65 for additional discussion of roadways. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I11-67:

The commenter's inclusion of the Background Report section related to road system conditions is noted. The comment expresses concern that deteriorating roadway conditions would compromise safety. The commenter is referred back to the response prepared for Comment I11-65. Similarly, the County acknowledges the importance of these roadway related issues and has adopted a Pavement Management System to prioritize improvements with its limited resources. The General Plan also contains policies which address this issue:

- **Policy TC-1.1 Provision of an Adequate Public Road Network.** The County shall establish and *maintain* a public road network comprised of the major facilities illustrated on the Tulare County Road Systems to accommodate projected growth in traffic volume [New Policy].
- **Policy TC-1.2 County Improvement Standards.** The County's public roadway system shall be built and *maintained* consistent with adopted County Improvement Standards, and the need and function of each roadway, within constraints of funding capacity [New Policy].
- **Policy TC-1.4 Funding Sources.** The County shall work to enhance funding available for transportation projects. This includes:
 - Working with TCAG, Federal and State agencies, and other available funding sources to maximize funding available to the County for transportation projects and programs, and
 - Enhance local funding sources, including assessment of transportation impact fees to pay for appropriate construction, enhancement, and *maintenance* of transportation facilities [New Policy].
- **Policy TC-1.5 Public Road System Maintenance.** The County shall give priority for maintenance to roadways identified by the Tulare County Pavement Management System (PMS) and other inputs relevant to *maintaining* the safety and integrity of the County roadway system [Transportation/ Circulation, General Plan, 1964, Modified].
- **Policy TC-1.14 Roadway Facilities.** As part of the development review process, new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and *maintenance* of roadway facilities impacted by the project. As projects or locations warrant, construction or payment of pro-rata fees for planned road facilities may also be required as a condition of approval [New Policy].
- **TC Implementation Measure #2.** The County shall develop an impact fee program to offset the cost of development and *maintenance* of the County roadway system as necessitated by new development [New Program].

- **TC Implementation Measure #5.** The County shall require new subdivisions to join or create an assessment district for *maintaining public roads* installed with the development [Existing Policy Tulare County Board of Supervisors Resolution No. 2005-0519].

Response to Comment I11-68:

The commenter's comment presents the commenter's opinion regarding various Mitigating Policies and Implementation Measures for Traffic and Circulation. Generally, the commenter concludes that these policies and measures would not reduce specific impacts to a less than significant level, or represent deferred or illusory mitigation. Please see Response to Comment I11-2 and Master Response #3 regarding General Plan implementation and enforceability.

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The proposed General Plan 2030 Update is a policy document to provide a long term, comprehensive plan for the physical development of the County. As such, the Mitigating Policies and Implementation Measures are appropriate to the geographic scope of the project, population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code Sections 65300.9 and 65301(c); CEQA Guidelines Sections 15143, 15146, 15151, and 15204). While the County strives to provide as much detail as possible regarding the Mitigating Policies and Implementation Measures, some flexibility must be maintained to provide a General Plan capable of covering 4,840 square miles. As a General Plan EIR, the RDEIR does not examine impacts or identify mitigation on a site-specific basis and it would be speculative to attempt given the lack of information about future site-specific development. Adoption of the General Plan 2030 Update, or one of the Alternatives, would serve as the County's commitment to the policies and implementation measures. Please see Master Response #4 for additional discussion regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #3 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Please see Response to Comment I11-65 for discussion of dust-related impacts. Cumulative traffic impacts are addressed in the RDEIR in Sections 5.3 and 3.2.

Response to Comment I11-69:

This comment reiterates the concerns expressed in Comment I11-32; please see response to Comment I11-32.

Response to Comment I11-70:

The commenter advocates a ban on fireplaces and woodstoves in new development to reduce PM 2.5 emission; and a ban on greenwaste burning. The commenter further recommends that all new development be required to offset air quality impacts at a 2:1 ratio.

PM10 and PM 2.5 emissions resulting from the proposed project are primarily associated with on-road vehicle emissions and natural gas combustion. While woodstoves and greenwaste burning do contribute to levels of PM10 and PM2.5, these levels are considered relatively minor (less than 10% of total emissions) compared to emissions from combustion sources and dust from roadways and agricultural activities (40% of total emissions) (source: www.arb.ca.gov/pm/pmmeasures/pmch05/sjv05.pdf). Therefore a ban on fireplace, woodstoves, and green waste burning is not considered an effect means of substantially reducing project-related PM 10 and PM2.5 emissions.

While the SJVAPCD does have a PM10 threshold (that was exceeded in the analysis), the air district has not established a PM 2.5 threshold. Additionally, the County has a limited role in regulating air quality. As more fully described on page 3.3-7 of the RDEIR, the SJVAPCD has the primary responsibility for regulating stationary source emissions within Tulare County and preparing the air quality plans (or portions thereof) for its jurisdiction. Stationary sources within the jurisdiction are regulated by the SJVAPCD's permit authority over such sources and through its review and planning activities. For example, the SJVAPCD adopted its Regulation VIII-Fugitive Dust Control, on October 21, 1993 and amended it on several occasions since then. This regulation consists of a series of emission reduction rules intended to implement the PM10 Maintenance Plan. The PM10 Maintenance Plan emphasizes reducing fugitive dust as a means of achieving attainment of the federal standards for PM10.

SJVAPCD's Rule 4901(as amended October 16, 2008) regulates woodburning fireplaces, heaters and outdoor wood burning devices. This rule includes limitations on wood burning fireplaces or wood burning heaters in new residential developments, and upon the sale or transfer of real property (See RDEIR p. 3.3-8). Additionally, the SJVAPCD has also recently adopted the 2008 PM2.5 Plan (See RDEIR p. 3.3-8 – 3.3-9). The County supports the implementation of these rules and as discussed in the RDEIR (see p. 3.3-23) will continue to ensure that a variety of PM10 and PM2.5 measures are implemented for all future development projects to minimize air quality impacts through project specific CEQA mitigation measures and permit conditions. Examples of these policies (including the County's own response to wood burning devices) are provided below:

- **AQ-4.2 Dust Suppression Measures.** The County shall require developers to implement dust suppression measures during excavation, grading, and site preparation activities consistent with SJVAPCD Regulation VIII – Fugitive Dust Prohibitions. Techniques may include, but are not limited to, the following:
 - Site watering or application of dust suppressants,
 - Phasing or extension of grading operations,
 - Covering of stockpiles,
 - Suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour), and
 - Revegetation of graded areas [*New Policy*].
- **AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions.** The County shall require that all new roads be paved or treated to reduce dust generation where

feasible as required by SJVAPCD Regulation VIII, Rule 8061- Paved and Unpaved Roads. For new projects with unpaved roads, funding for roadway maintenance shall be adequately addressed and secured *[New Policy]*.

- **AQ-4.4 Wood Burning Devices.** The County shall require the use of natural gas where service is available or the installation of low-emission, EPA-certified fireplace inserts in all open hearth fireplaces in new homes as required under the SJVAPCD Rule 4901– Woodburning Fireplaces and Woodburning Heaters. The County shall promote the use of natural gas over wood products in space heating devices and fireplaces in all existing and new homes *[New Policy]*.

The County also supports SJVAPCD Rule 4103 (effective June 1, 2010), which is intended to permit, regulate and coordinate the use of open burning, including agricultural burning. To supplement existing regulations regarding green waste or agricultural burning, the Tulare County landfills also accept green waste. [In addition, as an implementation to the General Plan 2030 Update, the County will consider adoption of a Climate Action Plan (“CAP”). Reduction in agricultural burning through cogeneration and composting is actually part of the voluntary programs section of the CAP, and is an example of the types of programs that the County is currently proposing to address the issue of burning and support initiatives being pursued by the agricultural industry in cooperation with government agencies and universities. Finally, these burns are considered standard practice for fire protection. If these burns were prohibited, the material would have to be hauled to a landfill. Hauling this material to a landfill would increase vehicle miles traveled within the County, would increase fuel consumption or use, would increase related vehicular emissions, and would decrease landfill capacity at an accelerated rate. The County supports the authority of the SJVAPCD along with promoting healthy air quality conditions within the region. For this reason, the County has developed a separate air quality element for the General Plan 2030 Update. Page 3.3-22 of the RDEIR includes the following summary table of applicable and feasible policies (including support for the use of natural gas or low-emission fireplace inserts) from the entire general plan that address PM 10 and PM 2.5 air quality emissions:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality Element
Policies designed to improve air quality through a regional approach and interagency cooperation include the following:
AQ-1.1 Cooperation with Other Agencies
AQ-1.2 Cooperation with Local Jurisdictions
AQ-1.3 Cumulative Air Quality Impacts
AQ-1.4 Air Quality Land Use Compatibility
AQ-1.5 California Environmental Quality Act (CEQA) Compliance
AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles
AQ-1.7 Support Statewide Climate Change Solutions
Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:
AQ-2.1 Transportation Demand Management Programs
AQ-2.2 Indirect Source Review
AQ-2.3 Transportation and Air Quality
AQ-2.4 Transportation Management Associations
AQ-2.5 Ridesharing
AQ Implementation Measure #8
Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:

AQ-3.1 Location of Support Services
 AQ-3.2 Infill Near Employment
 AQ-3.3 Street Design
 AQ-3.4 Landscape
 AQ-3.5 Alternative Energy Design
 AQ-3.6 Mixed Land Uses
 AQ Implementation Measure #11 and #12

Policies designed to implement the best available controls and monitoring to regulate air emissions include the following:

AQ-4.1 Air Pollution Control Technology
 AQ-4.2 Dust Suppression Measures
 AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions
 AQ-4.4 Wood Burning Devices

Land Use Element

Policies designed to encourage economic and social growth while retaining quality of life standards include the following:

LU-1.1 Smart Growth and Healthy Communities
 LU-1.2 Innovative Development
 LU-1.3 Prevent Incompatible Uses
 LU-1.4 Compact Development
 LU-1.8 Encourage Infill Development

Environmental Resources Management Element

Policies designed to encourage energy conservation in new and developing developments include the following:

ERM-4.1 Energy Conservation and Efficiency Measures
 ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation
 ERM-4.3 Local and State Programs
 ERM-4.4 Promote Energy Conservation Awareness
 ERM-4.5 Advance Planning
 ERM-4.6 Renewable Energy

In summary, vehicle/mobile sources contribute the greatest degree of emissions within the County. The County acknowledges the recommendations suggested by the commenters. To address these concerns, the County's General Plan 2030 Update proposes a comprehensive range of policies to address PM 10 and PM 2.5 emissions, including an existing policy to address woodburning devices along with support for regulatory guidance administered by the SJVAPCD. Consequently, the County does not support a complete ban on woodburning devices and agricultural burning as it is not considered an effective means of reducing this significant impact, as the primary source of emissions are associated with mobile emissions sources. Additionally, the commenter's suggestion that new development should be required to offset air quality impacts at a 2:1 ratio may be inconsistent with CEQA Guidelines Section 15126.4(a)(4)(B), requiring that mitigation be "roughly proportional" to the impacts of the project.

Response to Comment I11-71:

This comment reiterates the commenter's concerns regarding air quality impacts related to sensitive receptors, sensitive land uses, a complete ban on green waste burning, and a requirement that all new development offset air quality impacts at a 2:1 ratio. The commenter is directed to the responses prepared for Comment I11-32 and I11-70.

The commenter recommends a new Alternative, i.e., to direct 95 percent of future population growth into the eight incorporated cities in Tulare County. The RDEIR identified and evaluated a reasonable range of alternative that would reduce or avoid the significant impacts of the proposed project, including both a City-Centered and a Confined Growth alternative, which assumed

significantly reduced population assumption for the County. As discussed in the RDEIR, the proposed project and alternatives are based on ideas and concepts developed with the public, with input from the Technical Advisory Committee and County staff, and updated with background information from the updated 2010 Background Report (RDEIR p. 4-2 – 4-3). The commenter’s suggested alternative, limiting growth within the County to five percent of future County population growth, could require the incorporated cities to revise their General Plans and Housing Elements to accommodate a significantly larger share of future population growth; the County lacks authority to require the cities to revise their General Plans. The commenter’s intent could also be frustrated under the suggested alternative should cities pursue annexation of adjoining land to accommodate growth. Furthermore, the commenter’s suggested alternative would likely require development restrictions that may affect individual property rights. Severe restrictions on development could result in takings, rendering such an alternative legally infeasible. The Fifth Amendment of the United States Constitution bars the “taking” of private property through land use regulations without just compensation, with certain exceptions (*Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003). For these reasons, the suggested alternative is not accepted.

Response to Comment I11-72:

The commenter is referred to Master Response #11 and Response to Comment I11-19 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. As noted in these responses, the Yokohl Ranch Project is not part of the proposed project, and will be considered for approval separately; however it is discussed in the cumulative impact analysis. Therefore, no further response is required (CEQA Guidelines Section 15204(a)).

Response to Comment I11-73:

For comments on the 2008 DEIR, please see Response to Comment I11-6.

As discussed in the project description, buildout of the proposed general plan will result development of residential, commercial, and industrial uses. Similar to other development projects that would be considered over the lifespan of the General Plan 2030 Update, it’s also possible that new dairies would be proposed as part of this development. However, no dairies are being proposed as part of the General Plan 2030 Update and it’s anticipated that future dairy projects will have further environmental review as they are proposed and considered by the County. Please also see Master Response #3 and #4 and Response to Comment I11-2 regarding General Plan enforceability and level of detail.

The Comment is also referred to the following responses and RDEIR sections which discuss water quality related to the uses described in the comment: Septic Systems (RDEIR page 3.6-37), hazardous waste (RDEIR Section 3.8), impervious surfaces (Response to Comment I11-55 and RDEIR pages 3.6-38, 3.6-42, 3.6-45, and 3.9-40), grading and excavation (RDEIR pages 3.6-38, 3.7-17), wastewater treatment facilities and water quality (Response to Comment I11-35).

The comment also suggests that there would be water quality impacts associated with agricultural uses. As discussed under Impact 3.10-1, build out of the proposed project will result in a reduction in agricultural land. While the RDEIR acknowledged existing water quality issues (RDEIR page 3.6-27), there is expected to be a decrease in agricultural acreage below the projects baseline, primarily as a result of conversion of irrigated farming to new or expanded non-irrigated agricultural uses., (RDEIR, p. 3.10-6)

Dairies are considered a non-irrigated agricultural use. The current General Plan includes the already adopted Animal Confinement Facilities Program (“ACFP”) as part of the Environmental Resources Management Element which controls dairy operations. The General Plan 2030 Update does not modify the ACFP. A program EIR for the ACFP was prepared and certified by the County. The program EIR discusses the potential impacts that might result from its adoption and subsequent development of dairy facilities and other bovine animal confinement facilities and mitigation measures in a generalized fashion focusing on cumulative effects. The adequacy of the ACFP (Phase I) program EIR was challenged and the CEQA litigation was settled with an agreement that the County would prepare a Supplemental EIR (SEIR) to consider a proposed amendment to the ACFP. Per the terms of the settlement agreement, the Draft SEIR includes analysis and discussion of cumulative air quality impacts, groundwater quality impacts, and air quality impact mitigation measures. The County prepared Draft Supplemental EIR in October 2006 (Jones and Stokes, 2006). In December, 2007, the Attorney General requested that Tulare County adequately address global climate change in its dairy EIRs. In compliance with the Attorney General request, the Draft SEIR will be revised. However, the ACFP program, part of the current General Plan’s Environmental Resources Management Element, remains in effect.

To address the range of environmental issues (i.e., air quality, water quality, etc.) associated with new or expanding dairies, a site-specific review will be conducted using a supplemental environmental checklist. To address water quality concerns a variety of federal and state water quality regulations for confined animal facilities would also apply. Compliance with a variety of local, state, and federal water quality regulations is considered mandatory to address water quality concerns. Typically, this includes compliance with all existing lagoon/pond regulations applicable by the Regional Water Quality Control Board and compliance with wastewater discharge requirements also adopted by the Regional Water Quality Control Board. Examples of these requirements include the following:

- Compliance with requirements for “confined animal facilities” administered by the Regional Water Quality Control Board.
- Compliance with the construction requirements of the County’s well ordinance.
- Compliance that no wells are closer than a specific location from any animal enclosure.
- Compliance that lagoons are to be set back at least 150 feet from all wells, public ditches, and public waterways.
- Requirements for animal confinement areas, manure storage areas, lagoons, and crop lands to be managed to prevent odor, dust, or vector nuisances.

- Requirements that lagoons are to be designed for maximum efficiency for recycled water disposal and requirements for a minimum separation from the highest recorded groundwater table.
- Requirements for all new sewage disposal systems to meet all construction standards and setbacks.

Requirements that prohibit discharge of liquid waste materials into any waterway that runs off the dairy site.

Additionally, the EPA's Revised National Pollutant Discharge Elimination System Permit Regulation and Effluent Limitations Guidelines for Concentrated Animal Feeding Operations (CAFO) in Response to the Waterkeeper Decision requires that an owner or operator of a CAFO that discharges or proposes to discharge must apply for an NPDES permit (see http://www.epa.gov/npdes/regulations/cafo_final_rule_preamble2008.pdf and *Waterkeeper Alliance et.al. v. EPA*, 399 F.3d 486 (2d Cir. 2005)).

Please see RDEIR pages 3.6-53 for discussion of the affects of climate change and flooding.

Response to Comment I11-74:

The comment references RDEIR page 3.6-38 and claims that “there is no place in the Goals and Policies document that restricts septic systems on the basis of proximity to surface or groundwater resources, soil type, or slope.” This is incorrect, the General Plan 2030 Update includes the following policies and implementation measures that have been designated to regulate the use of septic systems and minimize impacts to water quality and public health.

- **PFS-3.1 Private Sewage Disposal Standards.** The County shall maintain adequate standards for private sewage disposal systems (e.g., septic tanks) to protect water quality and public health [*New Policy*].
- **PFS Implementation Measure #5.** The County shall conduct a study to evaluate alternatives for rural wastewater systems. Alternatives that could be evaluated include elevated leach fields, sand filtration systems, evapotranspiration beds, osmosis units and holding tanks. For larger generators or group of users, alternative systems include communal septic tank/leach field systems, package treatment plants, lagoon systems, and land treatment [*New Program*].
- **PFS Implementation Measure #6.** The County shall prepare and distribute information on the care and maintenance of private sewage disposal systems [*New Program*].
- **PFS Implementation Measure #7.** The County shall consider amendments to the Subdivision Ordinance to restrict the number of lots allowed with septic tank and leach line systems, and review and upgrade the standards for such systems [*New Program*].
- **FGMP-9.5 Alternate Sewage Disposal.** The County may allow unconventional methods of disposing of sewage effluent, provided the system meets the performance standards of the Water Quality Control Board and the Tulare County Health and Human Services Agency. Such systems may include, but are not limited to common leach field, soil absorption mounds, aerobic septic tanks, or evapotranspiration systems [*FGMP (1981). Water and Sewer Facilities; Goal 9; Policy 9-4. Pg. 19*].

Furthermore, the Tulare County Health & Human Services Agency, Department of Health Services has required setback distances for septic tanks. Septic tanks are required to be setback 100 feet from water wells, lakes, and reservoirs and at least 50 feet from streams. Please also see Response to Comment I11-2 for discussion of how the General Plan will be implemented.

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. As discussed in these responses, the Yokohl Ranch project is not part of the proposed project.

Response to Comment I11-75:

The request to map every potential hazardous materials site within the County's 4,840 square miles is infeasible and beyond the scope of the RDEIR (see CEQA Guidelines Section 15204(a) and Government Code Section 65301(c)). As discussed under CEQA guidelines Section 15125 "[t]he description of the environmental setting shall be no longer is necessary to an understanding of the significant effects of the proposed project and its alternatives." The level of detail suggested in the comment is not needed to determine the proposed project's impacts related to hazardous materials. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan 2030 Update and the programmatic nature of the RDEIR. The County is also familiar with the requirements of AB 162 and has updated the appropriate sections of the Health and Safety Element to reflect the necessary mapping and policy requirements, as appropriate and available for the County, to ensure compliance with AB 162. The commenter is also referred to the response prepared for Comment I11-22.

Please see Response to Comment I11-73 for discussion of agricultural uses and water quality.

Response to Comment I11-76:

Comment noted. No further response is required as this does not address the adequacy of the RDEIR.

Response to Comment I11-77:

The commenter is referred to the water quality response prepared for Comment I11-33. Please also note that these thresholds are not interchangeable as suggested in the comment. Each thresholds address different aspects and impacts of the proposed project. For example Impact 3.6-3 addresses the direct development/buildout related affects on drainage. The indirect effects of climate change are discussed in Section 3.4 (see RDEIR page 3.4-15). As noted on RDEIR page 3.4-17 "Few scientific studies have been performed on the effects of global climate change on specific groundwater basins, *groundwater quality* or groundwater recharge characteristics (County of Tulare, 2010 Background Report, page 8-84, 2010a)." At this time it is not possible to determine the localized water quality impacts resulting from climate change within Tulare's water basins.

The comment also notes that there are "drinking water issues" throughout San Joaquin Valley. The County acknowledges existing water quality issues on RDEIR page 3.6-28. The RDEIR also

discusses the types of health effects that could occur if there were water quality impacts from the proposed project including pathogens (illness) and carcinogens (cancer). (RDEIR page 3.6-12.) However, as noted above, while an important issue to the County, this is an *existing* water quality issues and not an impact of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324). Please also see Response to Comment I11-105.

Please also see Response to Comment I11-37 for discussion of groundwater. As noted therein conversion of agricultural land to urban uses is expected to decrease groundwater pumping below baseline levels, not increase groundwater usage, as suggested in the comment.

Response to Comment I11-78:

The commenter’s general opinion regarding the General Plan 2030 Update and RDEIR’s reliance on unenforceable policies is incorrect. Please see Master Response #3 for discussion of policy enforceability. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not intended to act as zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

The comment also goes through the water quality analysis and states that individual policies are inadequate. Please note that all of these policies have been proposed as part of a comprehensive system and should not be viewed individually (for example see Table on RDEIR page 3.6-39). Furthermore, there are numerous existing regulations that are also currently implemented within Tulare County, as discussed in the RDEIR, starting on page 3.6-5 (please see Master Response #3 for further details on general plan implementation and enforceability).

The comment also asks what “clustering means.” This term was defined in the proposed General Plan (see Part 1, page 2-1 and 8-1): “A development design technique that concentrates buildings in specific areas on a site or area to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.”

Response to Comment I11-79:

The comment does not explain the resource area they are concerned about in regard to public health (i.e. Air Quality). The commenter is referred to the response prepared for Comment I11-32 and I11-77.

Response to Comment I11-80:

The comment refers to existing conditions and impacts of the “Irrigated Lands Program.” These are not impacts of the proposed project. Please see Response to Comment I11-75. This comment does not address the content or adequacy of the RDEIR; no further response required (see CEQA Guidelines Section 15204(a)).

Response to Comment I11-81:

The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis. Please also see Response to Comment I11-14 regarding the significance thresholds. As indicated in the comment, the impact remains significant and unavoidable.

Response to Comment I11-82:

For comments on the 2008 DEIR and the previous version of the General Plan, please see Response to Comment I11-6. Please see Response to Comment I11-37 for discussion of projected water use. The commenter is referred to the response prepared for Comment I11-42 and Master Response #6 regarding the water supply evaluation prepared for the proposed project.

The comment states that “The County also cannot assume agricultural water conversion to urban uses will create a surplus water supply.” As discussed under Response to Comment under I11-37, impacts are based upon changes in existing conditions. The approach taken in the RDEIR is consistent with CEQA, as documented in recent CEQA case law in which the Sierra Club was a party (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“While the FEIR did not attempt to predict with precision exactly how much each water conservation measure would reduce water usage, the detail provided about the nature of these measures and the uncertainties inherent in such long-term forecasts provide adequate support for the FEIR’s predictions, particularly in light of the FEIR’s detailed calculations supporting its conclusion that most of the increased water usage associated with the new development would be offset by conversion of farmland. Even if the City’s conservation efforts do not produce the hoped-for 1,000 AFY reduction in usage, the FEIR could reasonably conclude that the new development’s increased water usage that is not offset by the conversion of farmland would be offset by even a modest reduction in usage attributable to the City’s conservation efforts.”])).

The comment also states that the County refuses to mandate water conservation measures. This statement is incorrect. The County has existing water conservation requirements in the County Ordinance code in Part VII, Chapter 31 [Landscaping], and Part VIII, Chapter 7 [Water Conservation Program]. Please see proposed Policies WR-1.5, WR1.6, WR-3.1, WR.3.5, WR-

3.6, WR-3.7, WR-3.8, WR-3.9, WR-3.10, WR-3.11, and Implementation Measure 10, 22, 23, and 25. Also, see page 3.6-12 of the RDEIR for a discussion of the California Urban Water Management Planning Act which places various conditions on public and private urban water suppliers. Please also note that the County is not the only responsible agency for implementing water conservation measures. Urban and Agricultural Water Supplier's also require their own water conservation measures. Additional water conservation measures will also be implemented in the future (see Senate Bill 7, from the Seventh Extraordinary Session in 2009 [requiring a reduction in per capita water use by 20% by 2020 by Urban and Agricultural Water Suppliers]).

Response to Comment I11-83:

The commenter is referred to the response prepared for Comment I11-82 and 39.

Response to Comment I11-84:

Comment noted. Please see Response to Comment I11-39 for discussion Table 3.9-17 in the RDEIR. Please also see Response to Comment I11-37 for discussion of the County's Water Supply analysis which addressed project buildout of the proposed general plan (including residential, commercial, industrial, and agricultural uses).

Response to Comment I11-85:

The commenter's general opinion regarding the General Plan 2030 Update and RDEIR's reliance on unenforceable policies is incorrect. Please see Master Response #3 for discussion of policy enforceability. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #3 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Response to Comment I11-86:

The commenter provides several suggestions for additional policies or implementation measures. These suggestions include the following:

- Complying with AB 162 (creating water recharge basins to catch floodwaters) – No change made. Addressed by the following existing policy:
 - **WR-3.9 Establish Critical Water Supply Areas.** The County shall designate Critical Water Supply Areas to include the specific areas used by a municipality or community for its water supply system, areas critical to groundwater recharge, and

other areas possessing a vital role in the management of the water resources in the County *[New Policy]*

- Additionally, the commenter is directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update's compliance with AB 162 and available flood-related maps, mandating drought tolerant landscaping, drip irrigation, and heavy mulching in all new development – No change made. Addressed by existing policy:
 - **WR-3.5 Use of Native and Drought Tolerant Landscaping.** The County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation *[New Policy]*.
- Enforcing AB 1881 Model Water Efficient Landscape Ordinance:

The Updated Model Water Efficient Landscape Ordinance became effective within Tulare County on January 1, 2010 (see <http://www.water.ca.gov/wateruseefficiency/docs/DirectorLetterAdoption.pdf>). No additional policy necessary.

- Provide incentives to replace lawns in existing development with drought tolerant landscaping and drip irrigation – No change made. Addressed by existing policy:
 - **WR-3.5 Use of Native and Drought Tolerant Landscaping.** The County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation *[New Policy]*.
- Mandating the most water efficient showerheads, washing machines, dishwashers, toilets and hot water heaters in all new development:

The County already has a number of water conservation measures incorporated into the County Ordinance code. These requirements would remain or be strengthened as a result of the proposed General Plan. Currently County Ordinance code Section 8-07-1180 requires the use of low flush water saving toilets for new construction. No additional policy necessary.

- Providing incentives for replacing water inefficient appliances in older homes, especially disadvantaged communities.

While the General Plan 2030 Update has no specific policy addressing this issue, the County currently complies with energy requirements under title 24 and the County supports several similar incentive programs currently offered by local energy providers (i.e., PG&E, SCE, etc.). No additional policy necessary. No existing policy.

- Require new development to offset their water demand 2:1.

CEQA impacts are based upon a comparison to existing conditions (See CEQA Guidelines Section 15125). Requiring an offset of 2:1 would exceed the requirements of CEQA in this circumstance (i.e. addressing the impacts of the project), and is therefore considered infeasible. No additional policy necessary.

The commenter is referred to Response to Comment I11-71.

Response to Comment I11-87:

The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis. As indicated in the comment, the impact clearly remains significant and unavoidable. Please see Master Response #11 regarding Yokohl Ranch. As discussed therein the Yokohl Ranch project is not part of the proposed project addressed in this RDEIR, and is undergoing its own CEQA review.

Response to Comment I11-88:

The RDEIR discusses impacts of projected development related to impermeable surfaces. See Response to Comment I11-55, and RDEIR pages 3.6-38, 3.6-42, 3.6-45, and 3.9-40. The proposed General Plan contains a number of measures to increase permeable surfaces and capture stormwater. See Response to Comment I11-91 for greater detail.

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. As discussed in the previous response to comment, Yokohl Ranch is not part of the proposed project.

The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. For the RDEIR, the commenter is directed to page 3.6-34 which clearly identifies the significance criteria used for the analysis of Impact 3.6-3. The impact discussion for Impact 3.6-3 is provided on pages 3.6-48 through 3.6-50 of the RDEIR. As indicated in the analysis, the impact conclusion is based on a number of policies designed to reduce the generation of erosion or sedimentation and siting future development away from possible flood-prone areas. Policies ERM-7.3, PFS-4.1, PFS-4.4, and WR-2.1 through WR-2.8 protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities. Policies FGMP-8.3, HS-1.4, HS-1.5, HS-1.11, HS-5.1 through HS-5.11 minimizes flooding impacts in floodplains through avoidance of development in floodplains and implementation of flood control measures. A number of policies require new development to minimize water quality impacts through implementation of development standards, best management practices, and adherence to water quality regulations (see Policies FGMP-8.2, FGMP-8.7, FGMP-8.8, FGMP-8.12, PF-5.2, PFS-1.3, PFS-4.2, PFS-4.3, PFS-4.4, PFS-4.5, PFS-4.7, and PFS Implementation Measure #7). Policy WR-1.9 requires monitoring and collection of surface water quality data. Additionally, Policy PFS-1.3 and Public Facilities and Services Implementation Measures #1, #2, and #3 provide for the funding mechanism to provide additional or expanded services in conjunction with new development. The complete list of policies identified in the RDEIR is provided below in the following summary table.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resource Management Element, Health and Safety Element, and Foothill Growth Management Plan		Public Facilities and Services Element, Water Resources Element, and Planning Framework Plan	
Policies designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:			
ERM-7.3 Protection of Soils on Slopes FGMP-8.2 Development Drainage Patterns FGMP-8.6 Development in the Frazier Valley Watershed HS-5.9 Floodplain Development Restrictions		PF-5.2 Criteria for New Towns (Planned Communities) PFS-1.3 Impact Mitigation PFS-4.1 Stormwater Management Plans PFS-4.2 Site Improvements PFS-4.3 Development Requirements PFS-4.4 Stormwater Retention Facilities PFS-4.5 Detention/Retention Basins Design PFS-4.6 Agency Coordination PFS-4.7 NPDES Enforcement PFS Implementation Measure #7 WR-1.9 Collection of Additional Surface Water Information WR-2.1 Protect Water Quality WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement WR-2.3 Best Management Practices (BMPs) WR-2.4 Construction Site Sediment Control WR-2.5 Major Drainage Management WR-2.6 Degraded Water Resources WR-2.7 Industrial and Agricultural Sources WR-2.8 Point Source Control WR Implementation Measure #14, #16, and #17	
Foothill Growth Management Plan		Water Resources Element	
Policies designed to minimize this water quality impact through adherence to appropriate best management practices designed to address soil erosion include the following:			
FGMP-8.7 Minimize Soil Disturbances FGMP-8.8 Erosion Mitigation Measures FGMP-8.12 Vegetation Removal		WR-2.3 Best Management Practices (BMPs)	
Health and Safety Element, Public Facilities and Services Element, and Foothill Growth Management Plan			
Policies designed to minimize this impact through the preservation of floodplain areas and the management of new development in hazardous areas include the following:			
FGMP-8.3 Development in the Floodplain HS-1.4 Building and Codes HS-1.5 Hazard Awareness and Public Education HS-1.11 Site Investigations HS-5.1 Development Compliance with Federal, State, and Local Regulations HS-5.2 Development in Floodplain Zones HS-5.3 Participation in Federal Flood Insurance Program HS-5.4 Multi-Purpose Flood Control Measures HS-5.5 Development in Dam and Seiche Inundation Zones		HS-5.6 Impacts to Downstream Properties HS-5.7 Mapping of Flood Hazard Areas HS-5.8 Road Location HS-5.9 Floodplain Development Restrictions HS-5.10 Flood Control Design HS-5.11 Natural Design PFS-4.1 Stormwater Management Plans PFS-4.3 Development Requirements PFS-4.6 Agency Coordination	
Public Facilities and Services Element			
Public Facilities and Services Implementation Measures designed to ensure funding for County utilities to provide adequate service levels include the following:			
Public Facilities and Services Implementation Measure #1 Public Facilities and Services Implementation Measure #2 Public Facilities and Services Implementation Measure #3			

Consequently, with this wide range of measures, the impact is considered less than significant.

Response to Comment I11-89:

Please see Master Response #11 regarding Yokohl Ranch. As discussed therein the Yokohl Ranch project is not part of the proposed project addressed in this RDEIR, and is undergoing its own CEQA review. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I11-90:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-91:

The commenter is incorrect. The General Plan contains a number of policies designed to accomplish the capture and detention of stormwater runoff. The commenter is directed to the Public Facilities and Services Element of the General Plan 2030 Update. Specific policies from that element include the following:

- **PFS-4.1 Stormwater Management Plans.** The County shall consider the preparation and adoption of stormwater management plans for communities and hamlets to reduce flood risk, protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities, and develop funding mechanisms *[New Policy]*
- **PFS-4.2 Site Improvements.** The County shall ensure that new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, and Area Plans includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater *[New Policy]*
- **PFS-4.3 Development Requirements.** The County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance *[New Policy]*
- **PFS-4.4 Stormwater Retention Facilities.** The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge *[New Policy]*
- **PFS-4.5 Detention/Retention Basins Design.** The County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible *[New Policy]*

In addition to the above mentioned policies, the County follows a number of additional regulations designed to address stormwater management and retention including the Tulare County Ordinance Code for Regulation and Planning all with CEQA procedures.

Groundwater recharge areas have also already been implemented in other parts of the County, a fact recognized by the Commenter (see Comment I11-119 [“On the other hand, Tulare Irrigation District and the Kaweah Delta Water Conservation District have created recharge basins.”]).

The commenter is referred to Response to Comment I11-114.

Response to Comment I11-92:

The commenter is directed to Section 3.4 “Energy and Global Climate Change” of the RDEIR, and Response to Comment I11-77.

Response to Comment I11-93:

The commenter is directed to the responses for I11-88, I11-41, and I11-100 which describe the analysis provided in the RDEIR to address these impacts.

Response to Comment I11-94:

The commenter is referred to the response prepared for Comment I11-20, which describes the analysis conducted to address wildland fires.

Response to Comment I11-95:

The County assumes that the commenter is directing its question to Impact 3.7-1 “The proposed project could result in substantial soil erosion or the loss of topsoil.” The RDEIR addresses the issue of soil erosion on pages 3.7-17 through 3.7-18 of the document. The analysis includes a description of the process of erosion and describes the various factors that contribute to erosion include topography. The analysis continues with a description of the various State regulations designed to address accelerated erosion rates, including the use of a variety of best management practices. With the implementation of these best management practices, erosion-related effects can be minimized through implementation of the policies provided as part of the Water Resources and Health and Safety Elements in the Goals and Policies Report (Part I of the General Plan 2030 Update).

A complete list of the policies referenced in the RDEIR is summarized in the table below. Key policies include, policies WR-2.2, WR-2.3, and WR-2.4 relate specifically to monitoring construction activities through NPDES enforcement, requiring the use of Best Management Practices (BMPs), and other mitigation measures designed to control erosion and protect surface water and groundwater from the adverse effects of construction activities. Other policies from the Health and Safety Element (see Policies HS-2.3 and HS-2.4) limit construction-related activities and development in areas with slopes in excess of 30 percent, which could result in several public safety issues and increased hillside erosion. Part II, Area Plans, of the Goals and Policies Report of the General Plan 2030 Update also includes a number of similar policies in the FGMP (see Policies FGMP-1.11, FGMP-4.1, FGMP-8.2, FGMP-8.7, FGMP-8.8, FGMP-8.10, FGMP-8.11, FGMP-8.12, FGMP-9.4) that have been developed to address a variety of environmental issues (including soil erosion) specific to this unique County area. Consequently, with implementation

of these various policies and implementation measure, the impact was determined to be less than significant.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Water Resources Element		Health and Safety Element	
Policies and implementation measures designed to address soil erosion impacts include the following:			
WR-1.10	Channel Modification	HS-2.3	Hillside Development
WR-2.2	NPDES Enforcement	HS-2.4	Structure Siting
WR-2.3	Best Management Practices		
WR-2.4	Construction Site Sediment Control		
Foothill Growth Management Plan			
FGMP-1.2	Grading	FGMP-8.8	Erosion Mitigation Measures
FGMP-1.11	Hillside Development	FGMP-8.10	Development in Hazard Areas
FGMP-4.1	Identification of Environmentally Sensitive Areas	FGMP-8.11	Development on Slopes
FGMP-8.2	Development Drainage Patterns	FGMP-8.12	Vegetation Removal
FGMP-8.7	Minimize Soil Disturbances	FGMP-9.4	Soil Conditions and Development Density
		FGMP Implementation Measure #7, #14 and #33	

Response to Comment I11-96:

The commenter's general opinion regarding the General Plan 2030 Update and RDEIR's reliance on unenforceable policies is incorrect. Please see Master Response #3 for discussion of policy enforceability. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #3 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

As further noted in Master Response #3, the General Plan policies and implementation measures should be considered as part of a comprehensive system and should not be viewed individually. These policies will be interpreted in relationship to the other *goals*, policies, and implementation measures contained in the General Plan which provide additional clarity on how they will be implemented and the goals and standards by which they will be achieved . Each Section in the RDEIR provides an overview of the existing regulations as well as a plethora of goals, policies, and implementation measures designed to help avoid impacts. See RDEIR Sections 3.6 and 3.9 for further details.

Please also see Response to Comment I11-91 for discussion of stormwater policies. The comment also suggests revisions to FGMP Policy 8.6 to apply to "all run off." These revisions are not considered feasible to implement. The County has limited authority to alter existing development

(i.e. existing grandfathered development). However, as new development/revisions are proposed to existing facilities, the policies described in Response to Comment I11-91 will become applicable.

The comment also suggests that FGMP Implementation Measure 24 requires “measurement standards.” As noted in Master Response #3, the General Plan policies and implementation measures should be considered as part of a comprehensive system and should not be viewed individually. FGMP Implementation Measure 24 is to implement Policy FGMP-8.6 which already contains the “no additional runoff” requirement.

The comment also questions implementation of NPDES enforcement. This is a federal requirement from the Clean Water Act (CWA). See RDEIR page 3.6-5 which discusses the CWA requirements.

The comment also suggests prohibiting development in hazardous places. Such a general prohibition could result in potential property takings. Such a broad prohibition on development is considered legally infeasible.

Response to Comment I11-97:

The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis. Please also see Response to Comment I11-14 regarding the choice of the thresholds of significance.

Response to Comment I11-98:

Please see Response to Comment I11-14 regarding the choice of the thresholds of significance. The significance criteria used to address Impact 3.6-4 is clearly identified on page 3.6-34. As clearly indicated on page 3.6-34, the significance criteria for the analysis were adapted from criteria presented in Appendix G “Environmental Checklist Form” of the CEQA Guidelines. The reference to “professional judgment” refers to the County’s (and/or consultants) consideration of additional local or regional standards that can also provide guidance on the evaluation of a particular impact. In the case of Impact 3.6-3, no additional standards were considered appropriate to refine the proposed significance criteria.

Response to Comment I11-99:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-100:

The RDEIR addresses Impact 3.6-4 on pages 3.6-50 through 3.6-52 of the document. The thresholds of significance for chapter 3.6 are provided on RDEIR page 3.6-34. The analysis includes a description of stormwater infrastructure and identifies possible sources of polluted

runoff associated with new developed envisioned under the General Plan 2030 Update. The analysis continues with a description of key policies that have been designed to address this issue. These key policies are summarized in a table provided below and include a variety of measures including site/development standards, flood control measures, infrastructure requirements, and best management practices.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resource Management Element, Health and Safety Element, and Foothill Growth Management Plan	Public Facilities and Services Element, Water Resources Element, and Planning Framework Plan
Policies designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:	
ERM-7.3 Protection of Soils on Slopes FGMP-8.2 Development Drainage Patterns FGMP-8.6 Development in the Frazier Valley Watershed HS-5.9 Floodplain Development Restrictions	PF-5.2 Criteria for New Towns (Planned Communities) PFS-1.3 Impact Mitigation PFS-4.1 Stormwater Management Plans PFS-4.2 Site Improvements PFS-4.3 Development Requirements PFS-4.4 Stormwater Retention Facilities PFS-4.5 Detention/Retention Basins Design PFS-4.6 Agency Coordination PFS-4.7 NPDES Enforcement WR-1.9 Collection of Additional Surface Water Information WR-2.1 Protect Water Quality WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement WR-2.3 Best Management Practices (BMPs) WR-2.4 Construction Site Sediment Control WR-2.5 Major Drainage Management WR-2.6 Degraded Water Resources WR-2.7 Industrial and Agricultural Sources WR-2.8 Point Source Control WR Implementation Measure #14, #16, and #17
Foothill Growth Management Plan	Water Resources Element
Policies designed to minimize this water quality impact through adherence to appropriate best management practices designed to address soil erosion include the following:	
FGMP-8.7 Minimize Soil Disturbances FGMP-8.8 Erosion Mitigation Measures FGMP-8.12 Vegetation Removal	WR-2.3 Best Management Practices (BMPs)
Health and Safety Element and Foothill Growth Management Plan	Public Facilities and Services Element
Policies designed to minimize this impact through the preservation of floodplain areas and the management of new development in hazardous areas include the following:	
FGMP-8.3 Development in the Floodplain HS-1.4 Building and Codes HS-1.5 Hazard Awareness and Public Education HS-1.11 Site Investigations HS-5.1 Development Compliance with Federal, State, and Local Regulations HS-5.2 Development in Floodplain Zones HS-5.3 Participation in Federal Flood Insurance Program HS-5.4 Multi-Purpose Flood Control Measures HS-5.5 Development in Dam and Seiche Inundation Zones HS-5.6 Impacts to Downstream Properties HS-5.7 Mapping of Flood Hazard Areas HS-5.9 Floodplain Development Restrictions HS-5.10 Flood Control Design HS-5.11 Natural Design	PFS-4.1 Stormwater Management Plans PFS-4.3 Development Requirements PFS-4.6 Agency Coordination

Public Facilities and Services Element

Public Facilities and Services Implementation Measures designed to ensure funding for County utilities to provide adequate service levels.

Public Facilities and Services Implementation Measure #1
Public Facilities and Services Implementation Measure #2
Public Facilities and Services Implementation Measure #3

Consequently, with implementation of these various policies and implementation measure, the impact was determined to be less than significant.

Please see Response to Comment I11-91 for discussion of policies related to stormwater infiltration.

Response to Comment I11-101:

The comment regarding seasonal pollutant load concerns is noted. As noted in previous comments, existing conditions are not impacts of the proposed project. Please see Response to Comment I11-88 and I11-91 and RDEIR page 3.6-50 for discussion of the stormwater impact analysis.

The commenter also expresses concern associated with “anything swept, or poured into the street or gutter, or catch basin.” As noted in the environmental setting discussion on RDEIR page 3.6-27 the primary source of water quality issues are “high TDS, nitrate, arsenic, and organic compounds such as herbicides, pesticides and fertilizers, as well as instances of radiological parameters such as uranium and radium 228.” The proposed project would replace existing sources of agricultural organic compounds such as herbicides, pesticides and fertilizers and replace them with new urban uses which have fewer water quality problems. Furthermore, as discussed under Impact analysis 3.6-5 in Section 3.9, the proposed project contains policies which require new development to pay for infrastructure which would include stormwater infrastructure as well as solid waste infrastructure such as public and private garbage/recycling receptacles (see Section 3.9). New infrastructure will include stormwater facilities which will be designed to include catch basins to capture trash and other solid waste. As further discussed on RDEIR page 3.9-56 there are also policies and implementation measures designed to reduce per capita solid waste generation. The County also contains a number of recycling facilities to reduce illegal dumping, of oil, pesticides, paint, and other household products as discussed on RDEIR page 3.8-11. Also, please see Master Response #3.

Response to Comment I11-102:

The comment regarding James May’s presentation to the Tulare County Water Commission is noted. These are existing conditions and not considered impacts resulting from implementation of the proposed project.

Response to Comment I11-103:

As discussed in Response to Comment I11-77, existing conditions are not impacts of the proposed project as suggested in the comment letter (see also CEQA Guidelines Section 15125, 15126.2(a)). Therefore, existing groundwater overdraft and existing water quality issues do not necessitate the proposed project resulting in a “significant” impact (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

Response to Comment I11-104:

The commenter is directed to the responses for I11-88, I11-41, and I11-100 which describe the analysis provided in the RDEIR to address these impacts. Please see Master Response #4 regarding the level of detail in the RDEIR. Please also note that CEQA Guidelines Section 15125 states that “the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” The level of detail requested by the comment is not feasible or required to determine the impacts of the project (see also CEQA Guidelines Section 15125).

Please see Response to Comments I11-32 and I11-77 which discuss public health related to Air Quality and Water Quality.

Response to Comment I11-105:

The commenter is referred to the response prepared for Comment I11-20 and I11-77. As noted in Response to Comment I11-77 the thresholds in Section 3.6 (Hydrology, Water Quality, and Drainage) and 3.8 (Hazardous Materials and Public Safety [Fires]) address the direct impacts of the proposed project within and around Tulare. Secondary indirect impacts associated with climate change are addressed and discussed in RDEIR Sections 3.4 starting on page 3.4-15. However these effects are discussed at a programmatic level of detail and are not necessarily specific to Tulare County. As discussed on RDEIR page 3.4-15, the analysis discusses “global” climate change effects as well as effects “from a statewide perspective.” The significance conclusions in Sections 3.6 and 3.8 are not inconsistent with the discussion in Section 3.4. The analyses simply address separate sources of impacts and different geographic locations which allow decision makers to better tailor policies and mitigation measures to address the source of the impacts. For example impacts associated with climate change can be most easily addressed through reductions in greenhouse gas emissions, whereas direct impacts associated with new development are reduced through specific development requirements, such as those outlined in Response to Comment I11-91.

Response to Comment I11-106:

The commenter is referred to the response prepared for Comment I11-100.

Response to Comment I11-107:

As discussed General Plan page 1-7 the “Conservation Element” is contained in the Environmental Resource Management Element (General Plan Part 1, Component C, Section 8). Additional flood related policies are included in Section 10.5 of the General Plan. State planning law allows jurisdictions a degree of flexibility to developing elements in conformance with the State mandated elements (Government Code Section 65301(a) [“The general plan may be adopted in any format deemed appropriate or convenient by the legislative body, including the combining of elements.”])). The commenter is also directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update’s compliance with AB 162 and available flood-related maps. The comment also states that “Health and Safety Element prohibits critical facilities development in floodplains but does not dictate standards for other construction in the 100-year flood plain. Elsewhere in the General Plan 2030 Update, development is allowed in groundwater recharge basins if the development is “clustered.” Please see Master Response #3 and #4 for policy enforceability and the level of detail required. The comment is incorrectly assumes “flood plains” and “groundwater recharge basins” are the same. While there may be some overlap, these areas and terms are not synonymous. Furthermore, the General Plan does not “allow” development in recharge basins, if development is clustered. While the comment does not cite the component of the General Plan they believe stands for this concept, the commenter discussed Implementation Measure 6 previously which discusses clustering development. However this implementation measure requires the county to “avoid destruction of established recharge sites through such means as clustering development *to leave such areas [recharge sites] in open space*, avoidance of lining channels and streams, alteration of existing agricultural practices, or substitutions made of drainage methods that will transport polluted waters away from such sites” (Emphasis added).

Response to Comment I11-108:

The commenter is referred to the response prepared for Comment I11-18. The comment is also directed to page ES-7 of the RDEIR, which notes that the Background Reports were incorporated by reference and made available as Appendix B of the RDEIR. “Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or negative declaration” (CEQA Guidelines Section 15150).

Response to Comment I11-109:

The commenter’s reference to the General Plan Background Report is noted. Please see Response to Comment I11-108.

Response to Comment I11-110:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-111:

The commenter's general reference to weak policies is noted.

Response to Comment I11-112:

Comment noted. Please see Response to Comment I11-22. While the commenter disagrees with the FEMA maps, the County is required to include the FEMA maps. Furthermore, the ordinance referenced in the comment has been updated over the years included revisions in 1997, 1998, and 2001 (see County Ordinances 3184, 3212, 3262). Please also note that the RDEIR pages 3.6-14 and 3.6-53 explain that the ordinance is in the process of being updated. See Part VII, Chapter 27 of the Tulare County Code for the Flood Damage Prevention Ordinance.

Response to Comment I11-113:

The commenter's reference to the Tulare County Chapter 27 Flood Damage Prevention document is noted. Note that the document is also available online for free at: <http://www.co.tulare.ca.us>. The link can be found on the "County Government" page in the "County Ordinance Code" link under the "Related Information" side menu.

The commenter is referred to RDEIR Section 3.6, Impact 3.6-5 for discussion of stormwater impacts. The comment is also referred to Master Response #3 for guidance on the enforceability of policies and implementation measures contained in the general plan and #4 for a description of how the General Plan is implemented, including revisions to existing ordinances (for example Ordinance #3212, effective October 10, 1998).

The comment also suggests that new mobile homes in existing mobile home parks and subdivisions would be at risk. As discussed above, existing development (including existing mobile homes, and subdivisions) are not impacts of the proposed project. Furthermore, the proposed General Plan contains policies designed to reduce flood related impacts and to move new development away from flood areas, as discussed on RDEIR page 3.6-54. Contrary to the comment, these policies include limiting development in flood areas. For example Policy HS-5.9 states "The County shall ensure that riparian areas and drainage areas within 100-year floodplains are free from development that may adversely impact floodway capacity or characteristics of natural/riparian areas or natural groundwater recharge areas." In addition to these policies, the County follows guidance provide by the building code when addressing development and flood-related conditions.

Response to Comment I11-114:

The commenter's reference to low impact development standards is noted. The commenter is referred to the response prepared for Comment I11-91 and I11-107. As noted in these comments the County has proposed policies which would retain stormwater on site. However, as discussed in Master Response #4, the General Plan is a policy level document, with the EIR prepared as a program –level document. Additionally, the commenter is referred to Master Response #3 which provides guidance on the enforceability of policies and implementation measures contained in the general plan. While many of these options may ultimately be contained in future ordinances and

guidelines designed to implement the General Plan, the level of detail requested by comment (i.e. the specific types of retention options) is not possible. As discussed in these Master Responses and Response to Comment I11-2, there are methods for ensuring that the General Plan will be implemented, including drafting of new ordinances (see proposed General Plan Water Resources Implementation Measure 1 [which includes an ordinance which addresses “injury to water *replenishment*, storage and restoration”]; See also Gov. Code §§ 65359, 65400, 65455, and 65860 [which explain how the General Plan is implemented]).

Response to Comment I11-115:

The commenter’s reference to the Porter-Cologne Act is noted. All of these statutory and regulatory requirements were discussed in the RDEIR, starting on page 3.6-5.

Response to Comment I11-116:

The commenter is incorrect regarding the lack of low impact development standards. The commenter is referred to the response prepared for Comment I11-91 and I11-114.

Response to Comment I11-117:

The commenter’s general opinion regarding the General Plan 2030 Update and RDEIR’s reliance on unenforceable policies is incorrect. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #3 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

As noted in Master Response #3, the General Plan policies and implementation measures should be considered as part of a comprehensive system and should not be viewed individually. These policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the General Plan which provide additional clarity on how they will be implemented and the goals and standards by which they will be achieved. Each Section in the RDEIR provides an overview of the existing regulations as well as a plethora of goals, policies, and implementation measures designed to help avoid impacts.

The comment also faults certain policies for lack of a time frame (for example comment on HS-1.11). As discussed above the policies will be part of the General Plan once it is approved. However, at this time there is no site specific development proposed with the General Plan.

Therefore, it is not possible to provide project level details, such as when “site investigations” will occur.

The commenter also questions why Tulare County Flood Prevention Ordinance is not in the General Plan 2030 Update. The County has discretion to determine what should be in the General Plan 2030 Update. However, simply because a regulation or ordinance is not in the General Plan 2030 Update does not change its applicability or effectiveness. As noted in the Master Response #3, the General Plan does not stand alone from a statutory or regulatory perspective. Other laws will also shape the way development occurs within the County. The commenter is also directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update’s compliance with AB 162 and available flood-related maps that have incorporated into the General Plan 2030 Update.

The commenter also suggests that numerous policies need to be revised to be mandatory. Please See Master Response #3 for discussion of General Plan policy language.

Response to Comment I11-118:

Comment noted. The commenter is also directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update’s compliance with AB 162 and available flood-related maps that have incorporated into the General Plan 2030 Update.

Response to Comment I11-119:

Please see Response to Comment I11-91 for discussion of stormwater retention facilities. The comment suggests that there the project does not prevent “development in potential water retention basins.” This is incorrect; please see Response to Comment I11-113.

The comment also states that the Flood Control Master Plan was not included in the General Plan Update. As discussed in Response to Comment I11-117, the County has discretion to determine what to put into the General Plan. However, simply because a plan, regulation, or ordinance is not in the General Plan, does not mean that it would not be applicable to development under the proposed project. Furthermore, the Flood Control Master Plan was included (incorporated) into the proposed General Plan Update (see General Plan, Part I, Component D, Chapter 15, page 15-1).

The comment also suggests there are new FEMA flood Maps from 2008. RDEIR Figure 3.6-5 notes that the 2008 FEMA maps were a source for this figure. The commenter is also directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update’s compliance with AB 162 and available flood-related maps that have incorporated into the General Plan 2030 Update.

The comment also raises concerns regarding water supplied from northern California as a result of recent judicial decisions. The RDEIR discusses the uncertainty in imported surface water on pages 3.6-18. The RDEIR also discusses the certainty of imported water and the judicial decision referenced in the Comment on page 3.6-18, 3.9-37, 3.9-40, 3.9-41 (Delta Supply Issues). Similar information is discussed in RDEIR Appendix G, Section 3.3.

Furthermore, the Water Supply analysis starting on page 3.9-43 provided several different scenarios which involved changes in water supply. Scenario 2 provides the typical CEQA analysis in comparison to baseline conditions (i.e. historical supply). However, Scenarios 3 and 4 go beyond this requirement and provide information related to constrained future water supplies below baseline levels, including future restraints resulting from groundwater overdraft, San Joaquin River Restoration Settlement Agreement, Population Growth Within and Near Tulare County, Joint Management of Shared Aquifers, Groundwater Adjudications, Water Transfers and Exchanges, Delta Supply Issues, Climate Change and Variability, Institutional Issues Affecting Water Supplies (see also RDEIR Appendix G Section 3.3).

The commenter is also directed to Response to Comment I11-88 for discussion of flood related development policies.

Response to Comment I11-120:

The commenter's brief summary of previously identified comments is noted. Please also see Response to Comment I11-22.

Response to Comment I11-121:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. As noted in Master Response #11, the Yokohl Ranch project is not part of the proposed project.

Response to Comment I11-122:

As noted in Master Response #11, the Yokohl Ranch Project (a proposed development in the foothills) is not part of the proposed project. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

The commenter also expresses concerns regarding the existing conditions of the levees. Existing flood protections are described in the RDEIR starting on pages 3.6-29 and 3.6-33. Furthermore, RDEIR page 3.6-7 ("California Valley Flood Protection Board") and page 3.6-8 discuss regulations for those areas located adjacent to the levees and designated floodways. The RDEIR provides a description and analysis of several key ways in which levees could fail (see RDEIR Impact 3.6-6).

Response to Comment I11-123:

The background information regarding Success Dam is noted. Please also note that the RDEIR discloses the Dam Failure Inundation Zones in Figure 3.6-5.

Response to Comment I11-124:

The background information regarding inundation areas for the study area is noted. Please also note that the RDEIR discloses the Dam Failure Inundation Zones in Figure 3.6-5.

The comment also suggests that all development within potential inundation zones must not be developed. As discussed under Impact 3.6-6 there are numerous policies in the proposed General Plan designed to reduce or avoid impacts associated with development in flood areas. It is also important to note that specific development is not proposed with the General Plan. Site specific development will be reviewed as specific projects are proposed. However an outright ban on all types of development is considered infeasible for legal, environmental, and policy reasons as this could potentially result in an unconstitutional taking. However, as noted in Section 3.6, the proposed General Plan contains Policy HS-5.2 which greatly limits most types of development within flood zones.

Furthermore, it is important to note that the County will need to balance other considerations in determining whether to approve or disapprove development. For example, an outright ban might result in a reduction in impacts associated with flood zones, however this might result in impacts to other resource areas by forcing development into areas associated with fire hazard, geologic hazards, or resulting in increased sprawl thereby potentially forcing development into critical habitat or increasing vehicle miles traveled and greenhouse gases. The County must maintain some flexibility in the General Plan which allows the decision makers to balance all resource areas and hazards and the peculiarities of specific parcels and projects. Such flexibility would not be accomplished with an outright ban on development suggested in the comment.

Response to Comment I11-125:

The background information regarding Success Dam is noted.

Response to Comment I11-126:

The commenter's general opinion regarding the General Plan 2030 Update and RDEIR's reliance on unenforceable policies is incorrect. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

The comment is also referred to Response to Comment I11-124 and Master Response #3 for discussion of policy implementation and enforceability.

Response to Comment I11-127:

The commenter is incorrect regarding the lack of low impact development standards. The commenter is referred to the response prepared for Comment I11-91.

Response to Comment I11-128:

The commenter concurrence with the impact conclusion for flooding impacts is noted.

Response to Comment I11-129:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I11-130:

The RDEIR provides a description of several key ways in which erosion can be developed. The description is not intended to be a comprehensive or exhaustive list.

Response to Comment I11-131:

The commenter's reference to development standards contained in the Foothill Growth Management Plan is noted. Please see Master Response #4. As discussed therein, policies should not be reviewed individually but as part of the full comprehensive General Plan. Numerous standards are contained in the General Plan policies, for example see FGMP-8.2, FGMP-8.4, FGMP-8.8. Furthermore the policies only allow development on slopes greater than 30 percent if the applicant can mitigate impacts from those developments. More detailed information is already contained in County Ordinance code Part VII, Article 7 (Excavation and Grading) which would be bolstered and strengthened by the new policies. More Specifically see 7-15-1420(d), (e), (f), and (g) [protective measures near watercourses and revegetation requirements] and 7-15-1380 [protective measures such as hydromulching, berms, interceptor ditches, subsurface drains, terraces, and/or sediment traps in order to prevent erosion.].

Response to Comment I11-132:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment I11-133:

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment I11-134:

The commenter's reference to low impact development standards is noted. The commenter is referred to the response prepared for Comment I11-91.

Response to Comment I11-135:

The commenter is referred to the response for Comment I11-95 and I11-132.

Response to Comment I11-136:

The commenter's general opinion regarding the General Plan 2030 Update and RDEIR's reliance on unenforceable policies is incorrect. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Please also see Response to Comment I11-131 and Master Response #3 which discusses General Plan implementation and enforceability.

Response to Comment I11-137:

The commenter asks why the language for Impact 3.8-6 varies from the language used in the CEQA Appendix G environmental checklist. Please see Response to Comment I11-14. The lead agency (Tulare County) has discretion to set its own significance criteria. While Appendix G is sometimes adopted, in part, to determine a project's significant impacts, Appendix G was created for the purpose of evaluating potential impacts for an initial study. However, the Guidelines make clear that Appendix G is not mandatory. The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis.

The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-138:

The commenter expresses general disagreement with the determination in the RDEIR that Impact 3.8-6 would result in a less than significant impact, and also questions whether the valley would experience wildland fires. Wildland fires affect grass, forest and brushlands, as well as any structures on these lands. The type and amount of fuel (i.e. grass, brush, and other flammable materials), topography are factors that influence the degree of fire risk, (RDEIR, p. 3.8-28). While the commenter is generally correct in stating that wildland fires are more common in the foothill and mountain areas due to the presence of vegetation (including chaparral habitat) conducive to wildland fires, the transition areas between the valley and foothill areas can also contain vegetation that is conducive to these types of fires. The commenter is referred to Figure 3.8-2 “Wildland Fire Threat” (page 3.8-31 of the RDEIR); chaparral areas identified in Figure 3.11-1 “Habitat” are generally included in the “high” or “very high” fire risk areas. Additionally, while the valley is predominately comprised of agricultural uses, portions of the valley also contain grassland areas and other vegetation types that can also be conducive to wildland fire conditions, as discussed in the RDEIR, this impact would be similar in all geographic planning areas within the County because of the nature of the impact. The commenter is referred to the response for Comment I11-20.

Response to Comment I11-139:

The commenter opinion regarding the ISO ratings for the foothill and mountain areas is noted. Discussion of ISO ratings in the Background Report and the RDEIR refers to incorporated areas of the County. Analysis in the RDEIR for this impact uses the significance criteria on p. 3.8-30.

Response to Comment I11-140:

The comment generally criticizes the amount and type of development that the commenter assumes the General Plan 2030 Update would allow on slopes. The commenter also assumes that the County does not have applicable grading (cut and fill standards) for this type of development, which would, in the commenter’s view, exacerbate fire hazard risks in foothill and mountain areas. Part IV, Chapter 11 of the Tulare County Code contains provisions to protect the lands, fields, lots, buildings and homes within the County from the danger of fire. Also, fire risks are addressed by policies HS 6.1 through HS 6.15 in the General Plan 2030 Update, with a list of all key general plan policies designed as mitigation to address wildland fire concerns provided in the response to Comment I11-20. While the commenter is correct in stating that the potential risk for wildland fires is greater within the foothill and mountain areas of the County, please note that analysis in the RDEIR determined that Impact 3.8-6 (risk of loss, injury or death involving wildland fires) would be less than significant for the proposed project and each of the alternatives.

Response to Comment I11-141:

This comment expresses concern about potential building standards that would apply to Yokohl Ranch. Please see Master Response #11 for discussion of Yokohl Ranch proposal. Please note that the Yokohl Ranch Project is not included as part of the proposed project and will not be considered for approval as part of the general plan 2030 update project. It should however be noted that it was discussed under the Cumulative analysis on page 5-6 of the RDEIR. Please see Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-142:

The commenter urges the County to follow recommendations of the 2009 California Climate Adaptation Strategy document, but does not identify any specific recommendations from that document. The commenter's concerns will be shared with decision makers prior to a decision on the proposed project.

Response to Comment I11-143:

The commenter's reference to Attachment 24 is noted. Attachment 24 is a newspaper clipping of an August 17, 2009 article published in the Wall Street Journal. The article discusses wildland fires and wildland firefighting in California in general terms. No further response is required. See *Environmental Protection & Info. Ctr. v California Dep't of Forestry & Fire Protection* (2008) 44 Cal.4th 459, 483, 487 [Holding that the lead agency need not respond to non-project-specific scientific articles and other reference materials that are submitted in support of comments].

Response to Comment I11-144:

The commenter indicates that chaparral habitat presents a high risk of fire, and refers to the habitat map of the RDEIR showing the distribution of chaparral habitat (Figure 3.11-1). Please see Figure 3.8-2 "Wildland Fire Threat" (page 3.8-31 of the RDEIR); chaparral areas identified in Figure 3.11-1 are generally included in the "high" or "very high" fire risk areas.

Response to Comment I11-145:

The threshold of significance used for the wildland fire analysis is provided on page 3.8-30 of the RDEIR:

"The proposed project would result in a significant impact if it would:

- 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."

Response to Comment I11-146:

The comment expresses a general criticism of the impact analyses and effectiveness of applicable building codes related to wildland fire risks, and recommends that the County avoid building in very high risk areas. The commenter's suggestion would likely require development restrictions that may affect individual property rights. Severe restrictions on development could result in takings, rendering such an alternative legally infeasible. The Fifth Amendment of the United States Constitution bars the "taking" of private property through land use regulations without just compensation, with certain exceptions (*Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003). Consequently, the incorporation of this restriction as part of the General Plan 2030 Update is considered infeasible and no further change to the general plan is required.

A list of all key general plan policies designed as mitigation to address wildland fire concerns is provided in the response to Comment I11-20. Please note that analysis in the RDEIR determined that Impact 3.8-6 (risk of loss, injury or death involving wildland fires) would be less than significant for the proposed project and each of the alternatives. In compliance with CEQA, impacts related to wildland fires have been adequately addressed in the RDEIR. The commenter is referred to the response for Comment I11-20, and I11-138 through I11-145, above.

Response to Comment I11-147:

The comment assumes that fire risks associated with development in the foothills and mountain areas would be significant, and states that effective mitigation must be mandatory. Commenter's specific concerns regarding risks associated with wildland fire are addressed in other responses, above and below. Please also see Master Responses #3 and #4 regarding enforceability and appropriate level of detail.

As noted in Master Response #5, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Please also see Response to Comment I11-19 for discussion of development in the foothills.

Response to Comment I11-148:

The commenter's suggestion to develop Fire Protection Plans for future projects is noted. Please see Master Response #4 regarding level of detail and programmatic nature of the RDEIR. In addition, this comment is addressed by FGMP policy 10.3 and HS policy 6.6.

Response to Comment I11-149:

The comment reiterates the commenter's opinion that the County can and should impose more stringent building standards in very high fire risk areas than the state standards. The commenter generally indicates, for example, that policies should require rather than promote the use of fire resistant materials. The commenter's specific concerns regarding risks associated with wildland fire are addressed in other responses, above and below. Please see Master Responses #3 and #4 regarding implementation, enforceability, and appropriate level of detail.

Response to Comment I11-150:

The commenter's reference to the Background Report regarding fire protection staffing levels is noted.

Response to Comment I11-151:

The commenter's reference to homes built in areas at risk of wildfire is noted. Part IV, Chapter 11 of the Tulare County Code contains provisions to protect the lands, fields, lots, buildings and homes within the County from the danger of fire. Also, fire risks are addressed by policies HS 6.1 through HS 6.15 in the General Plan 2030 Update.

Response to Comment I11-152:

The commenter identifies several policies and implementation measures from the General Plan 2030 Update and questions the use of should versus shall in regards to the enforceability of the policy. The commenter is referred to Master Response #3 regarding the use of enforceable policy language in the General Plan 2030 Update. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. Implementation Measures are specific actions, programs, procedures, or technique to help ensure that appropriate actions are taken to implement the General Plan; Implementation Measures are helpful, but not necessary to ensure implementation of each policy. Please see Master Response #7 for additional discussion of Implementation Measures. While the County continues to have independent power under its General Plan and manages growth within its jurisdictional boundaries, the proposed project is not intended to include complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The commenter's specific concerns regarding individual policies and implementation measures appear to reflect a general misunderstanding of how General Plans guide development. Please see Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

For specific comments regarding the terminology used (i.e., "fair share", "pay its own way", etc.) to identify the payment of fees by developers to address fair share costs of infrastructure, the commenter is reminded that the policies are intended to represent statements of general principles that will help to guide future County actions. Policies are not intended to identify specific numeric fees or to identify formulas that would be used to calculate future costs associated with development-related infrastructure. Specific impact fees are more appropriately referenced in the County's Impact Fee Program.

Please note that analysis in the RDEIR determined that Impact 3.8-6 (risk of loss, injury or death involving wildland fires) would be less than significant for the proposed project and each of the

alternatives; additional mitigation is not necessary (RDEIR pp. 3.8-33, 4-9). Regarding the wording of Policy HS-7.6, the policy current reads as follows:

- **HS-7.6 Search and Rescue.** The County should continue to provide search and rescue operation capabilities for the Tulare County Sheriff's Department in mountainous areas, including those areas on the eastern side of the Sierra Nevada that are not served by all weather roads. [*Safety Element; Plan Update; Policy 6*][*Safety Element (1975); Pg.9*].

As indicated in the policy, it is the County's intent to continue to support a variety of emergency response measures including search and rescue activities.

Response to Comment I11-153:

The RDEIR addressed these topics in Section 3.4 "Energy and Climate Change" and in Chapter 5 "Additional Statutory Considerations." Please see these sections for a description of climate change and cumulative impacts, including wildland fire risks.

Response to Comment I11-154:

The comment describes the commenter's opinions regarding the effects of climate change on wildland fire behavior. This comment does not address the content or adequacy of the RDEIR; no further response required. However, please see Response to Comment I11-153.

Response to Comment I11-155:

This EIR evaluates a proposed general plan and alternatives. Please see Master Response #4 for a discussion of the appropriate level of detail. Please see Master Response #11 for a discussion of Yokohl Ranch. Please note that the Yokohl Ranch Project is not included as part of the proposed project and will not be considered for approval as part of the general plan 2030 update project. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I11-156:

The comment expresses an opinion that compliance with California Fire Codes is inadequate to mitigate wildland fire risk. However, other proposed general plan policies would also reduce risks associated with wildland fires. A list of all key general plan policies designed as mitigation to address wildland fire concerns is provided in the response to Comment I11-20. Please note that analysis in the RDEIR determined that Impact 3.8-6 (risk of loss, injury or death involving wildland fires) would be less than significant for the proposed project and each of the alternatives.

Response to Comment I11-157:

The commenter believes that wildland fire risks should be considered significant, because the Yokohl Ranch Notice of Preparation indicated that wildfire risk for the Yokohl Ranch project would be significant. The Yokohl Ranch Project is a site specific project going through its own environmental review process and is not part of the proposed project. Please see Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-158:

The commenter lists and comments on questions from Appendix G of the CEQA Guidelines to indicate the commenter's preferences for significance thresholds. As indicated within each resource section of the RDEIR, Appendix G of the CEQA Guidelines was considered in the determination of significance criteria for each impact analysis. Please see Response to Comment I11-14 for additional discussion of significance criteria.

Response to Comment I11-159:

The commenter indicates that the California Fire Codes are intended to provide minimum standards. Please see Responses to Comments I11-20 and I11-156 for discussion of other policies and implementing measures that would address wildland fire risks.

Response to Comment I11-160:

The commenter's inclusion of sections from the General Plan Background Report related to fire hazards and fire prevention is noted.

Response to Comment I11-161:

The commenter includes "Wildfire-Safe New Construction Tips," including some product-specific recommendations. While the County acknowledges the importance of these recommendations, they are considered too specific to include as County policy. The County has addressed the issue of wildfire-safe construction tips through the existing development requirements and considerations identified in the following General Plan 2030 Update policies: .

- **HS-6.1 New Building Fire Hazards.** The County shall ensure that all building permits in urban areas, as well as areas with potential for wildland fires, are reviewed by the County Fire Chief *[New Policy] [Per Fire Manager Comments August 21, 2006]*.
- **HS-6.2 Development in Fire Hazard Zones.** The County shall ensure that development in extreme or high fire hazard areas is designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards. This shall include promoting the use of fire resistant materials designed to reduce fire vulnerability within high or extreme fire hazard areas through use of Article 86-A of the 2001 California Fire Code and other nationally recognized standards, as may be updated periodically. Special consideration shall be given to the use of fire-resistant-materials and fire-resistant-construction in the underside of eaves, balconies, unenclosed roofs and floors, and other similar horizontal surfaces in areas with steep slopes *[Safety Element; Public Safety and Standards; Policy 6][Safety Element (1975); Pg. 8, Modified] [Per Fire Manager Comments August 21, 2006]*.
- **HS-6.5 Fire Risk Recommendations.** The County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply, and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies *[Safety Element; Management and Funding; Policy 3] [Safety Element (1975); Pg. 8] [Per Fire Manager Comments August 21, 2006]*.

Response to Comment I11-162:

The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis. Please see Response to Comment I11-14 for further details.

Response to Comment I11-163:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41.

It should also be noted that existing environmental conditions (i.e. existing regional water supply issues) are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

Please also see Response to Comment I11-119 which discusses uncertainty in future water supplies. The comment also suggests that the RDEIR does “not ensure abundant, reliable, and safe drinking water.” As noted in the *Watsonville* case “[i]t is not necessary for an EIR for a general plan to establish a ‘likely source of water’.”

Response to Comment I11-164:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41.

The comment states that development must proceed requiring adequate water supply, Best Management Practices, offsetting water use at a 2:1 ratio, water conservation. Please see Responses to Comments I11-86 and I11-71 which address these issues.

Response to Comment I11-165:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-40 and I11-41.

Response to Comment I11-166:

The commenter is referred to the response prepared for Comment I11-40.

Response to Comment I11-167:

The commenter’s general opinion regarding the General Plan 2030 Update and RDEIR’s reliance on unenforceable policies is incorrect. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general

principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Also see Response to Comment I11-131 and Master Response #3 which discusses General Plan implementation and enforceability.

Response to Comment I11-168:

The commenter's general opinion regarding the General Plan 2030 Update and RDEIR's reliance on unenforceable policies is incorrect. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Please also see Response to Comment I11-131 and Master Response #3 which discusses General Plan implementation and enforceability. Also see Response to Comment I11-82 for discussion of water conservation measures, Response to Comment I11-86 for discussion of AB 1881, and Response to Comment I11-71 for discussion of the suggestion of concentrating 95% of future population growth in the incorporated cities.

Response to Comment I11-169:

The comment asks why the wording for significance criteria evaluated under Impact 3.9-5 is different from the language in CEQA Appendix G.

As discussed above (see, e.g., Response to Comments I11-14 and I11-63), the lead agency has discretion to set its own significance criteria. This EIR has tailored Appendix G to suit the unique qualities and characteristics of the project area. The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis.

Response to Comment I11-170:

This comment presents the commenter's summary of Impact 3.9-5 from the RDEIR. Comment noted; no further response required.

Response to Comment I11-171:

See RDEIR, p. 3.9-61. Deferral of the specifics of mitigation is permissible where the lead agency commits itself to mitigating the impact the measures would address. Please also note that PFS Implementation Measure #3 is part of a suite of policies and implementation measures designed to reduce this impact to less than significant (see RDEIR pp. 3.9-60 – 3.9-61). Please see Response to Comment I11-168 and Master Response #7 for additional discussion. A complete summary of policies from the RDEIR is provided below.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Health and Safety and Public Facilities and Services Elements	
Policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:	
HS-1.4 Building and Codes	HS-7.1 Coordinate Emergency Response Services with Government Agencies
HS-1.5 Hazard Awareness and Public Education	HS-7.2 Mutual Aid Agreement
HS-1.6 Public Safety Programs	HS-7.3 Maintain Emergency Evacuation Plans
HS-1.8 Response Times Planning in GIS	HS-7.4 Upgrading for Streets and Highways
HS-1.9 Emergency Access	HS-7.5 Emergency Centers
HS-1.10 Emergency Services Near Assisted Living Housing	HS-7.6 Search and Rescue
HS-6.1 New Building Fire Hazards	HS-7.7 Joint Exercises
HS-6.2 Development in Fire Hazard Zones	PF-5.2 Criteria for New Towns
HS-6.3 Consultation with Fire Service Districts	PFS-1.3 Impact Mitigation
HS-6.4 Encourage Cluster Development	PFS-2.1 Water Supply
HS-6.5 Fire Risk Recommendations	PFS-7.1 Fire Protection
HS-6.6 Wildland Fire Management Plans	PFS-7.2 Fire Protection Standards
HS-6.7 Water Supply System	PFS-7.3 Visible Signage for Roads and Buildings
HS-6.8 Private Water Supply	PFS-7.4 Interagency Fire Protection Cooperation
HS-6.9 Fuel Modification Programs	PFS-7.5 Fire Staffing and Response Time Standards
HS-6.10 Fuel Breaks	PFS-7.7 Cost Sharing
HS-6.11 Fire Buffers	PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations
HS-6.12 Weed Abatement	PFS Implementation Measure #11
HS-6.14 Coordination with Cities	
Public Facilities and Services Element	Foothill Growth Management Plan
Similar policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning within the various planning areas include the following:	
PFS-7.6 Provision of Station Facilities and Equipment	FGMP-10.2 Provision of Safety Services
	FGMP-10.3 Fire and Crime Protection Plan
Public Facilities and Services Implementation Measures designed to ensure funding for County programs to provide adequate service levels.	
Public Facilities and Services Implementation Measure #1	
Public Facilities and Services Implementation Measure #2	
Public Facilities and Services Implementation Measure #3	
Public Facilities and Services Implementation Measure #9	

Response to Comment I11-172:

The commenter discusses ISO ratings, homeowners insurance, lack of fire protection infrastructure, and impact fees for Tulare County, and describes what the commenter believes are incorrect assumptions underlying the RDEIR's analysis of fire hazards.

The County cannot charge new development to fix existing deficiencies (AB 1600) with new impact fees nor is this an impact under CEQA, as discussed here. New development must pay its

own way and mitigate based upon the scope of development and not on existing need. There must be a clear nexus between the deficiency and the funded improvement. The General Plan 2030 Update has a number of policies discussed above to address infrastructure maintenance associated with new development from build out of the General Plan 2030 Update. As discussed above in Response to Comment I11-171, PFS Implementation Measure #3 directs the County to develop and adopt an impact fee program for new development to provide financing mechanisms to ensure the provision, operation and ongoing maintenance of appropriate public facilities and services. Future development would be subject to applicable impact fee programs and development regulations.

Response to Comment I11-173:

The threshold of significance used for the analysis of fire protection services is provided on page 3.9-33 of the RDEIR and reads as follows:

“Increase the need or use of existing fire protection or law enforcement facilities such that substantial physical deterioration of the facility would occur or be accelerated in order to maintain acceptable service ratios, response times.”

Response to Comment I11-174:

The commenter’s references to the General Plan Background Report as context for the commenter’s view that the Tulare County Fire Department Capital Improvement Plan is both itself inadequate, and inadequately funded. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I11-175:

The commenter indicates that library funding should be a higher priority than purchasing railroad lines. The comment expresses the commenter’s view on appropriate policy priorities for the County and does not address the content or adequacy of the RDEIR; no further response is required.

The commenter believes that PFS Implementation Measure #2 represents impermissibly deferred mitigation. PFS Implementation Measure #2 directs the County annually review fees related to County-owned and operated facilities and County-provided services to ensure funding levels are both affordable and adequate to sustain these facilities/services long-term, and would implement Policies PFS-1.5 and PFS-1.6. (2030 Update, Tulare County General Plan, Part I, Goals and Policies Report, p. 14-15). Please see Master Response #7.

The commenter reiterates the commenter’s belief that PFS Implementation Measure #3 represents impermissibly deferred mitigation. Please see Response to Comment I11-171.

The commenter’s general opinion regarding the General Plan 2030 Update and RDEIR’s reliance on unenforceable policies is incorrect. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future

development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. Please see Master Response #3 for a discussion of enforceability of General Plan 2030 Update policies. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Response to Comment I11-176:

Several analyses in the RDEIR address public health under the significance criteria adopted for this EIR. As discussed above under Response to Comment I11-14, the lead agency (Tulare County) has discretion to set its own significance criteria. The commenter is also referred to Section 3.8 “Hazardous Materials and Public Safety” of the RDEIR for a discussion of impacts addressing public health and safety issues. The impacts associated with the provision of fire protection services are provided on pages 3.9-59 through 3.9-61 of the RDEIR.

Response to Comment I11-177:

Comment noted. The proposed project does not include or approve any specific development through its adoption. If the General Plan 2030 Update is adopted, future decisions to approve and develop projects in the County would rely on guidance provided in the General Plan 2030 Update include the various policies and implementation measures designed to protect the public health, safety, and welfare of the County’s residents.

Response to Comment I11-178:

The comment regarding the County’s financial condition is noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I11-179:

The commenter reiterates the commenter’s belief that impacts related to fire hazards remain significant, and recommends approval the “Healthy Growth Alternative” proposed by the Tulare County Citizens for Responsible Growth. The commenter is referred to Response to Comment A8-13 and Master Response #9 for additional information regarding the alternatives analysis for the RDEIR. The commenter’s support for the “Healthy Growth Alternative” will be shared with decision makers prior to a decision on the proposed project.

Response to Comment I11-180:

Appendix G of the CEQA Guidelines is a sample form that may be used by Lead Agencies to help them frame the significance thresholds (CEQA Guidelines, Appendix G). The sample checklist questions are not required thresholds and a lead agency is free to word the significance criteria in the manner that best suits the project. The impact statement was updated to more efficiently describe the specific impact being addressed by the analysis.

Response to Comment I11-181:

Comment noted.

Response to Comment I11-182:

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #3 and #4 regarding the enforceability of the general plan policies and the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Response to Comment I11-183:

The comment regarding the reliance on impact fees for libraries is noted. As indicated on page 3.9-66 of the RDEIR, the analysis regarding the provision of library services references a variety of policies and implementation measures (including measures related to the collection of impact fees). These policies and measures from the RDEIR are summarized below.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resource Management, Land Use and Planning Framework Elements	Public Facilities and Services Element
Policies designed to minimize this impact through the continued provision of community services include the following:	
ERM-5.5 Collocated Facilities LU-6.1 Public Activity Centers PF-5.2 Criteria for New Towns	PFS-1.3 Impact Mitigation PFS-8.4 Library Facilities and Services
Public Facilities and Services Element	
Public Facilities and Services Implementation Measures designed to ensure funding for County programs to provide adequate service levels.	
Public Facilities and Services Implementation Measure #1 Public Facilities and Services Implementation Measure #2 Public Facilities and Services Implementation Measure #3	

Response to Comment I11-184:

The comment regarding the various services provided by the Tulare County library system is noted.

Response to Comment I11-185:

The comment regarding possible grant funding for library services is noted.

Response to Comment I11-186:

Comment noted.

Response to Comment I11-187:

Comment noted.

Response to Comment I11-188:

Comment noted. The description of the impact to the provision of library services associated with implementation of the General Plan 2030 Update is provided on pages 3.9-65 through 3.9-67 of the RDEIR.

Response to Comment I11-189:

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur throughout the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #3 regarding the enforceability of general plan policies and the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #3 and #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

There is not an inconsistency between the value statement of “pay its own way” and Policy PFS-1.3’s “pay its proportionate share” language, both statements indicate that development will have to pay its share for required infrastructure. In addition, AB 1600 (Govt. Code §66000 et seq.) requires that, before a development fee is imposed, a city or county must identify the purpose of the fee and the use toward which it will be put. The locality must document the relationship between the fee and the project on which it is being imposed. In addition, in *Nollan v. California Coastal Commission*, the court held that a direct nexus must be established between the proposed project and the required exaction. If there is no such nexus, the decision to impose the condition could result in a taking, therefore, a fair share standard is appropriate (*Nollan v. California Coastal Commission*, 483 U.S. 825 (1987)). Furthermore, in *Dolan v. City of Tigard*, the court held that localities must prove that conditions placed on a discretionary approval must be “roughly proportional” to that development’s impact, again showing that the fair share standard is appropriate (*Dolan v. City of Tigard*, 512 U.S. 319, 114 S. Ct.2309 (1994)).

Response to Comment I11-190:

Please see Master Response #3 and #4 regarding the enforceability of general plan policies and the appropriate level of detail. The commenter is referred to the response prepared for Comment A5-2 regarding the Department of Conservation’s support of the County’s strategy to address agricultural resources (including important farmland issues). Additionally, in consideration of the concerns raised by this and other commenters regarding agricultural resources, Policy AG-1.6 “Conservation Easements” identified as mitigation in the RDEIR will be modified as follows:

- **AG-1.6 Conversion Easements.** The County may develop an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including

“Important Farmlands”), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for ~~conservation~~ conversion of important agricultural land to nonagricultural use. If available, the ACEP may shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation. *[New Policy – Draft EIR Analysis]*

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for this policy. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I11-191:

The commenter is correct. Agricultural Implementation Measure #15 has been identified as a new (required) measure resulting from the impact analysis for agricultural resources. This measure along with other policies are identified as mitigating policies and measures for incorporation into the Final General Plan 2030 Update. If adopted, these would become part of the General Plan and the County would have a duty to implement them (see Government Code Section 65400). Please see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for a general plan. The commenter is also referred to the response for Comment I11-190, Master Response #3, Master Response #4, and Master Response #7.

Response to Comment I11-192:

Implementation Measures are helpful, but not necessary to ensure implementation of each policy. The commenter is referred to Master Response #7 for additional discussion regarding implementation measures. Also, please see Master Response #3 and Master Response #4 regarding the enforceability of general plan policies and level of detail appropriate for a general plan EIR. The commenter is referred to Section 3.4 “Energy and Climate Change” of the RDEIR, regarding the EIR’s analysis of the impact of the project on global climate change.

Response to Comment I11-193:

Comment noted. The various question/comments regarding Policy LU-2.1 will be forwarded to County decision makers (see Master Response #1). Analysis in the RDEIR assumes that development would be consistent with the 2030 General Plan Update, including the policies identified in this comment. However, the commenter’s interpretation of these policies would not necessarily be correct. To the extent the commenter is concerned about activities which would require General Plan amendments, that have not been proposed, such as the expansion of various development areas, response would be speculative.

Response to Comment I11-194:

The commenter is referred to Section 3.10 “Agricultural Resources” which provides a detailed analysis of the agricultural farmlands that could be converted within the various growth areas of the County (specifically Table 3.10-9).

Response to Comment I11-195:

The comment includes the text of Policy AG-1.12 as an introduction to comments that follow.

Response to Comment I11-196:

Ranchette parcels are typically 1.5 to 10 acres, primarily for residential use with small agricultural activities as a secondary use (General Plan 2030 Update, Part I, Goals and Policies Report, p. 3-3). The proposed General Plan 2030 Update includes new policy AG-1.12 requiring the County to discourage the creation of ranchettes in areas designated Valley Agriculture and Foothill Agriculture. The commenter is also directed to Policy LU-2.4, Policy LU-3.5, and the Land Use Element (page 4-15) which includes the Valley Agriculture Land Use Designation as a maximum density of 1 unit per 10 acres. The commenter is referred to Master Response #5 for additional information regarding the land use buildout assumptions used for the proposed project. Regarding the comments regarding the need for implementation measures, the commenter is referred to Master Response #7. The commenter is also referred to Master Response #3 regarding the effectiveness of general plan policies.

Regarding the analysis of ranchette development in the RDEIR, the commenter is referred to Section 3.10 “Agricultural Resources” which provides a detailed analysis of the agricultural farmlands that could be converted within the various growth areas of the County (specifically Table 3.10-9). As previously described, ranchette development is discouraged under the General Plan 2003 Update. Consequently, the analysis of specific ranchette development was not conducted for the agricultural analysis of the RDEIR. As limited information is currently available as to the number, location, and extent of any proposed ranchette developments, the inclusion of this analysis is considered speculative.

Response to Comment I11-197:

The comment includes the text of FGMP-5.1 as an introduction to comments that follow.

Response to Comment I11-198:

The comment reiterates the commenter’s general concerns regarding the enforceability and effectiveness of 2030 General Plan Update Policies and Implementation Measures in the context of criticizing Policy FGMP-5.1. Please see Master Responses #3 and #4 regarding the enforceability of general plan policies and the appropriate level of detail. The commenter is referred to Master Response #7 regarding implementation measures. The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies. Please see Master Response #11 for discussion of Yokohl Ranch.

Response to Comment I11-199:

Comment noted. The suggestion to involve Sequoia Riverlands Trust as a holding agency for farmland conservation easements will be forwarded to County decision makers for consideration.

Response to Comment I11-200:

The comment is noted. The commenter is referred to the response prepared for Comment A5-2 regarding the Department of Conservation's support of the County's strategy to address agricultural resources (including important farmland issues). The commenter is suggesting that the County consider a number of the agricultural land conservation tools identified in the attachment to their comment letter. A summary of these tools is provided below:

Land Use Planning Tools – County/Regional Planning Strategies: including general plan agricultural element, cluster development, exclusive agricultural zoning, sphere of influence/annexation policies, and new towns.

The County has incorporated many of these conservation tools. For example, the commenter is directed to the Agricultural Resources Element of the general plan. Additionally, the following policies from the General Plan 2030 Update address cluster development agricultural zoning, annexation policies, and new towns:

- **LU-3.2 Cluster Development.** The County shall encourage proposed residential development to be clustered onto portions of the site that are more suitable to accommodating the development, and shall require access either directly onto a public road or via a privately-maintained road designed to meet County road standards [*New Policy*].
- **LU-3.3 High-Density Residential Locations.** The County shall encourage high-density residential development (greater than 16.1 dwelling units per gross acre) to locate along collector roadways and transit routes, and near public facilities (e.g., schools, parks), shopping, recreation, and entertainment [*New Policy*].
- **Rural Valley Lands Plan Implementation Measure #2.** The County shall maintain zoning to conform with the RVLP and shall consider initiating re-zoning actions where necessary to correct inadvertent application of exclusive agricultural zoning to areas that qualify for nonagricultural zoning under the exception procedure (16 points or less) [*New Program*].
- **Foothill Growth Management Plan Implementation Measure #18.** The County shall identify and maintain extensive and intensive agricultural areas, as identified by the FGMP through the use of large lot exclusive agricultural zoning to reduce encroachment of nonagricultural uses [*FGMP (1981), Existing Implementation Measure. Pg. 29*].
- **PF-4.6 Orderly Expansion of City Boundaries.** When the County is considering outward expansion of County adopted city UDBs, the following criteria shall be encouraged:
 - The city has demonstrated a need for additional territory after documenting a good faith effort to implement programs for infill development and/or increased efficiency of development and minimize conversion of agricultural lands.

- UDBs should not be expanded onto Prime Farmland if Farmland of Statewide Importance or of lesser quality is available and suitable for expansion.
- Emphasis shall be placed upon reasonable expectations for the provision of urban services within the next twenty years as reflected in LAFCo's Municipal Service Reviews when determining the location of UDBs *[New Policy]*.
- **PF-4.7 Avoiding Isolating Unincorporated Areas.** The County may oppose any annexation proposal that creates an island, peninsula corridor, or irregular boundary. The County will also encourage the inclusion of unincorporated islands or peninsulas adjacent to proposed annexations *[New Policy, consistent with LAFCo policy]*.
- **PF-5.1 New Towns (Planned Communities).** The haphazard development of communities should be discouraged. However, should circumstances appear to justify development of a new or "planned" community with its own mix of residential, commercial, industrial, public use areas and related facilities, it should be judged on its individual merits and functions as it would affect the area as a whole and other policies and proposals of the General Plan *[1964 General Plan; Major Issue 1-Retention of community identity, preservation of the agricultural economic base and control of urban sprawl; Policy 3] [1964 General Plan; Pg. I-7; 1964]*.
- **PF-5.2 Criteria for New Towns (Planned Communities).** When evaluating proposals for New Town development, the County shall require all of the following:
 1. That a New Town be a planned community as defined by the Tulare County Zoning Ordinance. The planned community may take the form of a Specific Plan, Community Plan, or Master Development Plan.
 2. That a reimbursement agreement, memorandum of understanding, and investment agreement for the project be established prior to submittal of a planned community proposal.
 3. That the applicant demonstrate the project will have a fiscally neutral or positive impact on the County and special districts impacted by the project.
 4. That an infrastructure master plan for the installation, operation, management and funding, and ongoing maintenance and replacement of infrastructure required to support growth, including but not limited to: State, local, and private transportation; sewage; water quality and quantity; drainage; parks and open space; and any other infrastructure or public services, appropriate regulations, programs or public works projects, be prepared to ensure that each of the development projects "pay their fair share". That a water assessment be completed to evaluate the availability and sufficiency of water to meet anticipated demands. That funding mechanisms are set up to cover initial capital costs as well as long-term operations and maintenance for the facilities including but not limited to the ones listed above.
 5. That an outreach and community involvement process be conducted as will be defined in the work program/memorandum of understanding for the project.
 6. That the planning program include joint meetings with all stakeholder agencies involved in infrastructure or services provision for the project by forming an intergovernmental advisory committee, as well as one-on-one consultations, to help guide the process, including preparation of the environmental impact report (EIR), water supply assessment, and infrastructure master plan. Regular participants on this committee should include but not be limited to any: applicable local planning committee established by the Board of Supervisors or Planning Commission; redevelopment project advisory committee; special use district; TCAG; Caltrans District 6; and school districts. Other participants may, from time to time include:

Fire Chief; Cal Fire; County Sheriff; water conservation district; Department of Conservation; Fish & Wildlife; Department of Fish & Game; California State Parks; phone company; and utility companies.

7. The applicant shall enter into a reimbursement agreement requiring deposits into a planning trust fund with Tulare County Resource Management Agency. The reimbursement agreement shall insure that the cost of all or an agreed upon portion of General Plan amendment, EIR preparation, infrastructure master plan, peer review, and all other technical studies and reports shall be paid by the developer or otherwise recovered by the County.
8. The preparation and approval of a Community Plan or Master Plan and a Specific Plan for the project.
9. That adequate and sustainable water supplies be documented.
10. That the project strives to provide a balance mix of land uses and densities, including residential, commercial, employment generating, and public facilities.
11. That the project provides a full range of needed infrastructure and public services, including:
 - a. Appropriate on-site and off-site circulation and improvements,
 - b. Adequate community water and sewer facilities, and
 - c. Fire protection, law enforcement, parks, library, community center, and other necessary public facilities.
12. Planned communities should not cause any conversion of Prime Farmland if Farmland of Statewide Importance or of lesser quality is available and suitable for development.
13. That the planned communities be consistent with the policies of the associated Area Plan (*Part II*) [*New Policy*].

Land Use Planning Tools – Urban Separators: including greenbelts, urban limit lines, and buffers.

The County has incorporated many of these conservation tools. The commenter is directed to the following policies from the General Plan 2030 Update that address urban limit lines and agricultural/open space buffers:

- **PF-4.11 Transition to Agricultural Use.** The County shall encourage cities to adopt land use policies that minimize potential conflicts with agricultural operations and other agricultural activities at the urban edge through the provision of appropriate buffers or other measures [*New Policy*].
- **AG-1.11 Agricultural Buffers.** The County shall examine the feasibility of employing agricultural buffers between agricultural and non-agricultural uses, and along the edges of UDBs and HDBs. Considering factors include the type of operation and chemicals used for spraying, building orientation, planting of trees for screening, location of existing and future rights-of-way (roads, railroads, canals, power lines, etc.), and unique site conditions [*New Policy*].
- **ERM-1.8 Open Space Buffers.** The County shall require buffer areas between development projects and significant watercourses, riparian vegetation, wetlands, and other sensitive habitats and natural communities. These buffers should be sufficient to

assure the continued existence of the waterways and riparian habitat in their natural state *[New Policy based on EMRE policies]*.

Fee Simple/easement acquisition: including purchase of agricultural conservation easements, fee simple acquisition, lease-purchase, transfer of development credits, and Williamson Act contracts.

The County has incorporated many of these conservation tools that are applicable and can be implementation by the County. The commenter is directed to the following policies from the General Plan 2030 Update that address Williamson Act contracts, agricultural preserves, and agricultural easements.

- **AG-1.3 Williamson Act.** The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs. However, this policy carries with it a caveat that support for the Williamson Act as a tax reduction component is premised on continued funding of the State subvention program that offsets the loss of property taxes *[ERME; Land; Issue 6; Recommendation 6] [ERME; Pg 30- Modified]*.
- **AG-1.4 Williamson Act in UDBs and HDBs.** The County shall support non-renewal or cancellation processes that meet State law for lands within UDBs and HDBs *[New Policy]*
- **AG-1.6 Conservation Easements.** The County may develop an Agricultural Conservation Easement Program to help protect and preserve agricultural lands, as defined in this Element. This program may provide for payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to non-agricultural use. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require an appropriate equivalent mitigation *[New Policy]*.
- **AG-1.9 Agricultural Preserves Outside Urban Boundaries.** The County shall grant approval of individual applications for agricultural preserves located outside a UDB provided that the property involved meets the requirements of the Williamson Act and the regulations of Tulare County *[Urban Boundaries Element; Policies Regarding Agricultural Preserves; Goal 2; Policy 2.1][Urban Boundaries Element Amendment (88-01); 1988, (Modified)]*.

CEQA Tools: including land evaluation and site assessment model, Federal Farmland Protection Policy Act for California, and mitigation banking for agricultural land loss.

Many of these identified tools include compliance with an existing state or federal regulation. The County supports and conforms with these regulations to the extent feasible including compliance with the California Environmental Quality Act and support for the Federal Farmland Protection Policy Act for California. Additionally, as appropriate the County has used and will continue to implement the land evaluation and site assessment model (LESA) to evaluate project-specific impacts to important agricultural lands.

Agricultural Enhancement Tools: including right to farm ordinances, federal and state tax incentives, federal estate/inheritance tax reform, agricultural enterprise zones, and agricultural enhancement boards, and Agricultural Land Redevelopment Act.

The County has incorporated many of these conservation tools that are applicable and can be implemented by the County. The commenter is directed to the following policies from the General Plan 2030 Update that address right to farm ordinances and agricultural enterprise zones:

- **AG-1.14 Right-to-Farm Noticing.** The County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Ordinance Code of Tulare County, Part VII, Chapter 29, Section 07-29-1000 and following) which is an acknowledgment that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area [*New Policy*].
- **C-1.5 Agricultural Enterprises.** The County shall support the development of agricultural enterprise zones along rural arterials in the County to encourage agriculturally related industries to cluster near transportation and shipping routes [*New Policy*].
- **Economic Development Implementation Measure #5.** The County shall work with the Tulare County EDC and agricultural interests to create agricultural enterprise zones with incentives to encourage agricultural support industry [*New Program*].

Response to Comment I11-201:

The comment is noted. The commenter is referred to page 5-4 through 5-13 which identifies the cumulative impacts of air quality, including those for the larger San Joaquin Valley Air Basin.

Response to Comment I11-202:

See the response for Comment I11-201.

Response to Comment I11-203:

The restatement of Policy AQ-1.5 is noted.

Response to Comment I11-204:

Policy AQ-1.5 is not included as part of the existing General Plan and is therefore referenced as a new policy in the General Plan 2030 Update. The various question/comments regarding Policy AQ-1.5 will be forwarded to County decision makers (see Master Response #1). The commenter is referred to Master Response #3 and #7 regarding implementation measures. The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies. The commenter asks about the difference between feasible and consistent and reasonable mitigation. ‘Feasible’ mitigation means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors (Pub. Res. Code Section 21061.1; CEQA Guidelines Section 15364). The commenter did not reference the context or location of the terms consistent and reasonable mitigation therefore no further response on this question is possible.

The Tulare County 2030 Update includes an Air Quality Element, with a number of policies designed to provide emission reducing benefits. Some examples include the following:

- **AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles.** The County shall encourage County departments and agencies to replace existing vehicles with low emission/alternative fuel vehicles as appropriate *[New Policy]*.
- **AQ-2.5 Ridesharing.** The County shall continue to encourage ridesharing programs such as employer-based rideshare programs *[New Policy]*.
- **AQ-3.2 Infill Near Employment.** The County shall identify opportunities for infill development projects near employment areas within all unincorporated communities and hamlets to reduce vehicle trips *[New Policy]*.
- **AQ-4.4 Wood Burning Devices.** The County shall require the use of natural gas where service is available or the installation of low-emission, EPA-certified fireplace inserts in all open hearth fireplaces in new homes as required under the SJVAPCD Rule 4901–Woodburning Fireplaces and Woodburning Heaters. The County shall promote the use of natural gas over wood products in space heating devices and fireplaces in all existing and new homes *[New Policy]*.

Additionally, the County has developed a climate action plan (please see Master Response #10). The climate action plan is available at <http://generalplan.co.tulare.ca.us/documents/GeneralPlan2010/ClimateActionPlan.pdf>.

The commenter suggests that the RDEIR evaluate requiring all new development participate in an Emission Reduction Program that goes beyond SJVAPCD’s Rule 9510. The commenter states that the County should impose mitigation measures that would reduce emissions to zero. CEQA does not require that emissions be reduced to zero, only that impacts be determined in relation to thresholds of significance. The suggested mitigation measure is considered infeasible.

Response to Comment I11-205:

Comment noted.

Response to Comment I11-206:

The various question/comments regarding Policy AQ-1.5 will be forwarded to County decision makers (see Master Response #1). The commenter is referred to Master Response #7 regarding implementation measures. The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies. While the SJVAPCD is directly responsible for implementing the referenced air quality measures, the County believes these air quality measures are important methods to address air quality issues worthy of documentation in the General Plan 2030 Update.

Response to Comment I11-207:

The various question/comments regarding the various policies identified will be forwarded to County decision makers (see Master Response #1). The EIR does not take quantitative emission reduction credit for the measures that use of the term “encourage.” The commenter is referred to Master Response #3 and #7 regarding implementation and enforceability of the General Plan. The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies.

Response to Comment I11-208:

The commenter is referred to Water Resources Implementation Measures #21 which reads as follows:

- **Implementation Measures #21.** The County shall maintain and implement its water efficient landscape ordinance consistent with the Department of Water Resources Model Water Efficient Landscape Ordinance [*New Program*].

Please see Response to Comment I11-86 regarding the AB 1881. Please also see Master Response #3 and #7 for discussion of General Plan Implementation.

Response to Comment I11-209:

The various question/comments regarding Policy AQ-3.5 will be forwarded to County decision makers (see Master Response #1). The commenter is referred to Master Response #3 and #7 regarding implementation and enforceability of the General Plan. The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies. See Response to I11-207.

Response to Comment I11-210:

The various question/comments regarding Air Quality Implementation Measure #12 will be forwarded to County decision makers (see Master Response #1). The commenter is referred to Master Response #3, #4 and #7 regarding implementation of the General Plan and the level of detail. The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies.

Response to Comment I11-211:

As described on page 3.3-18 of the RDEIR, information regarding specific development projects, soil conditions, and the location of sensitive receptors in relation to the various projects would be needed in order to quantify the level of impact associated with construction activity. As the General Plan 2030 Update is not proposing any direct development or specific project at this time, the request to quantify all possible construction emissions associated with implementation of the proposed project is considered infeasible. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I11-212:

Consistent with the programmatic nature of the RDEIR, the operational emissions include both mobile and area source emissions. While area sources encompass a variety of land uses including industrial, commercial, and residential uses, specific or individual project sources were not modeled at the program level. The commenter is referred to the response prepared for Comment I11-211 regarding the ability to estimate construction-related emissions as this time.

Response to Comment I11-213:

Thank you for the reference to the article on ROG and Livestock Feed. The commenter is referred to the description for Impact 3.3-2: “The proposed project would result in a cumulatively considerable net increase of criteria air pollutants that result in a violation of an air quality standard” (provided on pages 3.3-20 through 3.3-23 of the RDEIR), which includes a description of a variety of operational emission sources including dairies. Please also see Response to Comment I11-73 for discussion of dairies.

Response to Comment I11-214:

As shown on page 3.3-22 of the RDEIR, the analysis includes a comprehensive list of feasible mitigating policies and implementation measures. A summary from the RDEIR is provided below.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality Element
<p>Policies designed to improve air quality through a regional approach and interagency cooperation include the following:</p> <ul style="list-style-type: none"> AQ-1.1 Cooperation with Other Agencies AQ-1.2 Cooperation with Local Jurisdictions AQ-1.3 Cumulative Air Quality Impacts AQ-1.4 Air Quality Land Use Compatibility AQ-1.5 California Environmental Quality Act (CEQA) Compliance AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles AQ-1.7 Support Statewide Climate Change Solutions <p>Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:</p> <ul style="list-style-type: none"> AQ-2.1 Transportation Demand Management Programs AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ Implementation Measure #8 <p>Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:</p> <ul style="list-style-type: none"> AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.3 Street Design AQ-3.4 Landscape AQ-3.5 Alternative Energy Design AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 and #12 <p>Policies designed to implement the best available controls and monitoring to regulate air emissions include the following:</p> <ul style="list-style-type: none"> AQ-4.1 Air Pollution Control Technology AQ-4.2 Dust Suppression Measures AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions AQ-4.4 Wood Burning Devices
Land Use Element
<p>Policies designed to encourage economic and social growth while retaining quality of life standards include the following:</p> <ul style="list-style-type: none"> LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.3 Prevent Incompatible Uses LU-1.4 Compact Development LU-1.8 Encourage Infill Development

Environmental Resources Management Element

Policies designed to encourage energy conservation in new and developing developments include the following:

ERM-4.1 Energy Conservation and Efficiency Measures
 ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation
 ERM-4.3 Local and State Programs
 ERM-4.4 Promote Energy Conservation Awareness
 ERM-4.5 Advance Planning
 ERM-4.6 Renewable Energy

Response to Comment I11-215:

The commenter is referred to the responses prepared for Comments I11-204 and I11-205.

Response to Comment I11-216:

The commenter is referred to the response prepared for Comments I11-204 and I11-205

Response to Comment I11-217:

As noted in the comment RDEIR, Impact 3.3-3 was correctly identified as significant and unavoidable. The summary table at the beginning of the chapter (Table 3.3-4 on page 3.3-18) has been revised to be consistent with this conclusion.

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I11-218:

The commenter is referred to Master Response #10 which describes the County's Climate Action Plan. The commenter is also referred to the response prepared for Comment I11-204. Furthermore, please see Comments from the San Joaquin Valley Air Pollution Control District (Comment A16-1), which state that the General Plan, as currently proposed, is in compliance with AB 170.

Response to Comment I11-219:

The commenter is referred to the response prepared for Comment I11-218. The comment suggests that the County "keep the VMT to an annual rate less than the population growth rate." The comment however, does not provide a methodology for how such a requirement could be implemented. The County does not have direct control over VMT. While the County has proposed a number of policies to reduce trip generation, trip generation is ultimately controlled by the will of individual driver, and therefore the County could not "restrict" VMT. The suggest requirement is therefore considered to be legally infeasible. The average commuter in Tulare County has a commute time of less than 20 minutes, one of the lowest in the State. Approximately 50% of the commuters in the County have a commute of less than 15 minutes.

Response to Comment I11-220:

The various question/comments regarding Energy Resources Goal ERM-4 will be forwarded to County decision makers (see Master Response #1). The commenter is referred to the response to Master Response #3, #7, and Comment I11-190 regarding the effectiveness of general plan policies.

Response to Comment I11-221:

The various question/comments regarding Land Use Implementation Measure #3 will be forwarded to County decision makers (see Master Response #1). The commenter is referred to Master Response #7 regarding implementation measures. As noted in these Master Responses individual policies should not be reviewed in a vacuum. For example PFS Implementation #4 includes density bonuses and financial assistance to promote infill development. The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies.

Response to Comment I11-222:

Comment noted.

Response to Comment I11-223:

The commenter asks why the County would choose to use LOS D as an acceptable level of service on County roads. The County has discretion to choose its own vehicular LOS and transportation related policies in the General Plan (Policies TC-1.1 through TC-1.19) (see *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 543-545.² Policy TC-1.16 identifies the County's position regarding roadway level of service. Many of the roadways experiencing lower levels of service are roadways that accommodate regional traffic flows associated with areas outside of the control of the County. Although many roadway segments currently function at higher levels of service, growth within incorporated cities will contribute to deterioration in roadway level of service (RDEIR, Impact 3.2.1, pp. 3.2-26 – 3.2-32). The County will also continue to coordinate with Caltrans as appropriate for all projects that affect a State roadway or highway, and will continue to consider Caltrans LOS standards for all state facilities (please see Master Response #3 regarding enforceable policy language as well as Response to Comment A7-5).

Furthermore, as discussed in the CEQA Guidelines 2009 Statement of Reasons, “an increase in traffic, by itself, is not necessarily an indicator of a potentially significant environmental impact...even if some projects may result in a deterioration of vehicular level of service – that is, delay experienced by drivers – the overall effectiveness of the circulation system as a whole may be improved... Such projects could include restriping to provide bicycle lanes or creating dedicated bus lanes” (Statement of Reasons pages 75-76).

² See also CEQA Guidelines Final Statement of Reasons for Regulatory Action (December 2009) page 76 and 93: “the lead agency has discretion to choose its own metric of analysis of impacts to intersections, streets, highways and freeways...” Available at: http://ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf

Response to Comment I11-224:

The commenter agrees that Impact 3.2-1 would be significant and unavoidable, but believes that various policies should be revised to further reduce impacts. The commenter makes general recommendations to re-word various policies to further reduce impacts; and recommends inclusion of additional (unspecified) implementation measures, and recommends allocating funds from a General Plan 2030 Update impact fee program to public transportation.

The commenter's recommendations will be forwarded to County decision makers prior to their decision on the proposed project (see Master Response #1). Regarding the commenter's suggestion to revise policy language, please see Master Responses #3 and #4 regarding enforceable policy language and level of detail and programmatic nature of the RDEIR. Please see Master Response #7 regarding implementation measures. Please see Response to Comment I11-190 regarding the effectiveness of general plan policies. The commenter is also referred to the response prepared for Comment A7-12 and A7-13 regarding impact fees. The commenter is also referred to the response prepared for Comment A7-21 regarding transit impacts. Please note that, as discussed in the RDEIR, Impact 3.2-1 would remain significant and unavoidable because projected increases in traffic would be due mostly to growth within the cities that is not directly controlled by the plan; furthermore physical improvements to reduce this impact require cooperation and funding from a variety of other entities, such that the implementation of the improvements cannot be guaranteed.

Response to Comment I11-225:

The comment restates Policy TC-1.18.

Policy TC-1.8 directs the county to consider transportation programs that improve the operation efficiency of goods movement, particularly farm to market programs. The full text of this policy is found in Part I of the Revised Draft 2030 Update of the Tulare County General Plan and is included below:

- **TC-1.8 Promoting Operational Efficiency.** The County shall give consideration to transportation programs that improve the operational efficiency of goods movement, especially those that enhance farm-to-market connectivity [*Transportation Circulation, General Plan, 1964*].

Response to Comment I11-226:

The commenter asks about future, specific decisions regarding funding allocations for alternatives to automobiles, and how the County will respond to the California Attorney General's recommendation that the Plan preferentially fund public transit options. The commenter also reiterates a concern that 2030 General Plan Update Policies and Implementation Measures lack performance standards and the County's commitment. The commenter also believes the RDEIR lacks substantial evidence that the measures listed Table 3.4-5 actually addresses the Attorney General's recommendations.

The commenter's concerns regarding Policy TC-1.19 will be forwarded to County decision makers (see Master Response #1). The commenter is referred to the response to Comment I11-190 regarding the effectiveness of general plan policies. The average commuter in Tulare County has a commute time of less than 20 minutes, one of the lowest in the State. Approximately 50% of the commuters in the County have a commute of less than 15 minutes. Please see Response to Comment I11-68 regarding policies and implementation measures as mitigation, and Master Responses #3 and #4 regarding enforceable policy language and appropriate level of detail in this RDEIR. Table 3.4-5 in the RDEIR shows which General Plan 2030 Update Policies and Implementation Measures correspond to measures recommended by the Attorney General to address global warming in General Plans; the Policies and Implementation Measures are also discussed in various analyses throughout the document. The RDEIR analyzes Impact 3.4-3 at pages 3.4-31 through 3.4-39. This analysis, and the analyses throughout the RDEIR provide decision makers with sufficient information to make a decision which intelligently takes account of the environmental consequences, consistent with CEQA Guidelines §15151.

Response to Comment I11-227:

The commenter's reference to various websites dedicated to global warming issues is noted.

Response to Comment I11-228:

The RDEIR has included all feasible measures which could minimize the significant adverse impacts of the proposed project on global climate change as required by CEQA (Pub. Res. Code §21002.1(b); (CEQA Guidelines §15126.4). The commenter is referred to the response prepared for Comment A8-11 for a description of the key policies and implementation measures that address climate change, energy efficiency, and smart growth. The commenter is also referred to Master Response #10 regarding the County's Climate Action Plan, including the basis for setting the CAP reduction target.

Response to Comment I11-229:

Commenter proposes several measures for the reduction of greenhouse gases and suggests that the County incorporate. In preparing both the General Plan 2030 Update and the Climate Action Plan, the County reviewed and consulted a number of resources that have been developed to help jurisdictions address climate change, energy efficiency, and smart growth issues, including guidance provided by the California Air Pollution Control Officers' Model Policies for Greenhouse Gases in General Plans (June 2009). The County has also incorporated many of the suggested measures as policies and implementation measures in the General Plan 2030 Update. The commenter is directed to Master Response #10 and to pages 3.4-33 through 3.4-38 of the RDEIR, which provides a summary of key General Plan 2030 Update policies that would implement or support the measures recommended by the Attorney General for addressing global warming in general plans. The summary table of policies provided on these pages is presented below.

TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Conservation Element	
Climate Action Plan or Policy: Include a comprehensive climate change action plan that includes: a baseline inventory of greenhouse gas emissions from all sources; greenhouse gas emissions reduction targets and deadlines; and enforceable greenhouse gas emissions reduction measures. (Note: If the Climate Action Plan complies with the requirements of Section 15064(h) (3) of the CEQA Guidelines, it may allow for the streamlining of individual projects that comply with the plan's requirements.)	AQ-1.7 Support Statewide Climate Change Solutions
Require that all new government buildings, and all major renovations and additions, meet identified green building standards.	AQ-3.5 Alternative Energy Design AQ Implementation Measure #12
Adopt a "Green Building Program" to require or encourage green building practices and materials. The program could be implemented through, e.g., a set of green building ordinances.	LU-7.15 Energy Conservation LU Implementation Measure #24 ERM-4.4 Promote Energy Conservation Awareness AQ-3.5 Alternative Energy Design AQ Implementation Measure #12
Require orientation of buildings to maximize passive solar heating during cool seasons, avoid solar heat gain during hot periods, enhance natural ventilation, and promote effective use of daylight. Building orientation, wiring, and plumbing should optimize and facilitate opportunities for on-site solar generation and heating.	LU-7.15 Energy Conservation ERM-4.1 Energy Conservation and Efficiency Measures ERM-4.6 Renewable Energy AQ-3.5 Alternative Energy Design AQ Implementation Measure #12
Provide permitting-related and other incentives for energy efficient building projects, e.g., by giving green projects priority in plan review, processing and field inspection services.	ERM-4.3 Local and State Programs AQ Implementation Measure #3
Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization, for low income residents.	ERM-4.3 Local and State Programs
Require environmentally responsible government purchasing. Require or give preference to products that reduce or eliminate indirect greenhouse gas emissions, e.g., by giving preference to recycled products over those made from virgin materials.	ERM-4.6 Renewable Energy AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles PFS-5.4 County Usage of Recycled Materials and Products
Adopt a "heat island" mitigation plan that requires cool roofs, cool pavements, and strategically placed shade trees. (Darker colored roofs, pavement, and lack of trees may cause temperatures in urban environments to increase by as much as 6-8 degrees Fahrenheit as compared to surrounding areas.) Adopt a program of building permit enforcement for re-roofing to ensure compliance with existing state building requirements for cool roofs on non-residential buildings.	ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation
Adopt a comprehensive water conservation strategy. The strategy may include, but not be limited to, imposing restrictions on the time of watering, requiring water-efficient irrigation equipment, and requiring new construction to offset demand so that there is no net increase in water use. Include enforcement strategies, such as citations for wasting water.	WR-1.6 Expand Use of Reclaimed Water WR-3.7 Emergency Water Conservation Plan WR Implementation Measure #10 WR Implementation Measure #22
Adopt water-efficient landscape ordinances.	WR Implementation Measure #21
Require water efficiency training and certification for irrigation designers and installers, and property managers.	WR-3.8 Educational Programs WR Implementation Measure #23
Implement or expand city or county-wide recycling and composting programs for residents and businesses.	PFS-5.3 Solid Waste Reduction PFS Implementation Measure #10

**TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS**

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Require commercial and industrial recycling.	PFS-5.3 Solid Waste Reduction
Extend the types of recycling services offered (e.g., to include food and green waste recycling).	PFS-5.3 Solid Waste Reduction
Preserve existing conservation areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) that provide carbon sequestration benefits.	AG-1.7 Preservation of Agricultural Lands AG Implementation Measure #8 AG Implementation Measure #9 ERM-1.12 Management of Oak Woodland Communities ERM-1.14 Mitigation and Conservation Banking Program ERM Implementation Measure #15 FGMP-3.1 Innovative Residential Design
Establish a mitigation program for development of conservation areas. Impose mitigation fees on development of such lands and use funds generated to protect existing, or create replacement, conservation areas.	ERM Implementation Measure #54
Land Use Element	
Adopt land use designations to carry out policies designed to reduce greenhouse gas emissions, e.g., policies to minimize or reduce vehicle miles traveled, expand development near existing public transportation corridors, encourage alternative modes of transportation, and increase infill, mixed use, and higher density development.	LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.4 Compact Development LU-1.8 Encourage Infill Development LU-2.1 Agricultural Lands LU-3.1 Residential Developments LU Implementation Measure #3 LU Implementation Measure #7 LU Implementation Measure #8 LU Implementation Measure #9 LU Implementation Measure #10 AQ-3.6 Mixed Land Uses AQ Implementation Measure #1 AQ Implementation Measure #11 HS-9.1 Healthy Communities HS-9.2 Walkable Communities PFS Implementation Measure #4
Identify and facilitate the development of land uses not already present in local districts – such as supermarkets, parks and recreation fields, and schools in neighborhoods; or residential uses in business districts – to reduce vehicle miles traveled and allow bicycling and walking to these destinations.	
Create neighborhood commercial districts.	LU-4.1 Neighborhood Commercial Uses LU Implementation Measure #3 LU Implementation Measure #14
Require bike lanes and bicycle/pedestrian paths.	HS-9.1 Healthy Communities HS-9.2 Walkable Communities
Site schools to increase the potential for students to walk and bike to school.	LU-6.3 Schools in Neighborhoods PFS-8.3 Location of School Sites
Enact policies to limit or discourage low density development that segregates employment, services, and residential areas.	PF Implementation Measure #21 AQ-3.6 Mixed Land Uses
Where there are growth boundaries, adopt policies providing certainty for infill development.	AG-1.7 Preservation of Agricultural Lands LU Implementation Measure #7 LU Implementation Measure #8 AQ Implementation Measure #11
Require best management practices in agriculture and animal operations to reduce emissions, conserve energy and water, and utilize alternative energy sources, including biogas, wind and solar.	AG-2.6 Biotechnology and Biofuels AG-2.11 Energy Production WR-3.6 Water Use Efficiency WR Implementation Measure #23 PFS-5.9 Agricultural Waste

TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
Circulation Element	
In conjunction with measures that encourage public transit, ride sharing, bicycling and walking, implement circulation improvements that reduce vehicle idling. For example, coordinate controlled intersections so that traffic passes more efficiently through congested areas.	AQ-2.1 Transportation Demand Management Programs TC Implementation Measure #6
Create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking. Before funding transportation improvements that increase vehicle miles traveled, consider alternatives such as increasing public transit or improving bicycle or pedestrian travel routes.	LU-7.3 Friendly Streets LU Implementation Measure #3 AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ-3.3 Street Design AQ Implementation Measure #8 HS-9.1 Healthy Communities HS-9.2 Walkable Communities TC-1.6 Intermodal Connectivity TC-1.18 Balanced System TC-2.4 High Speed Rail (HSR) TC-3.7 Multi-modal Development TC-4.2 Determine Transit Needs TC-4.3 Support Tulare County Area Transit TC Implementation Measure #8 TC Implementation Measure #16 TC Implementation Measure #19 TC Implementation Measure #20 FGMP-8.16 Proximity to Transportation
Give funding preference to investment in public transit over investment in infrastructure for private automobile traffic.	AQ Implementation Measure #8 TC-1.19 Balanced Funding TC Implementation Measure #8 TC Implementation Measure #18
Include safe and convenient bicycle and pedestrian access in all transportation improvement projects.	LU-7.3 Friendly Streets AQ-3.3 Street Design HS-9.1 Healthy Communities HS-9.2 Walkable Communities TC-5.2 Consider Non-Motorized Modes in Planning and Development TC Implementation Measure #21 TC Implementation Measure #22
Ensure that non-motorized transportation systems are complete, connected and not interrupted by impassable barriers, such as freeways.	AQ-3.3 Street Design TC-4.2 Determine Transit Needs TC-4.3 Support Tulare County Area Transit TC-5.1 Bicycle/Pedestrian Trail System TC-5.2 Consider Non-Motorized Modes in Planning and Development TC Implementation Measure #21 TC Implementation Measure #22 TC Implementation Measure #24 TC Implementation Measure #25 TC Implementation Measure #26 TC Implementation Measure #27 TC Implementation Measure #28
Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.	TC-5.1 Bicycle/Pedestrian Trail System TC-5.2 Consider Non-Motorized Modes in Planning and Development TC-5.3 Provisions for Bicycle Use TC-5.4 Design Standards for Bicycle Routes TC-5.6 Regional Bicycle Plan TC-5.7 Designated Bike Paths

**TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS**

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
	TC-5.9 Existing Facilities TC Implementation Measure #21 TC Implementation Measure #22 TC Implementation Measure #24 TC Implementation Measure #25 TC Implementation Measure #26 TC Implementation Measure #27 TC Implementation Measure #28
Provide adequate and affordable public transportation choices including expanded bus routes and service and other transit choices such as shuttles, light rail, and rail where feasible.	AQ-2.4 Transportation Management Associations AQ Implementation Measure #8 TC-1.18 Balanced System TC-2.6 Rail Abandonment TC-4.1 Transportation Programs TC-4.2 Determine Transit Needs TC-4.3 Support Tulare County Area Transit TC Implementation Measure #19 FGMP-8.16 Proximity to Transportation
Adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation. For example, reduce parking for private vehicles while increasing options for alternative transportation; eliminate minimum parking requirements for new buildings; “unbundle” parking (require that parking is paid for separately and is not included in rent for residential or commercial space); and set appropriate pricing for parking.	AQ-2.5 Ridesharing AQ Implementation Measure #9
Housing Element	
Improve the jobs-housing balance and promote a range of affordable housing choices near jobs, services and transit.	AQ-3.2 Infill Near Employment AQ Implementation Measure #11 TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development
Concentrate mixed use, and medium to higher density residential development in areas near jobs, transit routes, schools, shopping areas and recreation.	PF Implementation Measure #21 AQ-2.2 Indirect Source Review AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.6 Mixed Land Uses TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development FGMP-8.16 Proximity to Transportation FGMP-8.17 Reduce Vehicle Emissions FGMP Implementation Measure #1
Increase density in single family residential areas located near transit routes or commercial areas. For example, promote duplexes in residential areas and increased height limits of multi-unit buildings on main arterial streets, under specified conditions.	AQ-2.2 Indirect Source Review TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development
Encourage transit-oriented developments.	TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development
Impose minimum residential densities in areas designated for transit-oriented, mixed use development to ensure higher density in these areas.	PF Implementation Measure #21 AQ-3.6 Mixed Land Uses TC-4.4 Nodal Land Use Patterns that Support Public Transit TC-4.7 Transit Ready Development
Designate mixed use areas where housing is one of the required uses.	PF Implementation Measure #21 AQ-2.2 Indirect Source Review

TABLE 3.4-5
OFFICE OF THE ATTORNEY GENERAL – ADDRESSING GLOBAL WARMING IN GENERAL PLANS

Office of the Attorney General (Recommended Measures)	General Plan Update Policies and Implementation Measures
In areas designated for mixed use, adopt incentives for the concurrent development of different land uses (e.g., retail with residential).	PF Implementation Measure #21
Promote infill, mixed use, and higher density development by, for example, reducing developer fees; providing fast-track permit processing; reducing processing fees; funding infrastructure loans; and giving preference for infrastructure improvements in these areas.	LU Implementation Measure #7 LU Implementation Measure #8 AQ-2.2 Indirect Source Review AQ Implementation Measure #11
Open Space Element	
Preserve forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, groundwater recharge areas and other open space that provide carbon sequestration benefits.	FGMP-8.9 Removal of Natural Vegetation
Establish a mitigation program for development of those types of open space that provide carbon sequestration benefits. Require like-kind replacement for, or impose mitigation fees on development of such lands. Use funds generated to protect existing, or create replacement, open space.	AQ-3.4 Landscape
Allow alternative energy projects in areas zoned for open space where consistent with other uses and values.	AG-2.11 Energy Production
Protect existing trees and encourage the planting of new trees. Adopt a tree protection and replacement ordinance, e.g., requiring that trees larger than a specified diameter that are removed to accommodate development must be replaced at a set ratio.	FGMP-8.12 Vegetation Removal
Connect parks and publicly accessible open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.	HS-9.1 Healthy Communities HS-9.2 Walkable Communities
Safety Element	
Address expected effects of climate change that may impact public safety, including increased risk of wildfires, flooding and sea level rise, salt water intrusion; and health effects of increased heat and ozone, through appropriate policies and programs.	HS-5.2 Development in Floodplain Zones HS-5.4 Multi-Purpose Flood Control Measures HS-5.5 Development in Dam and Seiche Inundation Zones HS-6.2 Development in Fire Hazard Zones HS-6.4 Encourage Cluster Development HS-6.6 Wildland Fire Management Plans HS-6.7 Water Supply System HS-6.9 Fuel Modification Programs HS-6.10 Fuel Breaks HS-6.11 Fire Buffers HS-6.15 Coordination of Fuel Hazards on Public Lands HS Implementation Measure #11 HS Implementation Measure #14 HS Implementation Measure #15 FGMP-8.3 Development in the Floodplain FGMP-8.15 Development in Chaparral

Response to Comment I11-230:

The RDEIR has included all feasible measures which could minimize the significant adverse impacts of the proposed project on global climate change as required by CEQA (Public Resources. Code §21002.1(b); (CEQA Guidelines §15126.4). The commenter is referred to the response prepared for Comment A8-11 for a description of the key policies and implementation

measures that address climate change, energy efficiency, and smart growth. The commenter is also referred to Master Response #10 regarding the County's Climate Action Plan, including the basis for setting the CAP reduction target.

Response to Comment I11-231:

The commenter is referred to the response to Comment I11-190 and Master Response #3 regarding the effectiveness of general plan policies. Policy AQ-1.7 along with all policies/implementation measures contained in the General Plan 2030 Update will be used to evaluate all projects associated with growth outlined in the plan. As identified in the response to Comment A8-11, the County is not waiting for guidance from the State to implement a climate action strategy. The General Plan 2030 Update has been developed and incorporates a variety of emission reducing and energy conservation measures to address climate change issues. The County has also developed a Climate Action Plan concurrent with the proposed project (see Master Response #10).

Response to Comment I11-232:

The RDEIR discusses the ways in which the County will address Global Climate Change in RDEIR section 3.4. The commenter is referred to the response prepared for Comment A8-11. The commenter is also referred to Master Response #10 regarding the County's Climate Action Plan. The Draft Climate Action Plan is available at:
<http://generalplan.co.tulare.ca.us/documents/GeneralPlan2010/ClimateActionPlan.pdf>

Response to Comment I11-233:

The commenter is referred to Master Response #10.

Response to Comment I11-234:

Comment noted.

Response to Comment I11-235:

Please see Response to Comment I11-73 for discussion of dairies. The RDEIR and the Climate Action Plan provide the reasoning for preparing separate studies and policies for dairies and feedlots. The County is preparing an update to the Animal Confinement Facilities Plan (ACFP) that will provide an examination of all potential impacts in a comprehensive manner. The outcome of the update process will impact the way Tulare County addresses dairies and feedlots for greenhouse gas impacts. Moving ahead with actions on greenhouse gas emissions from dairies independently of the other issues related to dairies and feedlots would be inappropriate because of the interrelationship of the issues to be addressed.

Response to Comment I11-236:

Comment noted. Please see Master Response #10 regarding the performance standards in the CAP.

Response to Comment I11-237:

Comment noted. Comments will be forwarded to County decision makers for their consideration; no further response required.

Response to Comment I11-238:

The commenter is referred to Master Response #10.

Response to Comment I11-239:

The commenter is referred to Master Response #10.

Response to Comment I11-240:

The commenter is referred to the Master Response #10.

Response to Comment I11-241:

The commenter is referred to Master Response #10.

Response to Comment I11-242:

The commenter is referred to Master Response #10.

Response to Comment I11-243:

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #3 and #4 regarding the enforceability of policy language and the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR. The commenter is also referred to the response prepared for Comment A2-1.

The RDEIR explains how General Plan policies and implementation measures would ensure Impact 3.4-1 would remain less than significant (RDEIR pages 3.4-26 – 3.4-27). The RDEIR states that a number of policies were designed to “minimize impacts to pedestrian and bicycle facilities and opportunities” (RDEIR p. 3.4-29). This simply means that policies have been designed to encourage the increase use and ease of use of pedestrian and bicycle facilities and to minimize the impact that future development could have on the use of these facilities.

Response to Comment I11-244:

Please see Master Response #7 regarding the use of implementation measures in the General Plan. Please see Master Response #3 and Master Response #4 regarding the level of detail appropriate for general plan policies.

Response to Comment I11-245:

The RDEIR concludes impact 3.4-2 would be less than significant because several General Plan policies and required additional measures, policies ERM-4.7 and ERM-4.8, would improve energy efficiency and minimize the wasteful use of energy. The commenter is referred to Master Responses #3 and #4 regarding the appropriate level of detail for general plan policies.

Response to Comment I11-246:

Comment noted. Please see Response to Comment I11-39 for discussion of Carole Clum's 2008 DEIR comments. Please also see Master Response #2.

Response to Comment I11-247:

Comment noted. Please see Master Response #2.

Response to Comment I11-248:

The commenter's opinion regarding future development in the County is noted. The comment does not address the adequacy of the RDEIR; no further response required.

Response to Comment I11-249:

Please see Master Response #3 and #7 regarding the implementation of the General Plan. As discussed therein, implementation of the General Plan will take time. It is not possible to provide every potential implementing ordinance at this time, however Government Code requires implementation of the Plan and review of projects for consistency with the Plan (see Government Code 65359, 65400, 65455, 65860).

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The commenter is also referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Response to Comment I11-250:

The commenter's opinion regarding the proposed project is noted. Please see Master Response #3.

Response to Comment I11-251:

The commenter is referred to Master Response #10. Furthermore, as noted in the Climate Action Plan, it is "an implementation measure to the Tulare County General Plan 2030 Update."

Whether or not the CAP is included in the General Plan itself does not change the effectiveness of the requirements and analysis.

Response to Comment I11-252:

The commenter is referred to Master Response #10. The Climate Action Plan is an implementation measure resulting from the General Plan 2030 Update and was included in the project description and analysis in the RDEIR (see RDEIR page ES-7), and would not require its own environmental impact report or public comment period.

Response to Comment I11-253:

The commenter is referred to the response prepared for Comment I11-73 and I11-235. As noted above, CEQA impacts are made in comparison to existing conditions. Existing environmental problems, while important, are beyond the scope of the RDEIR to fix. Please also see Master Response #3 for discussion of implementation and enforceability of the General Plan.

Response to Comment I11-254:

Please see Master Responses #3 and #4.

Response to Comment I11-255:

Comment noted. Comments will be forwarded to County decision makers for their consideration. No further response required.

Response to Comment I11-256:

The comment's statement regarding the location of future County development is noted. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Please also see Response to Comment A8-7 regarding "New Towns."

Response to Comment I11-257:

Comment noted. Please see Master Response #6 and Response to Comments I11-41 and I11-82 for discussion of water supply and conservation measures. Please see Master Response #11 for discussion of Yokohl Ranch.

Response to Comment I11-258:

Comment noted. The comment does not address the adequacy of the RDEIR; no further response is required. Comments will be forwarded to the County decision makers for their consideration.

Response to Comment I11-259:

Comment noted. The comment does not address the adequacy of the RDEIR; no further response is required. Comments will be forwarded to the County decision makers for their consideration.

Response to Comment I11-260:

The Healthy Growth Alternative need not be analyzed in the EIR because it is a variation on RDEIR Alternative 5 and does not offer significant environmental advantages in comparison with the alternatives presented in the EIR (*Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal. App. 3d 1022 [an EIR need not analyze multiple variations on the alternatives selected for analysis]; *Save San Francisco Bay Ass'n v. San Francisco Bay Conservation and Development Commission* (1992) 10 Cal. App. 4th 908; *Sequoyah Hills Homeowners Ass'n v. City of Oakland* (1993) 23 Cal. App. 4th 704 [an EIR does not need to analyze alternatives that do not offer significant advantages over the alternatives presented in the EIR, or that constitute an alternative version of an alternative presented in the EIR]). The commenter is directed to Master Response #9 further discussion of this issue.

The County did consider the “The Healthy Growth Alternative” provided by the Tulare County Citizens for Responsible Growth, which is a variation on RDEIR Alternative 5, in that it represents restrictive population assumptions for the County’s planning areas. A “Healthy Communities” policy section was also included as part of the updated Health and Safety Element that considered many of the policy objectives suggested by the Tulare County Citizens for Responsible Growth.

Response to Comment I11-261:

Comment noted. Comments will be forwarded to the County decision makers for their consideration. In addition, please see Master Responses #3 and #4 regarding the enforceability and level of detail required for general plan policies. Also, see Master Response #7 regarding implementation measures.

Response to Comment I11-262:

The commenter is referred to Master Response #3. The comment regarding the financial condition of the County is noted. The commenter’s opinion regarding the ability of the County to enforce its policies is noted. As discussed in the *Watsonville* case “The final contention made by Pilots and Sierra Club is that the FEIR is deficient because it failed to discuss PVWMA’s potential inability to provide funding for its collaborative projects with the City. The speculative possibility that PVWMA might encounter future difficulties in financing various water supply projects was not necessary to the validity of any of the FEIR’s conclusions” (*Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059).

Response to Comment I11-263:

The commenter’s opinion regarding the General Plan 2030 Update is noted. Please see Response to Comment I11-256 for discussion of growth under the proposed General Plan. Please also see

Response to Comment A8-7 regarding “New Towns.” Please also see Master Response #3 for discussion of implementation and ordinances for the proposed General Plan.

Response to Comment I11-264:

The commenter’s suggestion to limit growth in the County are noted. Forcing growth to occur in other areas outside the jurisdiction of the County does not ensure that air quality or greenhouse gas emissions are reduced. A proactive approach designed to address future County growth with land use/circulation emission reducing measures similar to those provided in the General Plan 2030 Update and the Climate Action Plan is considered a more effective approach as opposed to ignoring the issue and letting other jurisdictions mitigate the impact of additional greenhouse gas emissions.

Response to Comment I11-265:

The commenter’s statement regarding the growth projections used in the General Plan 2030 Update are noted. Please see Response to Comment A8-10 and Master Response #5 for discussion of growth projections and buildout assumptions.

Response to Comment I11-266:

The historic population information was originally presented in the General Plan Background Report (Appendix B of the RDEIR, see page 2-30). The source of the data is California Department of Finance and TCAG.

Response to Comment I11-267:

The comment specific to population projections and growth rates is noted. As evidenced by the commenter, the projections and growth rates can change from year to year given a number of factors including economic conditions. The projections used in the General Plan 2030 Update and RDEIR were provided by reputable sources (including the California Department of Finance and TCAG) and were considered the best available information at the time the RDEIR was prepared. .

Response to Comment I11-268:

The commenter’s opinion regarding the intent of the proposed project is noted. Please see Response to Comment A8-10 and Master Response #5 for discussion of growth projections and buildout assumptions.

Response to Comment I11-269:

The commenter’s opinion is noted.

Response to Comment I11-270:

The commenter’s opinion regarding the population projections provided by TCAG is noted. Please see Response to Comment A8-10 and Master Response #5 for discussion of growth projections and buildout assumptions.

Response to Comment I11-271:

The commenter's opinion regarding economic conditions is noted.

Response to Comment I11-272:

The commenter's opinion is noted. Comments will be forwarded to County decision makers for their consideration. Please see Response to Comment I11-71 for discussion of concentrating 95% of population growth within the incorporated cities.

Response to Comment I11-273:

Please see response to comment I11-267, A8-10, and Master Response #5 for discussion of growth projections and buildout assumptions.

Response to Comment I11-274:

The commenter's opinion is noted.

Letter I12. American Farmland Trust**Response to Comment I12-1:**

This comment introduces the comments that follow. Consistent with CEQA Guidelines §15088.5(f)(1), the RDEIR advised commenters that written responses would not be prepared for previous comments on the 2008 DEIR. Written responses are provided for comments on significant environmental issues related to the proposed project which has subsequently been revised (CEQA Guidelines § 15088.5(f)). Responses to the commenter's concerns are addressed below. Please also see Response to Comment I11-6 and Master Response #2.

Response to Comment I12-2:

The commenter provides a general opinion that the General Plan Update (i.e. on policies, implementation measures, etc.) would result in development patterns that would waste farmland and other resources. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Please see RDEIR Section 3.10 for additional discussion and analysis of agricultural resources.

This comment does not specifically address the content or adequacy of the RDEIR. No further response provided.

Response to Comment I12-3:

Please see Response to Comment I12-2 and Response to Comment A8-7 for discussion of "New Towns." Please also note that while an important policy issue to the County, economic considerations are beyond the scope of the RDEIR and these responses (see CEQA Guidelines

Section 15131). The average commuter in Tulare County has a commute time of less than 20 minutes, one of the lowest in the State. Approximately 50% of the commuters in the County have a commute of less than 15 minutes.

Pursuant to California Housing Element Law (Government Code Section 65580, et seq.), the County is legally bound to “accommodate the housing needs of Californians of all economic levels” and has “a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community” (Government Code Section 65580). Consistent with these obligations, areas for new residential development, including affordable housing, must be located in and near existing services and employment.

Response to Comment I12-4:

This comment is concerned with future development densities in the County and states that “neither document explicitly quantifies the buildout density implied by the General Plan 2030 Update. The Government code requires standards of population density and building intensity which were provided in the General Plan, Part I, starting on page 4-3 (see RDEIR pages 2-17 through 2-22 and Final RDEIR Master Response #5 for similar discussion). Furthermore, the RDEIR discusses projected buildout for the General Plan at the 2030 horizon year on pages 1-12, 2-24, 2-25.) Also, see Master Response #5 for information regarding project buildout.

The comment presents an alternative methodology for calculating projected population growth and distribution that would occur as a result of implementing the General Plan 2030 Update, which would, in the commenter’s view, affect the amount of agricultural land converted to residential uses. However, as indicated in Table 2-11, (RDEIR, p. 2-25) population growth would occur primarily (approximately 70 percent) within incorporated areas. Please see Response to Comment A8-10 for discussion of buildout assumptions.

Within unincorporated areas, General Plan 2030 Update policies would encourage growth within and adjacent to existing communities. Please see response to comment I12-2 and I12-5 for examples of these policies. These policies would thus reduce the potential for conflict with agricultural uses. As noted in the RDEIR (page 2-14), changes to land use designations on individual parcels are not proposed. Proposed changes to Land Use Designations and requisite densities would not be implemented until changes are proposed in future general plan updates and amendments or through development and adoption of new Community Plans, Hamlet Plans, Mountain sub-area plans, Foothill, Urban, and Regional Growth Corridors, and Mountain Service Center Plans. Table 2-10 (page 2-22) of the RDEIR identifies the land use designations and standards used in Tulare County. These designations will be applied to communities upon community plan updates.

Response to Comment I12-5:

This comment is concerned with the conversion of farmland for residential uses and proposes increased residential densities and reducing the size of certain planning areas. Contrary to the

comment, the County did consider the concepts of reduced planning areas. For example, Alternative 5, the Confined Growth Alternative, was identified as the environmentally superior alternative. Alternative 2, the City-Centered Alternative, was determined to have a lesser impact than the proposed project for some impacts (though it would not reduce any of the significant and unavoidable impacts of the proposed project to less than significant).

Regarding agricultural resource impacts, Impact 3.10-1 (page 3.10-11) of the RDEIR notes that the proposed project would result in the substantial conversion of important farmlands to non-agricultural uses. The preservation of agricultural resources is a key goal of the General Plan 2030 Update, with the inclusion of several policies (see Policies AG-1.1 through AG-1.5 and AG-1.7 through AG-1.14) in the Agriculture Element and Land Use Element (see Policies LU-2.1 and LU-2.4) that have been designed to conserve the County's existing agricultural resources. These policies call for the continued recognition of agriculture as the primary land use in the Valley and Foothill region of the County and the continued use of preservation programs (i.e., the California Land Conservation Act/Williamson Act) to protect existing agricultural lands. A summary of key policies is provided on pages 3.10-13 through 3.10-15 of the RDEIR, and the summary table from the RDEIR is provided below.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Agriculture, Land Use and Economic Development Elements			
Policies designed to conserve agricultural resources within the County include the following:			
AG-1.1	Primary Land Use	AG-1.9	Agricultural Preserves Outside Urban Boundaries
AG-1.2	Coordination	AG-1.10	Extension of Infrastructure Into Agricultural Areas
AG-1.3	Williamson Act	AG-1.11	Agricultural Buffers
AG-1.4	Williamson Act in UDBs and HDBs	AG-1.12	Ranchettes
AG-1.5	Substandard Williamson Act Parcels	AG-1.13	Agricultural Related Uses
AG-1.6	Conservation Easements	AG-1.14	Right-to-Farm Noticing
AG-1.7	Preservation of Agricultural Lands	LU-2.1	Agricultural Lands
AG-1.8	Agriculture Within Urban Boundaries	LU-2.4	Residential Agriculture Uses
Policies designed to promote the continued productivity and employment of agricultural resources within the County include the following:			
AG-2.1	Diversified Agriculture	AG-2.8	Agricultural Education Programs
AG-2.2	Market Research	AG-2.9	Global Marketing
AG-2.3	Technical Assistance	AG-2.10	Regional Transportation
AG-2.4	Crop Care Education	AG-2.11	Energy Production
AG-2.5	High-Value-Added Food Processing	ED-2.10	Supporting Agricultural Industry
AG-2.6	Biotechnology and Biofuels	LU-2.2	Agricultural Parcel Splits
Implementation measures designed to protect and conserve agricultural resources within the County include the following:			
Agriculture Implementation Measure #1		Agriculture Implementation Measure #7	
Agriculture Implementation Measure #2		Agriculture Implementation Measure #8	
Agriculture Implementation Measure #3		Agriculture Implementation Measure #9	
Agriculture Implementation Measure #4		ED Implementation Measure #4	
Agriculture Implementation Measure #5		ED Implementation Measures #5	
Agriculture Implementation Measure #6			

Planning Framework and Land Use Elements

Policies designed to promote future development patterns that focus growth within established community areas include the following:

LU-1.8	Encourage Infill Development	LU-2.6	Industrial Development
LU-2.1	Agricultural Lands	PF-1.1	Maintain Urban Edges
LU 2.2	Agricultural Parcel Splits	PF-1.2	Location of Urban Development
LU-2.4	Residential Agriculture Uses	PF-1.3	Land Uses in UDBs/HDBs
LU-2.5	Agricultural Support Facilities	PF-1.4	Available Infrastructure

Rural Valley Lands Plan, Foothill Growth Management Plan, and Mountain Framework Plan

Similar policies designed to conserve and encourage the continued economic value of agricultural resources within the various planning areas include the following:

RVLP-1.1	Development Intensity	FGMP-1.10	Development in Success Valley
RVLP-1.2	Existing Parcels and Approvals	FGMP-5.1	Protect Agricultural Lands
RVLP-1.3	Tulare County Agricultural Zones	M-1.9	Agricultural Preserves
RVLP-1.4	Determination of Agriculture Land		

Two new measures are also included in the RDEIR to address this issue: AG-1.18 Farmland Trust and Funding Sources and Agricultural Element Implementation Measure #15 (page 3.10-15).

Additionally, Policy AG-1.6 is modified, as follows:

- AG-1.6 Conversion Easements.** The County may develop an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including “Important Farmlands”), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for ~~conservation~~ conversion of important agricultural land to nonagricultural use. If available, the ACEP may shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation. *[New Policy – Draft EIR Analysis]*

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for this policy. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I12-6:

This comment expresses disagreement with the determination that no additional mitigation is feasible for Impact 3.10-1 (conversion of farmland to non-agricultural uses) (RDEIR p. ES-22)³ and proposes to reduce the average size of residential lots as avoidance mitigation for conversion of farmland. However, the suggested mitigation would not substantially reduce this impact because the major cause of important farmland conversion is a downgrading of important farmland as a result of conversion to other agricultural uses. Conversion of important farmlands to urban or developed uses comprises only a small portion of the overall loss of important farmlands. Regarding the commenter’s suggestion

³ The commenter cites General Plan 2030 Update-3.0-16, however, this impact is analyzed in the RDEIR as Impact 3.10-1.)

regarding reduced lot sizes, a reduction in lot sizes would still result in the conversion of some amount of prime agricultural land to a developed use and would not reduce any of the significant and unavoidable impacts of the proposed project to less than significant.

Response to Comment I12-7:

The comment recommends adoption of Alternative 5. This comment does not address the content or adequacy of the RDEIR; no further response required. However, the commenter's request will be forwarded to County decision makers for additional consideration.

Response to Comment I12-8:

The comment expresses support for incorporating the principles of smart growth into the general plan, but does not address the content or adequacy of the RDEIR; no further response required. See Response to Comment I12-3. Given the rural nature of the County, the General Plan 2030 Update has incorporated a number of smart growth principles including the following:

Air Quality Element
Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:
AQ-2.1 Transportation Demand Management Programs AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ Implementation Measure #8
Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:
AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.3 Street Design AQ-3.4 Landscape AQ-3.5 Alternative Energy Design AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 and #12
Land Use Element
Policies designed to encourage economic and social growth while retaining quality of life standards include the following:
LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.3 Prevent Incompatible Uses LU-1.4 Compact Development LU-1.8 Encourage Infill Development
Environmental Resources Management Element
Policies designed to encourage energy conservation in new and developing developments include the following:
ERM-4.1 Energy Conservation and Efficiency Measures ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation ERM-4.3 Local and State Programs ERM-4.4 Promote Energy Conservation Awareness ERM-4.5 Advance Planning ERM-4.6 Renewable Energy

Letter I13. Center for Race, Poverty, and the Environment

Response to Comment I13-1:

This comment doesn't point to a specific inadequacy within the RDEIR; no further response required. The purpose of the General Plan 2030 Update is to guide the future growth of the County over the next 20 year timeframe not to evaluate or resolve existing conditions in the project area.

Response to Comment I13-2:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I13-3:

Comment noted. This comment does not address the content or adequacy of the RDEIR; no further response required. See response to comments I13-1 and I13-2.

Response to Comment I13-4:

- The General Plan 2030 Update has been developed with the intent of assisting the various communities (i.e., UDBs, HDBs...) in the County in meeting their long term needs. Specific examples of policies include the following: **Policy LU-1.1 Smart Growth and Healthy Communities.**

The County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including:

- Creating walkable neighborhoods,
- Providing a mix of residential densities,
- Creating a strong sense of place,
- Mixing land uses,
- Directing growth toward existing communities,
- Building compactly,
- Discouraging sprawl,
- Encouraging infill,
- Preserving open space,
- Creating a range of housing opportunities and choices,
- Utilizing planned community zoning to provide for the orderly pre-planning and long term development of large tracks of land which may contain a variety of land uses, but are under unified ownership or development control, and
- Encouraging connectivity between new and existing development [*New Policy*] [*Board of Supervisors, November 2005, September 2007*].

- **Policy LU-1.8 Encourage Infill Development.** The County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development *[New Policy]*.
- **Policy LU-5.4 Compatibility with Surrounding Land Use.** The County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses *[New Policy]* *[Board of Supervisors, November 2005]*
- **Land Use Implementation Measure 3.** During preparation of the Zoning Ordinance and Land Development Regulations, the County shall consider appropriate incentives to encourage smart growth implementation, including but not limited to such factors as infill, densification, transportation alternatives, provision of public amenities, and commercial standards *[New Program]*.
- **Land Use Implementation Measure 7.** The County shall develop a set of criteria to determine whether proposed projects are infill developments and develop a set of incentive programs for infill projects located within UDBs *[New Program]*.
- **Land Use Implementation Measure 8.** The County shall develop and maintain a GIS based database of infill sites and encourage new development to occur on the identified sites *[New Program]*.
- **Land Use Implementation Measure 9.** The County shall create a program to consolidate infill sites when permits are sought for development and shall require access to public roads be present or secured prior to development *[New Program]*.

Response to Comment I13-5:

The Transportation and Circulation Element of the General Plan 2030 Update is intended to address the various concerns identified by the commenter. Specific policies have been developed to address adequate public roadway networks (see Policy TC-1.1), intermodal connectivity (see Policy TC-1.6), and roadway maintenance (see Policy TC-1.5, TC-1.14, and Implementation Measure #10). While the County is not directly responsible for the transit or bus system in Tulare County, the General Plan 2030 Update provides a set of policies identifying support and coordination activities between the County and local transit service providers. Response to Comment I13-6.

The commenter's concern regarding the Housing Element of the General Plan 2030 Update is noted. While developed as an integral part of the General Plan 2030 Update, the Housing Element was adopted prior to the General Plan 2030 Update to meet State mandated time frames for housing element updates that are more frequent (five year timeframes) than those specified for larger general plan updates. Consequently, the County prepared the Housing Element and adopted the element within the recommend timeframe to allow for additional public input on specific housing issues and content required by the California Department of Housing and Community Development (HCD). Although the Housing Element was adopted, it will require revisions and corrections. An addendum to address revisions to the Housing Element will be prepared and will require adoption and certification by the HCD.

Response to Comment I13-7:

This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comments I13-8 through I13-47:

Comments I13-8 through I13-47 are duplicates of Comments I13-1 through I13-7. See the responses to Comments I13-1 through I13-7.

Letter I14. Center for Race, Poverty, and the Environment**Response to Comment I14-1:**

This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I14-2:

The Land Use Element complies with the requirements of the Planning and Zoning Code (Gov. Code §§65000 et seq.). See Master Response #5 and Response to Comment A8-7 for a discussion of land use designations, the Land Use Diagram, and Project Build out.

Response to Comment I14-3:

The commenter provides an opinion or criticism on the General Plan Update; consequently this comment does not address the content or adequacy of the RDEIR. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The RDEIR also includes a City-Centered Growth Alternative (Alternative 2) in RDEIR Section 4.0.

Response to Comment I14-4:

The commenter's criticism regarding the Land Use Element of the General Plan 2030 Update is noted. The updated Land Use Element is consistent with State planning law (Government Code §§ 65000 et seq.). For example, the commenter is referred to Figure 4-1 "Tulare County Planning Areas" found on page 4-5 of the Land Use Element (Goals and Policies Report). Figure 4-1 identifies the County's regional planning framework and includes land use designations and boundaries. The commenter is further directed to Tables 4.1 "Land Use Designations" and 4.2 "Countywide Land Use Designation Matrix" which describe the various land use designations and their proposed locations within the various planning boundaries of the County. This information is also provided in Chapter 2 "Project Description" of the RDEIR.

The commenter is also referred to Master Response #3 and to Master Response #4, which describes the appropriate level of detail for a general plan and the various policies that comprise the plan. As noted therein, "the degree of specificity and the level of detail of the discussion of each element shall reflect local conditions and circumstances" (Government Code Section

65301(c)). Tulare County covers approximately 4,840 square miles. The level of detail provided in the General Plan and the RDEIR was appropriate. The commenter is also referred to Master Response #5 and Response to Comment A8-7 for discussion of Land Use Designations and Buildout.

The comment also suggests that the RDEIR must analyze a worst case scenario. This is not required by CEQA (*Towards Responsibility in Planning v. City Council* (1988) 200 Cal.App.3d 671; *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437; CEQA Guidelines Sections 15064 and 15358; see similar NEPA requirements *Robertson v. Methow Valley Citizens Council* (1989) 490 U.S. 332).

Please see Response to Comment A8-7 for discussion of “New Towns.”

Response to Comment I14-5:

This comment is regarding the adequacy of the project description and land use map. The commenter is referred to the response prepared for Comment I14-4 and to Master Response #5, which provides additional information regarding the land use designations and Land Use Diagram that describe the project. Chapter 2 “Project Description” of the RDEIR represents a good-faith effort by the County to provide a general description of the anticipated distribution of land uses and population between the incorporated and unincorporated areas of the County. The project description “should not supply extensive detail beyond that needed for evaluation and review of the environmental impact” (CEQA Guideline section 15124). The description satisfies that standard.

Furthermore, Government Code Section 65301(a) gives the County discretion on the form of the General Plan [“The General Plan may be adopted in any format deemed appropriate or convenient by the legislative body, including the combining of elements. The legislative body may adopt all or part of a plan of another public agency in satisfaction of all or part of the requirements of Section 65302...”]. Given the substantial size of the County, it is appropriate for the County to use other more specific plans, such as those provided in General Plan Parts II and Part III.

Response to Comment I14-6:

The commenter is referred to the response prepared for Comment I14-5, A8-10, and Master Response #5. As previously described, the project description of the RDEIR represents a good-faith effort by the County to provide a general description of the anticipated distribution of population between the incorporated and unincorporated areas of the County. As described in the RDEIR, the proposed project is based on a projected year 2030 population of 742,970. This population estimate is based on projections provided by TCAG and the State Department of Finance. Using these population projections as a base, the County considered several population growth scenarios that addressed the County’s incorporated and unincorporated areas ability and capacity to grow and accommodate future population. In reviewing these population growth scenarios and TCAG traffic modeling projections, it was determined (with County Board of Supervisor direction) that the unincorporated portions of the County could accommodate approximately 25% of future new growth. Consequently, 75% (235,480) of the new population

growth is expected to occur as a result of annexations and in-fill development within the County Adopted CACUDBs and the Spheres of Influence of incorporated cities throughout the County. The County is entitled to make such reasonable assumptions (See *City of Long Beach v. Los Angeles Unified School District* (2010) 176 Cal.App.4th 889; *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018 [“A public agency can make reasonable assumptions based on substantial evidence about future conditions without guaranteeing that those assumptions will remain true (Pub. Resources Code, § 21080, subd. (e); *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 412, 183 Cal.Rptr. 898.”])). While the comment suggests that development “may not” occur as described, the County is not required to guarantee the assumptions.

As described on pages 2-24 through 2-25 of the RDEIR, the proposed project includes a projection of development which could occur if currently vacant land were developed according to the urban growth areas identified in the land use map (shown in Figure 2-2 of the project description), land use designation descriptions (described in Table 2-10 of the project description) for each planning area of the County, and the policy direction outlined in the Planning Framework Element (see Part I, Chapter 2) of the Goals and Policies Report. Implementation of the proposed project would induce some of the population and housing growth in the County, in part because it increases intensity of uses and densities in some community growth areas. While growth would be allowed under the proposed project, population projections based on State and local government data indicate that similar growth would occur through out the County under the existing General Plan but without the benefit of concentrating growth in community growth areas, updating polices to incorporate current environmental and regulatory trends, and identifying opportunities for increased economic sustainability.

As identified throughout the RDEIR, the proposed project contains goals and policies to maintain the rural character of the County and minimize the environmental impacts of anticipated growth. Proposed policies are considered feasible and as such, take into account market conditions and realistic growth assumptions that are consistent with the land use principles/concepts of the region and that discourage undesirable development in areas with sensitive natural resources, critical habitats and important scenic resources. In addition, the proposed project encourages orderly growth by encouraging new development to occur in areas adjacent to existing urban uses and requires developers to provide service extensions.

Response to Comment I14-7:

According to CEQA Guidelines §15125, “[a]n EIR must include a description of the *physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published* . . . [which] will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” The baseline environmental and regulatory data that the RDEIR analysis relies on is located at the beginning of each resources section identified in Chapter 3 “Environmental Analysis.” A more detailed description of the existing conditions in Tulare County, including maps, is also contained in the Background Report, which

is included as Appendix B of the RDEIR which was incorporated by referenced under CEQA Guidelines Section 15150 and should be considered to be “set forth in full” in the RDEIR.

As noted in the comment, baseline environmental setting must be premised on realized physical conditions on the ground, as opposed to merely hypothetical conditions allowable under existing plans (see CEQA Guidelines Section 15126.6(e)(3)(A); *Christward Ministry v. Superior Court* (1986) 184 Cal.App.3d 180, 186–187). Therefore, existing land use designations are not relevant for determining existing conditions, as suggested in the comment. Existing Conditions (Baseline) are described in several different sections of the RDEIR. A General discussion is provided in Section 2.2, with more detailed resource specific discussion provided in Sections 3.1 through 3.12 (for example see RDEIR Agricultural Resource Environmental Setting starting on page 3.10-2).

As more fully described in Master Response #4, the RDEIR is a program EIR for a General Plan, not for a specific development project. Consequently, it is not expected to and cannot practically analyze impacts at a site-specific level or provide “on-the-ground environmental conditions” for the entire planning area.

Response to Comment I14-8:

The commenter’s general statement that the various mitigating policies and implementation measures under the Land Use Element are insufficient to address the potential adverse impacts created by the project is noted. The following responses to Comments I14-9 through I14-20 provided individual responses to specific comments regarding the Land Use Element.

Additionally, the commenter is also directed to Master Response #3 and #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein, individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan.

Response to Comment I14-9:

This comment does not address the adequacy of the RDEIR and no further response is required. Please see Master Response #1. However, to clarify, the commenter’s statement regarding LU-1.1 is incorrect. The policy is provided in the Land Use Element as follows:

- **LU-1.1 Smart Growth and Healthy Communities.** The County shall promote the principles of smart growth and healthy communities in UDBs and HDBs, including:
 - Creating walkable neighborhoods,
 - Providing a mix of residential densities,
 - Creating a strong sense of place,
 - Mixing land uses,
 - Directing growth toward existing communities,
 - Building compactly,
 - Discouraging sprawl,

- Encouraging infill,
- Preserving open space,
- Creating a range of housing opportunities and choices,
- Utilizing planned community zoning to provide for the orderly pre-planning and long term development of large tracks of land which may contain a variety of land uses, but are under unified ownership or development control, and
- Encouraging connectivity between new and existing development [*New Policy*] [*Board of Supervisors, November 2005, September 2007*].

The focus of the policy is between existing communities (UDBs and HDBs), with a final note provided to encourage any new development to connect with existing land use patterns or development. No change to the policy is recommended. The comment will be forwarded to County decision makers for consideration.

Response to Comment I14-10:

This comment does not address the adequacy of the RDEIR and no further response is required. Please see Master Response #1. Additionally, providing incentives or promoting smart growth concepts are currently proposed as part of the implementation measure. The comment will be forwarded to County decision makers for consideration.

Response to Comment I14-11:

This comment does not address the adequacy of the RDEIR and no further response is required. Please see Master Response #1. Additionally, the commenter is referred to the Public Facilities & Services Element, which provides a range of policies designed to address the establishment and maintenance of acceptable levels of service and the appropriate siting of public facilities and service systems necessary to address future demands resulting from the General Plan 2030 Update. The comment will be forwarded to County decision makers for consideration.

Response to Comment I14-12:

This comment does not address the adequacy of the RDEIR and no further response is required. Please see Master Response #1. Additionally, as currently written, Policy LU-4.1 addresses the commenter's concern. The policy is applicable to all unincorporated areas of the County and specifically mentions communities and hamlets. The comment will be forwarded to County decision makers for consideration.

Response to Comment I14-13:

The General Plan 2030 Update provides a holistic view of the issues surrounding the County, with policies throughout the various elements addressing specific issues that also interact to address shared concerns. For example, the commenter's position regarding Policy LU-4.2 Big Box Development is correct. However, the County's desire to attract economic development opportunities and provide services requested by some County residents is balanced by the County's desire to support town centers and neighborhood services (Goal ED-6 and related policies), maintain rural development

patterns and traditional community centers (Goal SL-3 and related policies), and protect important cultural sites (Goal ERM-6 and related policies) including historic buildings and sites. Moreover, the potential project level impacts from any proposed big box development will be analyzed in accordance with CEQA at the time such development is proposed.

Response to Comment I14-14:

Please see the response to Comment I14-13 and Master Response #3 for discussion of implementation of the General Plan. Related policies address a variety of sitting issues associated with industrial developments including the following from the same section of the Land Use Element:

- **LU-5.3 Storage Screening.** The County shall require adequate landscaping and screening of industrial storage areas to minimize visual impacts and enhance the quality of the environment *[New Policy] [Board of Supervisors, November 2005]*.
- **LU-5.4 Compatibility with Surrounding Land Use.** The County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses *[New Policy] [Board of Supervisors, November 2005]*.
- **LU-5.5 Access.** The County shall locate industrial development where there is access from collector or arterial roads, and where industrial/heavy commercial traffic is not routed through residential or other areas with uses not compatible with such traffic *[New Policy] [Board of Supervisors, November 2005]*.
- **LU-5.6 Industrial Use Buffer.** Unless mitigated, the County shall prohibit new heavy industrial uses to a minimum of 500 feet from schools, hospitals, or populated residential areas (more than 10 dwelling units within a quarter mile diameter area). The buffer area may be used for activities not creating impacts to adjoining sensitive land uses for uses accessory to the heavy industrial use. The establishment of a buffer may not be required when mitigated or may not apply to industrial uses that do not impact adjoining uses identified herein. The buffer area shall be landscaped and maintained *[New Policy] [Board of Supervisors, November 2005]*.

Response to Comment I14-15:

Air quality impacts of the proposed project are analyzed in RDEIR section 3.3 and cumulative impacts are analyzed in RDEIR section 5.3. Additionally, please see the response to Comment I14-13. The commenter is also directed to the Health and Safety Element which provides a variety of policies designed to address noise concerns associated with the placement of industrial uses near sensitive receptors.

Response to Comment I14-16:

The commenter is referred to the responses prepared to Comments I14-13 through I14-15.

Response to Comment I14-17:

In determining the appropriate buffer requirement, the County reviewed a number of sources to determine the appropriate buffer for the specific land use characteristics of the County and

anticipated industrial uses envisioned under the General Plan 2030 Update. The development of recreation-related buffers may not be appropriate for those user groups anticipated to use these buffer areas when placed near industrial or some large scale commercial uses. Additionally, specific projects will receive separate CEQA review at the time of their proposal to determine more specific conditions, if necessary. The commenter is referred to the responses prepared to Comments I14-13 through I14-15.

Response to Comment I14-18:

The commenter is referred to Master Response #3 and #4. The policy has been developed to provide a degree of flexibility to address the specific needs of future projects as they are considered for design and approval. Implementation of Policy LU-7.6 will consider the specific type of project anticipated, the surrounding land uses to the project site, the distances of these land uses to the project site, and the existing topography and vegetation conditions of a particular site.

Response to Comment I14-19:

The commenter is referred to the response prepared for Comment I14-18.

Response to Comment I14-20:

The commenter's suggestion is noted. The commenter is referred to Master Response #1.

Response to Comment I14-21:

The commenter's general statement that the various mitigating policies and implementation measures under the Transportation and Circulation Element are insufficient to address the potential adverse impacts created by the project is noted. The following responses to Comments I14-22 through I14-27 provided individual responses to specific comments regarding the Transportation and Circulation Element. Additionally, the commenter is also directed to Master Response #3 and #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update.

Response to Comment I14-22:

The County has a dedicated pool of Measure R funds to address transportation needs of community residents. Improvements are prioritized based upon the Pavement Management System. The commenter's suggestion to help prioritize funding is noted. The commenter is referred to Master Response #1.

Response to Comment I14-23:

The County supports the overall use of low emission/alternative fuel vehicles (see Policy AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles) and can ensure implementation of their use as part of County-related activities or operations. While the County can encourage the installation

of alternative fuel infrastructure in future intermodal freight villages, the County has no authority to regulate the types of vehicles that private transportation companies use in the daily activities, and is therefore considered legally infeasible. The commenter is referred to Master Response #1.

Response to Comment I14-24:

The County supports a variety of ridesharing programs to help reduce vehicle miles travelled. The commenter's suggestion to support affordable labor transportation for farm workers is noted, however given the existing programs such a policy would not reduce or avoid project impacts. The commenter is referred to Master Response #1. The average commuter in Tulare County has a commute time of less than 20 minutes, one of the lowest in the State. Approximately 50% of the commuters in the County have a commute of less than 15 minutes.

Response to Comment I14-25:

The commenter's suggestion is noted. The commenter is also directed to the entire text of the policy which reads as follows:

- **TC-1.15 Traffic Impact Study.** The County shall require an analysis of traffic impacts for land development projects that may generate increased traffic on County roads. Typically, applicants of projects generating over 100 peak hour trips per day or where LOS "D" or worse occurs, will be required to prepare and submit this study. The traffic impact study will include impacts from all vehicles, including truck traffic [*New Policy*].

As indicated in the policy, the County has the option of examining the number of trips and/or the level of service at a particular location to help determine the need for a traffic study. Such project specific details will be considered at the time specific projects are proposed (see Master Response #4).

Response to Comment I14-26:

The commenter's suggestion is noted. The intent of the policy is to support all unincorporated areas or communities under the County's jurisdiction. This comment does not address the adequacy of the RDEIR and no further response is required. The commenter is referred to Master Response #1.

Response to Comment I14-27:

The commenter's suggestion regarding regional coordination is noted. The intent of the various policies (and applicable implementation measures) under Goal TC-4 are to support the provision of public transportation service and foster cooperation between the various entities responsible for providing the service. This comment does not address the adequacy of the RDEIR and no further response is required. The commenter is referred to Master Response #1.

Response to Comment I14-28:

Please see Response to Comment I11-73 for discussion of the AFCP. The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan

policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is also directed to the response prepared for Comment I11-32 which addresses air quality and public health impacts.

Response to Comment I14-29:

The commenter is referred to Master Response #10 which describes the County's climate action plan along with the County's effort to reduce air quality emissions. The commenter is referred to Master Response #3 and #4.

Response to Comment I14-30:

The County has developed this policy given the cumulative nature of air quality impacts and the relative importance of this issue. The commenter is referred to the Air Quality Element, which provides a range of policies designed to address air quality conditions and help reduce air quality emissions. The commenter is further referred to Master Response #10 which describes the County's climate action plan.

Response to Comment I14-31:

In consideration of this comment, the County will consider the incorporation of the following new policy, designed to address the issue of alternative vehicle infrastructure, into the General Plan 2030 Update:

- **AQ-1.8 Alternative Fuel Vehicle Infrastructure.** The County shall support the development of necessary facilities and infrastructure needed to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations, including CNG filling stations). *[New Policy – Final EIR]*

Response to Comment I14-32:

The commenter is referred to the responses to Comments I14-29 and I14-30. The commenter is also referred to Master Response #3 and #4. As discussed therein, a policy banning cul de sacs would provide insufficient flexibility in the General Plan and could result in unknown secondary impacts. Furthermore, in some situations street closures (such as a cul de sac) can promote improvements to the transportation system as a whole (including pedestrians, bicyclists and transit). Therefore an outright ban is considered infeasible. Furthermore, site specific details will be considered as the time specific projects are proposed and addressed under separate CEQA review.

Response to Comment I14-33:

The commenter's suggestion to add an additional implementation measure to Policy AQ-3.6 is noted. Please see Master Response #3 and #7 regarding the use of implementation measures. Furthermore, parts of the County have been designated mixed use which would help accomplish this policy (see General Plan, Part I, page 2-4). Additionally, it should be noted that the following proposed Implementation Measure #11 can be used to achieve the same objectives as those identified by the commenter.

- **Air Quality Implementation Measure #11.** The County shall identify opportunities for infill sites in all new community updates, hamlet plans, and redevelopment project area plans as they are prepared over time [*New Program*].

Response to Comment I14-34:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. Consistent with the CEQA Guidelines, the topic of energy is addressed in Section 3.4 of the RDEIR (“Energy and Global Climate Change”), including discussion of existing federal, state, and local requirements. Impact 3.4-1 (page 3.4-26) and Impact 3.4-2 (page 3.4-29) address the energy implications of the proposed project. SCE, the primary electricity provider for Tulare served 17.4% of their energy in 2009 from renewable sources, and PG&E served 14.4%.⁴

A summary of key energy policies from all applicable elements of the General Plan 2030 Update is provided below. The commenter is also referred to the response to Comment A2-1.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Land Use, Air Quality, Health and Safety, and Foothill Growth Management Plan Elements		Transportation and Circulation Element	
Policies designed to minimize vehicle miles traveled through the support of future development patterns that increase the use of alternative forms of transportation and non-motorized transportation.			
LU-6.3	Schools in Neighborhoods	TC-1.6	Intermodal Connectivity
LU-7.3	Friendly Streets	TC-1.18	Balanced System
AQ-2.2	Indirect Source Review	TC-2.1	Rail Service
AQ-2.3	Transportation and Air Quality	TC-2.4	High Speed Rail (HSR)
AQ-2.4	Transportation Management Associations	TC-3.7	Multi-modal Development
AQ-2.5	Ridesharing	TC-4.2	Determine Transit Needs
AQ-3.3	Street Design	TC-4.3	Support Tulare County Area Transit
AQ Implementation Measure #1		TC-4.4	Nodal Land Use Patterns that Support Public Transit
AQ Implementation Measure #8			
HS-9.1	Healthy Communities	TC-4.7	Transit Ready Development
HS-9.2	Walkable Communities		TC Implementation Measure #8
HS Implementation Measure #24			TC Implementation Measure #18
FGMP-8.16	Proximity to Transportation		TC Implementation Measure #19
FGMP-8.17	Reduce Vehicle Emissions		
FGMP Implementation Measure #1			
Transportation and Circulation Element			
Policies designed to promote the continued use and expansion of bicycle and pedestrian facilities.			
TC-2.6	Rail Abandonment		TC Implementation Measure #16
TC-5.1	Bicycle/Pedestrian Trail System		TC Implementation Measure #21
TC-5.2	Consider Non-Motorized Modes in Planning and Development		TC Implementation Measure #22
			TC Implementation Measure #23
TC-5.3	Provisions for Bicycle Use		TC Implementation Measure #24
TC-5.4	Design Standards for Bicycle Routes		TC Implementation Measure #25
TC-5.6	Regional Bicycle Plan		TC Implementation Measure #26
TC-5.7	Designated Bike Paths		TC Implementation Measure #27
TC-5.9	Existing Facilities		TC Implementation Measure #28

⁴ See CPUC’s Renewable Portfolio website available at: <http://www.cpuc.ca.gov/PUC/energy/Renewables/>

Land Use Element		Planning Framework, Air Quality, Public Facilities and Services, and Foothill Growth Management Plan Elements	
Policies designed to minimize vehicle miles traveled through mixed use, infill, redevelopment, and higher density development.			
LU-1.1	Smart Growth and Healthy Communities	LU Implementation Measure #14	
LU-1.2	Innovative Development	PF-1.2	Location of Urban Development
LU-1.4	Compact Development	PF-1.3	Land Uses in UDBs/HDBs
LU-1.8	Encourage Infill Development	PF-3.4	Mixed Use Opportunities
LU-3.1	Residential Developments	PF	Implementation Measure #21
LU-3.2	Cluster Development	AQ-3.1	Location of Support Services
LU-3.3	High Density Residential Locations	AQ-3.2	Infill Near Employment
LU-4.1	Neighborhood Commercial Uses	AQ-3.6	Mixed Land Uses
LU Implementation Measure #3		AQ Implementation Measure #11	
LU Implementation Measure #7		PFS-8.3	Location of School Sites
LU Implementation Measure #8		FGMP-3.1	Innovative Residential Design
LU Implementation Measure #9			
LU Implementation Measure #10			
Planning Framework and Land Use Elements		Public Facilities and Services Element	
Policies designed to direct development to existing urban areas and encourage efficient use of existing public services and utilities.			
PF-1.4	Available Infrastructure	PFS-1.8	Funding for Service Providers
PF-2.1	Urban Development Boundaries – Communities	PFS-1.15	Efficient Expansion
PF-2.2	Modification of Community UDB	PFS-1.16	Joint Planning Efforts
PF-3.1	Hamlet Development Boundaries – Hamlets	PFS-2.4	Water Connections
PF-3.2	Modification of HDB – Hamlet	PFS-3.3	New Development Requirements
PF-3.3	Hamlet Plans		
PF-4.1	CACUABs for Cities		
PF-4.2	CACUDBs for Cities – Twenty Year Planning Area		
PF-4.3	Modification of CACUABs and CACUDBs		
PF-4.6	Orderly Expansion of City Boundaries		
LU-2.1	Agricultural Lands		
Air Quality, Land Use, and Public Facilities and Services Elements		Environmental Resource Management Element	
Policies designed to minimize this impact through the conservation of existing energy supplies include the following:			
LU-7.15	Energy Conservation	ERM-4.1	Energy Conservation and Efficiency Measures
LU Implementation Measure #24		ERM-4.2	Streetscape and Parking Area Improvements for Energy Conservation
AQ-3.5	Alternative Energy Design	ERM-4.3	Local and State Programs
AQ Implementation Measure #12		ERM-4.4	Promote Energy Conservation Awareness
PFS-5.9	Agricultural Waste	ERM-4.6	Renewable Energy

Response to Comment 114-35:

Please see Master Response #3 and Master Response #4 regarding the enforceability of the General Plan policies and the appropriate level of detail for the General Plan.

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not regulatory programs or project-specific mitigation measures. Furthermore, the General Plan does not stand alone, as

discussed in Section 3.4 there are numerous existing federal and state regulations which address energy efficiency including the California Building Code (Title 24, California Code of Regulations). These include the California Lighting Efficiency and Toxics Reduction Act (AB 1109 [2007]), which requires reductions in energy usage for lighting and encourages the use of more efficient lighting technologies. Similar federal requirements can be found in the Energy Independence and Security Act of 2007, which effectively bans the sale of most current incandescent light bulbs. More information on many of energy conservation measures is available from the California Public Utilities Commission.⁵ The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Response to Comment I14-36:

A number of the suggested measures to reduce existing energy consumption and support the use of alternative energy sources are currently part of proposed policies in the General Plan 2030 Update. The commenter is referred to the response prepared for Comment I14-34. Additionally, please see Master Response #3 and #7 regarding the use of implementation measures.

Please also note that SCE and PG&E receive their electricity statewide, and there are existing statutes and regulations in place to ensure statewide encouragement of renewable energy, including the RPS requirements (see Senate Bill 107 [2006]). Please see Response to Comment I14-38 for discussion of suggested measures.

Response to Comment I14-37:

The commenter is referred to the response prepared for Comment I14-35. Please also see Master Response #4, which discuss the programmatic nature of this RDEIR.

Response to Comment I14-38:

The commenter's suggestions are noted and will be forwarded to County decision makers for consideration. Many of the commenter's suggestions are currently part of the proposed policies in the General Plan 2030 Update. In developing the appropriate set of policies, the County considered the feasibility of implementing a variety of energy conservation measures including many currently in use by more urban or densely populated areas of the State. The following provides a response to each measure suggested by the commenter:

The comment suggests requiring all new public buildings to meet the LEED silver standard.

- The County supports the concept of energy efficiency and LEED certification for new development as evidenced by the below mentioned implementation measure. However, a policy to require all new public buildings to meet LEED silver standards is not appropriate at the programmatic level and does not retain the flexibility needed to address the variety of project specific differences that will arise under the General Plan. may be

⁵ <http://www.cpuc.ca.gov/PUC/energy/Energy+Efficiency/>

considered infeasible for a number of reasons. The County (through Implementation Measure #12) supports the full spectrum of LEED certification programs (including silver, gold, platinum) and understands that individual projects will conform to their own unique set of issues (including financial, technological) to ensure that the appropriate degree of energy efficiency design is incorporated into individual building construction. Additionally, the commenter is referred to Master Response #4.

- **Air Quality Implementation Measure #12.** The County shall encourage LEED and LEED- ND certification for new development or similar rating system that promotes energy conservation and sustainability [*New Program*].

The comment suggests requiring all new residential and commercial development to be LEED certified and to exceed Title 24 energy standards by 25 percent.

- Air Quality Implementation Measure #12 provides the County's policy with respect to LEED certification. Requiring development to exceed Title 24 energy standards by any percentage is infeasible. Please see Master Response #10 for an explanation of the infeasibility of this suggestion.

The comment suggests requiring building projects to recycle or reuse a minimum of 50 percent of unused or leftover building materials.

- The General Plan 2030 Update already includes several policies on recycling, which are set forth below and provide the flexibility to target a range of recycling goals including those greater than 50 percent. As with commenter's suggestion to set a minimum LEED certification requirement, the suggestion to set a minimum recycling percentage is not appropriate at the programmatic level and does not retain the flexibility needed to address the variety of project specific differences that will arise under the General Plan. **PFS-5.3 Solid Waste Reduction.** The County shall promote the maximum feasible use of solid waste reduction, recycling, and composting of waste, strive to reduce commercial and industrial waste on an annual basis, and pursue financing mechanisms for solid waste reduction programs [*New Policy*].
- **PFS-5.4 County Usage of Recycled Materials and Products.** The County shall encourage all industries and government agencies in the County to use recycled materials and products where economically feasible [*New Policy*].
- **PFS-5.5 Private Use of Recycled Products.** The County shall work with recycling contractors to encourage businesses to use recycled products and encourage consumers to purchase recycled products [*New Policy*].

The comment suggests the use of incentives to encourage green building standards.

- Providing incentives is not feasible. Please see Master Response #10 regarding the use of incentives.

The comment suggests requiring energy efficiency and water conservation upgrades on buildings at the time of sale.

- Retrofitting requirements is not a feasible General Plan policy for Tulare County at this time. Please see Master Response #10 for a discussion of this issue.

The comment suggests requiring new residential construction to meet specific energy efficiency requirements that go beyond those mandated by California law.

- This is not a feasible measure. Please see Master Response #10 for a discussion of this issue.

The comment suggests five measures that would require new construction to install or use specific types of renewable energy.

- Requiring the installation and use of specific types of renewable energy is not feasible. Please see Master Response #10 for a discussion of this issue.

The comment lists two measures suggesting the County perform research and development into the use of renewable energy. The following policy from the General Plan 2030 Update supports this suggestion:

- **ERM-4.6 Renewable Energy.** The County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind, solar, bio-fuels and co-generation [*New Policy*]

The comment suggests using incentives to reduce vehicle miles traveled in underserved communities.

- The General Plan 2030 Update already includes numerous policies designed to minimize and reduce vehicle miles traveled throughout the entire county. Please see response to comment I14-34 for a list of these policies. Also, see Master Response #10 regarding the infeasibility of using financial incentives.

Lastly, the comment suggests that the County do an energy audit on County-owned buildings, requiring rehabilitation to make buildings more efficient. The County supports the concept of developing energy efficient facilities and has included the following policy in the General Plan 2030 Update:

- **ERM-4.3 Local and State Programs.** The County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources [*New Policy*].

The commenter's suggestions will be forwarded to County decision makers for additional consideration (please see Master Response #1). As discussed in Master Response #3 and #4, individual policies should not be reviewed in a vacuum but part of the whole of the General Plan 2030 Update.

Response to Comment I14-39:

Commenter suggests considering the California Air Pollution Control Officers' Model Policies for Greenhouse Gases in General Plans (June 2009). The County did consider these policies in formulating the General Plan 2030 Update policies on energy conservation and climate change. The commenter is referred to the response to Comment A8-11 which describes some of the key sources of information for the development of energy and climate change policies in the General Plan 2030 Update. The commenter is also referred to the response for Comment 14-38.

Response to Comment I14-40:

The commenter is referred to the response to Comment I14-38 and I14-39, above.

Response to Comment I14-41:

The commenter's statement regarding climate change and greenhouse gas emissions is noted. The County has taken a proactive stance to both these issues and has prepared (and circulated) a climate action plan as part of the General Plan 2030 Update. In addition, the General Plan 2030 Update includes a number of policies and implementation measures designed to reduce future GHG emissions. The proposed General Plan focuses future growth within established community areas, as discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25 to help reduce VMT. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The proposed General Plan also contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-2.2, PF-3, PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance].

Please see Master Response #10 for additional detail regarding climate change and the County's approach to addressing this important issue through the General Plan 2030 Update process. Additionally, the commenter is referred to the responses to Comments A8-11 and A8-12 for additional information regarding the impact analysis in the RDEIR. Please also note that the Mitigation Monitoring and Reporting Program is adopted at the time of project approval (see CEQA Guidelines Section 15091(d) and 15097).

Response to Comment I14-42:

The commenter is referred to pages 3.4-20 through 3.4-25 of the RDEIR which provides a description of the methodology used estimate greenhouse gas emissions resulting from implementation of the proposed project. The methodology states that a description of all reasonably discoverable emissions generated within the unincorporated areas of Tulare County, generated by both public and private sources were estimated including direct and indirect emissions resulting from the energy (electricity and natural gas), mobile source (on- and off-road), agriculture (dairy/feedlots), and solid waste (landfills) sectors in Tulare County.

Response to Comment I14-43:

Please see Master Response #3 and Master Response #4 regarding the enforceability of the General Plan policies and the appropriate level of detail for the General Plan, including the appropriate use of general plan policies as mitigation. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not intended to provide the level of detail found in an ordinance or provide project-specific mitigation measures. The comment also cites to a project the *Communities for a Better Environment v. City of Richmond* case which addresses a project specific EIR for Chevron's refinery in Richmond, rather than programmatic analysis and Tulare's General Plan which addresses 4,840 square miles within the County.

The commenter is incorrect in stating that the RDEIR fails to adopt all feasible mitigation and alternatives to minimize greenhouse gas impact under CEQA. The County has completed a climate action plan to address greenhouse gas impacts. The commenter is referred to Master Response #10 for additional detail regarding the County's climate action plan and the County's approach to addressing this important issue through the General Plan 2030 Update process. Additionally, the commenter is referred to the responses to Comments A8-11 and A8-12 for additional information regarding the impact analysis in the RDEIR.

Response to Comment I14-44:

The commenter is referred to the response prepared for Comment I14-43 and Master Response #10 regarding the implementation and level of specificity of the Climate Action Plan. The Draft Climate Action Plan was made available for review with the RDEIR. (See <http://generalplan.co.tulare.ca.us/documents/GeneralPlan2010/ClimateActionPlan.pdf>).

Response to Comment I14-45:

Please see Master Response #3 and #7 regarding the use of implementation measures. The commenter is referred to page 3.4-39 of the RDEIR which includes the following two implementation measures which are intended to implement Policy AQ-1.7:

- **Air Quality Implementation Measure #16.** The County shall develop and maintain a climate action plan. The climate action plan shall include the following elements: an emissions inventory, emission reduction targets, applicable greenhouse gas control measures, and monitoring and reporting plan. *[New Implementation Measure – Draft EIR Analysis]*
- **Air Quality Implementation Measure #17.** The County may inspect County facilities to evaluate energy use, the effectiveness of water conservation measures, production of GHGs, use of recycled and renewable products and indoor air quality to develop recommendations for performance improvement or mitigation. The County shall update the audit periodically and review progress towards implementation of its recommendations. *[New Implementation Measure – Draft EIR Analysis]*

Response to Comment I14-46:

The commenter is referred to Master Response #10 regarding the County's Climate Action Plan.

Response to Comment I14-47:

The commenter is referred to Master Response #10 regarding the County's Climate Action Plan. The commenter expresses concern for the CAP's target of 29% below business as usual. The RDEIR includes three significance thresholds for the Energy and Global Climate Change resource area (3.4-20). The Project would result in a significant impact if it would:

- Result in inefficient, wasteful and unnecessary consumption of energy by residential, commercial, industrial, or public uses associated with increased demand due to anticipated population growth in the County;
- Result in the wasteful, inefficient, or unnecessary consumption of energy in the construction and operation of new buildings; or

- Conflict with the State goal of reducing greenhouse gas emissions in California to 1990 levels by 2020, as set forth by the timetable established in AB 32, California Global Warming Solutions Act of 2006.

Response to Comment I14-48:

The commenter is referred to Master Response #10 regarding the County's Climate Action Plan.

Response to Comment I14-49:

The commenter is referred to Master Response #10 regarding the County's Climate Action Plan. Additionally, please see Master Response #4 regarding the appropriate level of detail for the General Plan and Master Response #2 regarding responses to comments submitted on the original 2008 Draft EIR.

Response to Comment I14-50:

The commenter is referred to Master Response #10 regarding the County's Climate Action Plan. Additionally, please see CAP Section 7.1 Monitoring Program and Implementation Plan and 7.2, Climate Action Plan Implementation (p.84), for a discussion of the CAP's monitoring and implementation plan. The include benchmarks, both short and long term assignments and actions.

Response to Comment I14-51:

The commenter is referred to the noise section of the Health and Safety Element which includes the following implementation measures designed to address the issues identified by the commenter.

- **Health and Safety Implementation Measure #20.** The County shall develop and implement procedures for acoustical analysis of development proposals [*Noise Implementation; 4-3*] [*Noise Element Pg. 27*].
- **Health and Safety Implementation Measure #21.** The County shall adopt the Tulare County Noise Ordinance to incorporate standards set forth in the Health and Safety Element [*Noise Implementation; 4-5*] [*Noise Element Pg. 27*].
- **Health and Safety Implementation Measure #22.** The County should develop and adopt a peak noise standards ordinance to regulate the operation and use of peak noise generating uses throughout the County and ensure residents and visitors are not subject to excessive peak noise nuisances [*New Program*].

Additionally, see Master Response #3 and #7 regarding the use of implementation measures in the General Plan.

Response to Comment I14-52:

The commenter is referred to the water quality discussion in RDEIR Section 3.6 and responses prepared for Comments I11-33, I11-37, I11-41, and I11-77 which discuss water quality and water supply

As noted on RDEIR page 3.6-27 “Where local impairments exists, the primary constituents of concerns are high TDS, nitrate, arsenic, and organic compounds such as herbicides, pesticides and fertilizers, as well as instances of radiological parameters such as uranium and radium 228.” The level of detail is consistent with CEQA Guidelines Section 15125, which states “The description of the environmental setting shall be no longer than is necessary to an understanding of the significant environmental effects of the proposed project and its alternatives.” However, additional more detailed information was provided in the Background Report, which was incorporated by reference and included in Appendix B (See RDEIR page ES-7). Documents incorporated by reference shall be considered to be set forth in full as part of the text of the EIR (See CEQA Guidelines Section 15150).

The RDEIR provides an accurate and comprehensive description of the water quality conditions in the project area. Moreover, contrary to what is indicated in the comment, existing conditions are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 118 Cal.Rptr.3d 182, 201 through 207). Rather, it is the change in existing conditions caused by the project which determines the significance of a project’s impacts (CEQA Guidelines, §15125 and §15126.2). Thus, the status of existing water quality problems, do not require a determination that the project would have a significant and unavoidable impact on water quality.

Response to Comment I14-53:

The commenter’s suggestion for a new policy is noted. The General Plan complies with the content requirements of Government Code Section 65302. Furthermore, the proposed project already includes Implementation Measures 20, as noted in the comment. Please see Master Response #3 and #7 for discussion of General Plan Implementation. However, Furthermore the General Plan 2030 Update includes the following policies that provide similar guidance to that suggested by the commenter. Consequently, no additional policy change is recommended.

- **PFS-1.7 Coordination with Service Providers.** The County shall work with special districts, community service districts, public utility districts, mutual water companies, private water purveyors, sanitary districts, and sewer maintenance districts to provide adequate public facilities *[New Policy]*.
- **PFS-2.1 Water Supply.** The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development *[New Policy]*.
- **PFS-2.2 Adequate Systems.** The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval *[New Policy]*.

Response to Comment I14-54:

The commenter's suggestion for a new policy is noted. The suggested revisions are not recommended as it is unclear what (or how feasible) an interim solution would be as it relates to the issue of degraded surface water and/or groundwater resource. As noted in Response to Comment I11-52, existing conditions, while important, are not impacts of the proposed project and are beyond the scope of the EIR to fix. Also, see response to Comment I11-37 through I11-57.

Response to Comment I14-55:

As noted in Response to Comment I11-52 existing conditions, while important issues, are not impacts of the proposed project and beyond the scope of the EIR to fix. The commenter's suggestion for revisions to Water Resources Implementation Measure #20 is noted. The suggested revisions are not recommended as the following existing implementation measures of the General Plan 2030 Update address the same water quality and public outreach concerns identified by the commenter.

- **Water Resources Implementation Measure #9.** The County will research the development of an education program to inform homeowners in the Valley and Mountain areas regarding water quality concerns [*New Program*]
- **Water Resources Implementation Measure #11.** The County shall identify and evaluate conditions within established watersheds which are causing deterioration of the water quality, water supply, or declining water yields. The County shall institute the necessary revisions to regulatory documents (Zoning Ordinance, Subdivision Ordinance, etc.) to mitigate these issues [*ERME IV-C; Surface Water; Recommendation 11. Pg. 53*].
- **Water Resources Implementation Measure #23.** The County shall develop an education program to inform residents of water conservation techniques and the importance of water quality and adequate water supplies. Programs may include informational flyers, community workshops, technology transfer fairs, and other various means of education and information dissemination [*New Program [Based on ERME IV-C; Surface Water; Recommendation 6. Pg. 52]*].

Response to Comment I14-56:

In consideration of this comment, the County is proposing to incorporate the following additional implementation measure (as part of the General Plan 2030 Update) to address groundwater restoration activities:

- **Water Resources Implementation Measure #28.** The County shall work with other local/regional agencies, water purveyors, and interest groups to seek funding sources and implement a variety of surface and groundwater restoration activities [*New Program – Final EIR*].

Response to Comment I14-57:

The commenter's suggestion for revisions to Policy WR-1.8 is noted. The County has sole jurisdiction over unincorporated communities. Therefore the suggested revision is implicit in the existing intent of the policy. While the County has jurisdiction over the unincorporated communities of Tulare County, the County is not directly responsible for the various special or community service districts (i.e.,

water, wastewater, etc.) that serve many of the unincorporated communities. No additional revision is recommended.

Response to Comment I14-58:

The commenter is referred to the response prepared for Comment I14-57. However, the suggested change to the term Integrated Regional Water Management Plans is made. See the revised policy below:

- **WR-3.2 Develop an Integrated Regional Water Management Plan.** The County will participate with other agencies and organizations that share water management responsibilities in the County to enhance modeling, data collection, reporting and public outreach efforts to support the development and implementation of appropriate Integrated Regional Water Management Plans (IRWMP) within the County [*New Policy*].

Response to Comment I14-59:

The commenter is referred to the response prepared for Comment I14-57.

Response to Comment I14-60:

The commenter's opinion regarding the policies and implementation measures addressing water contamination prevention are noted. Please also see discussion of Hazardous Materials in RDEIR Section 3.8 and discussion of water quality in RDEIR Section 3.6.

Response to Comment I14-61:

In consideration of this comment, the County is proposing to incorporate the following revision to Policy WR-2.3 (as part of the General Plan 2030 Update) for consideration by the decision makers:

- **WR-2.3 Best Management Practices (BMPs).** The County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations, and urban runoff in coordination with the Water Quality Control Board [*New Policy*].

Additionally, it should be noted that the County's General Plan 2030 Update does not stand alone, there are numerous existing Federal and State regulations which control non-point sources of pollution, as discussed in RDEIR Section 3.6 "Regulatory Setting."

Response to Comment I14-62:

The intent of the commenter's suggestion for a new implementation measure is found in a variety of existing implementation measures including the following:

- **Water Resources Implementation Measure #24.** The County shall protect groundwater recharge areas in the County by carefully regulating the type of development within these areas. Regulations may include, but are not limited to, the limitation of structural coverage and impervious surfaces and prohibition of uses with the potential to discharge harmful pollutants, increase erosion, or create other impacts degrading water quality or

affecting groundwater supply *[Revised New Program based on ERME IV-C; Groundwater; Recommendation 2. Pg. 38]*.

- **Water Resources Implementation Measure #25.** The County shall amend County ordinances to include development standards which protect groundwater basins and surface water drainage areas and provide incentives for use of conservation techniques *[New Program]*.
- **Water Resources Implementation Measure #26.** The County shall establish development or design standards for the protection of groundwater recharge areas, such as placing limitation on the amount of impervious surfaces, or other planning and zoning techniques *[New Program]*.

No additional revisions are recommended. Please also see Master Response #3 and #7 for discussion of General Plan implementation.

Response to Comment I14-63:

The commenter's suggestion to indicate that existing Water Resources Implementation Measure #24 also implements Policy WR-2.1 is noted. The suggestion will be incorporated in the Final General Plan 2030 Update. Specifically, the Water Resources Work Plan/Implementation Measure Table will be amended (as shown below) to include the above referenced policy on page 11-15 (Part I) of the General Plan 2030 Update.

Implementation	Implements what Policy	Who is Responsible	On-Going
24. The County shall protect groundwater recharge areas in the County by carefully regulating the type of development within these areas. Regulations may include, but are not limited to, the limitation of structural coverage and impervious surfaces and prohibition of uses with the potential to discharge harmful pollutants, increase erosion, or create other impacts degrading water quality or affecting groundwater supply <i>[Revised New Program based on ERME IV-C; Groundwater; Recommendation 2. Pg. 38]</i> .	WR-3.9 <u>WR-2.1</u>	RMA, Planning	■

Response to Comment I14-64:

The commenter's statement regarding the need for additional groundwater quality monitoring data is noted. This ground water analysis will be addressed as appropriate during the community plan analysis or site specific projects. Please see Master Response #4.

Response to Comment I14-65:

The intent of the commenter's suggestion for a revision to Policy WR-1.2 is found in a variety of existing implementation measures including the following:

- **Water Resources Implementation Measure #4.** Where feasible, the County shall participate in coordinated local, regional, and Statewide groundwater monitoring and planning programs *[New Program]*.

- **Water Resources Implementation Measure #7.** The County shall work with federal, State, local and regional agencies to improve local groundwater pollution detection and monitoring [*New Program*].
- **Water Resources Implementation Measure #8.** The County shall encourage responsible agencies and organizations to install and monitor additional groundwater monitoring wells in areas where data gaps exist [*New Program*].

No additional revisions are recommended.

Response to Comment I14-66:

The commenter is referred to the responses prepared for Comments I14-55 and I14-65. As noted, in previous comments the General Plan does not stand alone, there are numerous existing Federal, State, and local regulations which address water quality. In particular, existing County Ordinance code Section 4-13-1270 provides grounds for denial of a well permit, which includes denial where there is a source of pollution or contamination. County Ordinance code available at: <http://www.co.tulare.ca.us> by accessing the “County Government” tab and locating the “County Ordinance Code” link on the side menu. Therefore, additional language would not reduce or avoid the impacts of the proposed project. Please see Master Response #3 and Part IV, Chapter 13 (Wells) of the Tulare County Ordinance Code. Also, general plan policies should not be viewed in a vacuum, but instead should be interpreted as part of a comprehensive system (i.e. the whole General Plan).

Response to Comment I14-67:

The commenter is referred to the responses prepared for Comments I14-55 and I14-65.

Response to Comment I14-68:

In consideration of this comment, the County is proposing to incorporate the following revision to Water Resource Implementation Measure #17 (as part of the General Plan 2030 Update) for consideration by the decision makers:

- **Water Resource Implementation Measure #17.** The County shall amend the well ordinance to require deeper seals in areas of known contaminants. The County shall also oversee the proper abandonment of unused wells [*New Program*].

The commenter is also reminded that the County Ordinance code already contains provisions for the abandonment of wells in County Ordinance code Sections 4-13-1735 et seq.

Response to Comment I14-69:

The commenter’s suggestions are noted. The commenter is requesting that the geographic coverage of the below mentioned policy be expanded.

- **WR-3.9 Establish Critical Water Supply Areas.** The County shall designate Critical Water Supply Areas to include the specific areas used by a municipality or community for its water supply system, areas critical to groundwater recharge, and other areas possessing a vital role in the management of the water resources in the County [*New Policy*].

The policy does not limit itself to a specific area of the County, rather it is intended to address all areas of the County that meet the intent of the policy which is focused on the protection of groundwater resources in the County. No change is made to Policy WR-3.9. Additionally, general plan policies should not be viewed in a vacuum, but instead should be interpreted as part of a comprehensive system (i.e. the whole General Plan). The commenter is referred to Master Response #1 and #4 as well as the following related policy:

- **WR-2.6 Degraded Water Resources.** The County shall encourage and support the identification of degraded surface water and groundwater resources and promote restoration where appropriate *[New Policy]*

Response to Comment I14-70:

In consideration of this comment, the County is proposing to incorporate the following revision to Policy WR-3.9 (as part of the General Plan 2030 Update) for consideration by the decision makers:

- **Policy WR-3.9 Establish Critical Water Supply Areas.** The County shall designate Critical Water Supply Areas to include the specific areas used by a municipality or community for its water supply system, areas critical to groundwater recharge, and other areas possessing a vital role in the management of the water resources in the County, including those areas with degraded groundwater quality *[New Policy]*.

Response to Comment I14-71:

In consideration of these comments, the County is proposing to incorporate the following revision to Water Resource Implementation Measure #24 (as part of the General Plan 2030 Update) for consideration by the decision makers:

- **Water Resource Implementation Measure #24.** The County shall protect groundwater recharge areas (including those identified as Critical Water Supply Areas) in the County by carefully regulating the type of development within these areas. Regulations may include, but are not limited to, the limitation of structural coverage and impervious surfaces and prohibition of uses with the potential to discharge harmful pollutants, increase erosion, or create other impacts degrading water quality or affecting groundwater supply *[Revised New Program based on ERME IV-C; Groundwater; Recommendation 2. Pg. 38]*.

Response to Comment I14-72:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41. Please also see Response to Comments I14-73 through I14-89.

Please also note that existing conditions are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 118 Cal.Rptr.3d 182, 201 through 207). Rather, it is the change in existing conditions caused by the project which determines the significance of a project’s impacts (CEQA Guidelines, §§15125, 15126.2).

Response to Comment I14-73:

The commenter's suggestion is noted. Please see responses to comments I14-74 through I14-84. As noted in the previous response, existing conditions, while an important issue, are beyond the scope of the RDEIR to fix.

Response to Comment I14-74:

The commenter's request to develop an ordinance to protect against groundwater overdraft is noted. The commenter is referred to Water Resource Implementation Measure #1 which states the following:

- **Water Resource Implementation Measure #1.** County staff shall develop an ordinance that will regulate the permanent extraction and exportation of groundwater from Tulare County. The ordinance will set up a permit process for groundwater export. Conditions considered for this permit will include:
 - Find and determine that the extraction will not substantially increase the overdraft of the groundwater underlying the County;
 - Will not adversely affect the long-term ability for storage or transmission of groundwater within the aquifer;
 - Will not (together with other extractions) exceed the safe yield of the groundwater underlying the County unless the safe yield is exceeded only by extractions in connection with a conjunctive use program approved by the County;
 - Will not otherwise operate to the injury of the reasonable and beneficial uses of overlying groundwater users;
 - Will not result in an injury to a water replenishment, storage, or restoration project operating in accordance with statutory authorization; and
 - Find that the applicant has provided for mitigation which will offset any adverse effect that is determined to exist [*New Program*].

No additional revisions are recommended.

The comment is also directed to RDEIR page 3.9-10 which shows that replacing agricultural demand with urban demand would not reduce water supply impacts, as urban demand would be slightly reduced in comparison to agricultural demand.

Response to Comment I14-75:

Please see Response to Comment I14-75. There are also existing regulations which address water conservation measures. Please see Response to Comment I11-82 and I11-86 for discussion of existing water conservation measures.

The commenter's request to develop an ordinance is noted. The commenter is referred to Water Resource Implementation Measure #25 which states the following:

- **Water Resource Implementation Measure #25.** The County shall amend County ordinances to include development standards which protect groundwater basins and

surface water drainage areas and provide incentives for use of conservation techniques [New Program].

No additional revisions are recommended.

Response to Comment I14-76:

In consideration of these comments, the County is proposing to incorporate the following additional new policy (as part of the General Plan 2030 Update) for consideration by the County decision makers:

- **WR-1.11 Groundwater Overdraft.** The County shall consult with water agencies within those areas of the County where groundwater extraction exceeds groundwater recharge, with the goal of reducing and ultimately reversing groundwater overdraft conditions in the County [New Policy – Final EIR].

Response to Comment I14-77:

The commenter's request to develop an ordinance for the proposed new Policy WR-1.11 is noted. The proposed new policy can be implemented with existing implementation measures. No additional revisions are recommended.

Response to Comment I14-78:

The commenter's suggested revision to Policy WR-3.6 is noted. Please see Response to Comments I14-74. The proposed revision appears to convey the existing intent of the policy. No additional revisions are recommended.

Response to Comment I14-79:

The commenter's suggested correction to Policy WR-1.1 is noted and will be incorporated into the final General Plan 2030 Update.

Response to Comment I14-80:

The commenter's suggested revision to Water Resources Implementation Measure #24 is noted. Water Resource Implementation Measure #27 has been added to the General Plan Update 2030, which addresses this suggestion. It which states the following:

- **Water Resource Implementation Measure #27.** The County shall identify a system of critically inadequate water supply, water transfer facilities, and groundwater recharge areas on a map, incorporating existing canals, creeks and rivers, groundwater recharge basins; proposed sites for regional recharge basins; and needed water transfer facilities. The County shall, in conjunction with stakeholders, draft an ordinance relating to the care and maintenance of this system, such as: discouragement of piping or alteration; encouraging of multiuse as trails and recreational facilities, etc., wherever feasible [New Program].

No additional revisions are recommended.

Response to Comment I14-81:

The commenter's suggestions regarding Policy WR-1.3 are noted. The County would like to maintain flexibility in its ability to manage the groundwater permit process. Consequently, no additional revisions are recommended.

Response to Comment I14-82:

The commenter is referred to the responses prepared for Comments I14-75 and I14-76 which reference policies and implementation measures that provide focus on regional cooperation and water conservation. No additional revisions are recommended.

Response to Comment I14-83:

The suggested revisions are too restrictive to maintain the flexibility appropriate for a general plan policy. Existing Policy WR-1.4 adequately provides policy guidance on the transfer of water use between agricultural and urban land uses. Consequently, the proposed policy revision was not included in the General Plan 2030 Update.

Response to Comment I14-84:

The proposed wording is too restrictive to maintain the flexibility appropriate for the General Plan 2030 Update. The intent of the proposed revisions to the measure are adequately addressed in other implementation measures included in the General Plan 2030 Update. The commenter is referred to the response to Comment I14-62 for a listing of these measures.

Response to Comment I14-85:

The existing policy satisfactorily identifies the need to work in a cooperative manner with other stakeholders to increase the awareness of water conservation measures. While the proposed revisions provided additional definition to concepts in the policy, the existing policy is considered effective in its intent to convey the issue of water conservation. Consequently, the proposed policy revision was not included in the General Plan 2030 Update.

Response to Comment I14-86:

Existing Implementation Measure 23 satisfactorily identifies actions that will be taken to implement WR-3.8 and is consistent with the appropriate level of detail. No changes have been made to Implementation Measure 23. The commenter is referred to the response to Comment I14-85.

Response to Comment I14-87:

The RDEIR provides an accurate and comprehensive description of the storm water drainage conditions in the project area. Information provided in the Background Report is a part of the RDEIR and was used in analyzing the impacts of the project (RDEIR, Appendix B). Moreover, contrary to what is indicated in the comment, existing conditions are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059

[“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42)). Rather, it is the change in existing conditions caused by the project which determines the significance of a project’s impacts (CEQA Guidelines, §§ 15125, 15126.2). Thus, the status of existing storm water drainage problems do not require a determination that the project would have a significant and unavoidable impact on storm water drainage.

The commenter is directed to RDEIR Section 3.6 and 3.9 for discussion of stormwater and the related infrastructure.

Additionally, the commenter is referred to the responses prepared for Comments I11-91 and I11-100.

Response to Comment I14-88:

The commenter’s suggestion to include additional policies to address drainage impacts will be referred to County decision makers for consideration. As part of the General Plan 2030 Update, the County has provided an extensive set of policies that address drainage concerns from a variety of perspectives including site/development standards, flood control measures, infrastructure requirements, and best management practices. In consideration of this comment, the County is proposing the following revision to Policy PFS-4.1 for consideration by the County decision makers:

- **PFS-4.1 Stormwater Management Plans.** The County shall ~~oversee~~ ~~consider~~ the preparation and adoption of stormwater management plans for communities and hamlets to reduce flood risk, protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities, and develop funding mechanisms [*New Policy*].

Response to Comment I14-89:

The commenter is referred to Public Facilities and Services Implementation Measure #8 which indicates that it’s designed to implement Policy PFS-4.1 (see General Plan Part I, page 14-16 of the Goals and Policies Report). The existing measure is sufficient to implement PFS-4.1 and no revisions have been made. Please also see Master Response #3 and #7 for discussion of General Plan implementation.

Response to Comment I14-90:

The commenter is referred to the response prepared for Comment I11-41. The overall objective of the RDEIR is to identify the impacts resulting from implementation of the General Plan 2030 Update, not to evaluate existing conditions in the project area, except to the extent necessary to provide an accurate baseline for measuring project impacts. The focus of the General Plan 2030 is to guide the future growth of the County over the next 20 year timeframe. While the purpose of the RDEIR is to address the impacts of this future growth, the analysis acknowledges the County’s baseline condition which includes a variety of existing conditions including groundwater overdraft conditions and some infrastructure inadequacies. These baseline

conditions are fully described in the environmental setting section of the RDEIR (see pages 3.9-2 through 3.9-18 of the RDEIR). To reiterate, existing conditions are not impacts of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42)). Rather, it is the change in existing conditions caused by the project which determines the significance of a project’s impacts (CEQA Guidelines, §§ 15125, 15126.2). Thus, the status of the existing water services infrastructure does not require a determination that the project would have a significant and unavoidable impact on the provision of water services.

Response to Comment I14-91:

The commenter is referred to the response prepared for Comment I14-88 and I14-90. Additionally, see responses to Comment I14-92 through I14-95 for responses to specific revisions suggested by commenter.

Response to Comment I14-92:

Existing policies PFS-1.1 and PFS-1.2 (as written) are considered effective by offering the necessary amount of flexibility to ensure that maintenance activities and infrastructure improvements are implemented within the General Plan 2030 Update’s policy framework to a degree that is within the County’s control on a case-by-case basis for both existing and planned development. The suggested revisions, which would explicitly extend the policy to areas outside the jurisdiction and control of the County are infeasible because they cannot be legally imposed by the County. Therefore, the revisions would not mitigate the significant and unavoidable impact on water supplies, facilities and entitlements beyond the existing policy, as written. Consequently, the proposed policy revision was not included in the General Plan 2030 Update.

Response to Comment I14-93:

Existing language in policies PFS-1.5, PFS-1.6, and PFS-3.7 is satisfactory and adequate without the additional need to state the operating goals or conditions of local agencies. Because a general plan is a long range planning document, it must be general enough to allow a degree of flexibility in decision-making as times and circumstances change. The revisions would not mitigate the significant and unavoidable impact on water supplies, facilities and entitlements beyond the existing policy, as written. Consequently, the proposed policy revisions have not been included in the General Plan 2030 Update.

Response to Comment I14-94:

The existing language of Implementation Measure 2 adequately states the actions the County will take to implement PFS-1.5 and PFS-1.6. While the County currently supports and coordinates with County water purveyors, the County has no jurisdiction over their authority. Consequently, the suggested policy change would not strengthen the intent of the policy. The proposed revision has not been included in the General Plan 2030 Update.

The commenter's suggestion to link Public Facilities and Services Implementation Measure #2 to Policy PFS-3.7 is noted. The suggestion will be incorporated in the Final General Plan 2030 Update.

Response to Comment I14-95:

The commenter's suggestion to add an additional implementation measure is noted. The commenter is referred to Public Facilities and Services Implementation Measure #8 which states the following:

- **Public Facilities and Services Implementation Measure #8.** The County shall consider financial tools to prepare and implement drainage plans such as drainage acreage fees pursuant to Government Code §66483, impact fees, Redevelopment Agency assistance and Community Development Block Grants, etc. *[New Program]*.

This measure adequately implements the financial aspects of the Public Facilities and Services Policies within the context of the County's jurisdiction over special districts and other community service providers. No additional revisions are recommended. The commenter is also referred to Master Response #1.

Response to Comment I14-96:

The commenter's general statement that the agricultural resource policies/implementation measures are considered insufficient to address project impacts is noted. Please see Response to Comments I14-97 through I14-98.

Response to Comment I14-97:

The commenter's suggestion that additional stakeholders are interested in assisting with the development of agricultural buffers is noted. Implementation Measure #9 does not limit interested parties to those specifically listed in the measure. Revising the measure to list additional potentially interested parties is not necessary to effectively implement the measure and associated General Plan Policy.

Response to Comment I14-98:

The commenter's suggestion regarding buffers and pesticide use is noted. Implementation Measures 17 adequately implements ERM-1.13 by requiring an enforcement program related to the inappropriate use of pesticides and herbicides. Additionally, the General Plan already contains a number of measures to provide buffers for agricultural land uses (see General Plan Policy PF-4.11 and Planning Framework Implementation Measure #1, Policy AG-1.11 and Agriculture Implementation Measure #9, Policy LU-3.5, LU-6.2 and Land Use Implementation Measure #18, and Policy RVLP 1.1). Adding a measure requiring the creation of buffer zones between agricultural sources and non-agricultural uses would not further reduce or avoid impacts.

Response to Comment I14-99:

The RDEIR adequately analyzes the environmental effects of the project as required by CEQA. Economic and social effects are not considered significant environmental effects under CEQA and need not be discussed except in situations where such effects are linked to physical changes (CEQA Section 15131(a)). The RDEIR has analyzed the effects of the proposed project on Tulare County as a whole, no further analysis is required.

Response to Comment I14-100:

The commenter's suggestion to include additional implementation measures that focus on assisting communities and hamlets can be added during the adoption of the community and hamlet plans. Each of the goals, policies, and implementation measures from the General Plan 2030 Update are designed to address the concerns of all County residents equally.

Response to Comment I14-101:

The commenter's suggestion to include additional policies addressing impact fees and open space requirements are noted. The commenter is referred to several existing implementation measures within the General Plan 2030 Update that satisfy these requirements including the following:

- **Public Facilities and Services Implementation Measure #2.** The County shall annually review fees related to County-owned and operated facilities and County provided services to ensure funding levels are both affordable and adequate to sustain these facilities/services long-term *[New Program]*.
- **Environmental Resources Management Implementation Measure #45.** Developers of new subdivisions who propose to build public recreation facilities shall be required to post adequate bonds or cash deposits to assure completion of the entire facility to ensure long term maintenance *[ERME; Recreation; Issue 10; Recommendation 14] [ERME; Pg 32, Modified]*.
- **Environmental Resources Management Implementation Measure #46.** Tulare County should initiate the development of a park master plan to cover facilities needed to serve the unincorporated communities, hamlets, and regional park needs in the County. Emphasis should be given to classifying and quantifying the present and future needs of all socioeconomic groups and visitors, with special emphasis on deficiencies in recreation for low-income residents. An inventory of potential park and recreation areas should be made and a program of priorities established with proposed methods of financing *[ERMI IVB; Recreation; Recommendation 1] [ERMI; Pg. 22, Modified] [ERME IV-C; Open Space; Recommendation 4; Pg. 109, Modified]*.
- **Environmental Resources Management Implementation Measure #47.** Scenic and open space easements shall be acquired through subdivision and development approvals including, but not limited to, wooded areas, flood plains, scenic and historic sites, shorelines, and other recreation areas *[ERME; Recreation; Issue 10; Recommendation 13] [ERME; Pg 32, Modified] [ERME IV-C; Open Space; Recommendation 6; Pg. 109, [ERME IV-C; Open Space; Policy 12; Pg. 102, Modified]*.

Additionally, as a result of this comment, the County is proposing the following revision to Public Facilities and Services Implementation Measure #3.

- **Public Facilities and Services Implementation Measure #3.** The County shall develop and adopt an impact fee program or other financing program for new development to provide financing mechanisms to ensure the provision, operation, and ongoing maintenance of appropriate public facilities and services [*New Program*].

These implementation measures are considered adequate and no additional polices are required. The commenter is also referred to Master Response #4 which describes the use and nature of the EIR for the proposed General Plan 2030 Update.

Response to Comment I14-102:

The commenter's suggestion to classify Tooleville as a Hamlet or Community is noted. The Tulare County LAFCO has adopted LAFCO Municipal Service Review (MSR) Policy C-5.11 that requires cities to review infrastructure needs and deficiencies within or adjacent to their respective sphere of influences during their MSR updates, which addresses the concerns identified by the commenter.

Response to Comment I14-103:

Various implementation measures throughout the General Plan 2030 Update reference the County's role in the development and monitoring of fee programs to ensure adequate levels of service are maintained through out the lifespan of the general plan. The commenter is referred to the response to Comment I14-101.

Response to Comment I14-104:

The commenter's suggestion is noted. Please see Response to Comment I11-65 for discussion of roadway maintenance.

Response to Comment I14-105:

The commenter's suggestion for a balanced approach to the allocation of transportation funding is noted. The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I14-106:

The County through its policies and implementation measures actively supports the efforts of local and regional transit service providers.

Response to Comment I14-107:

The commenter is referred to the response prepared for Comment I14-106.

Response to Comment I14-108:

The commenter is referred to Master Response #9 for a discussion of the appropriate methodology (consistent with the CEQA Guidelines) conducted to analyze the project alternatives in the RDEIR.

The comment also states that the “RDEIR improperly rejects environmentally superior alternatives. The only alternatives eliminated from further consideration in the RDEIR were those discussed in Section 4.2, which included the (1) Proportional Growth Alternative, (2) Alternative Project Location, (3) and the Existing Trends Alternative. The discussion in Section 4.2 is consistent with CEQA Guidelines Section 15126.6(c) [“the EIR should also identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process...”]. These alternatives were eliminated because they would not eliminate or reduce significant environmental impacts and would not accomplish the primary project objectives as discussed in greater detail in the RDEIR.

The commenter is incorrect that there has been a rejection of the environmentally superior alternative. Consistent with CEQA requirements, the RDEIR compared the potential alternatives to the proposed project and determined the environmentally superior alternative (see RDEIR Section 4.4). Furthermore, decisions regarding adoption of the proposed project or an alternative are made after certification of the RDEIR (see CEQA Guidelines Section 15092 [“*After considering the final EIR* and in conjunction with the findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project.”]).

Response to Comment I14-109:

The comment suggests an alternative “that will place almost all growth in incorporated cities and established communities and hamlets.” The commenter is referred to Master Response #9 for a discussion of the appropriate methodology (consistent with the CEQA Guidelines) conducted to analyze the project alternatives in the RDEIR.

Furthermore the proposed General Plan focuses future growth within established community areas, as discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The RDEIR also included the “Transportation Corridors Alternative” which assumes that cities and communities along Highways 99 and 65 will accept additional population by increasing the density and developing contiguous land within their CACUDB or CACUAB (see RDEIR Section 4.0).

Response to Comment I14-110:

The commenter is referred to Master Response #9 for a discussion of the appropriate methodology (consistent with the CEQA Guidelines) conducted to analyze the project alternatives in the RDEIR. The level of detail provided in the RDEIR for the discussion of alternatives is consistent with CEQA (see CEQA Guidelines Section 15126.6(d) [“...the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.”]). In addition, the level of detail for the analysis of the alternatives corresponds to the level of specificity involved in the activity considered in the EIR. For example, the discussion of alternatives in an EIR for a planning level action, like this one, need not be as precise as the discussion for a specific development project (CEQA Guidelines, §15146).

Response to Comment I14-111:

The commenter is referred to Master Response #9 for a discussion of the project alternatives. The commenter is incorrect that there has been a rejection of any of the five proposed potential alternatives described in Section 4.3. Consistent with CEQA requirements, the RDEIR compared the potential alternatives to the proposed project and determined the environmentally superior alternative (see RDEIR Section 4.4). The commenter is correct that the analysis noted the alternatives' ability to meet the project objectives (RDEIR page 4-19). This however did not constitute a rejection of any of these alternatives. As noted in CEQA Guidelines Section 15126.6, potential alternatives are only required to meet most of the project objectives. Furthermore, decisions regarding adoption of the proposed project or an alternative are made after certification of the RDEIR (see CEQA Guidelines Section 15092 [*"After considering the final EIR and in conjunction with the findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project."*]).

Response to Comment I14-112:

The commenter is referred to Response to Comment I14-109 and Master Response #9 for a discussion of the project alternatives. The commenter is also referred to the response prepared for Comment I11-60, which describes the population projections used in the General Plan 2030 Update. As indicated in the response, the population projections along with the primary objectives of the proposed project are to focus growth within the incorporated cities and unincorporated community plan areas of the County.

Response to Comment I14-113:

The commenter provides a general opinion that the EIR must be recirculated because it is inadequate. The CEQA Guidelines require an EIR to be recirculated if, following commencement of the public comment period but before certification, "significant new information" is added to the EIR (Public Resources Code §21092.1; Guidelines §15088.5; *Laurel Heights Improvement Associations v. Regents of the University of California* (1993) 6 Cal. 4th 1112). According to the CEQA Guidelines, examples of "significant new information" include:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it; or
- The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The Guidelines further provide that "recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR." Finally, a decision not to recirculate must be supported by substantial evidence in the

administrative record (Guidelines §15088.5 (e)), and the more stringent “fair argument” standard is not applicable (see Laurel Heights, *supra* at 1134-1135).

As previously described, the RDEIR is a recirculated draft EIR that was prepared in response to several key changes in the description of the proposed project (see previous response to Comments I11-3 and I6-1). As part of this final EIR, any additional revisions to the RDEIR or to the General Plan 2030 Update, as more specifically described in these responses to comments, do not meet the criteria for recirculation as set forth in the CEQA Guidelines. Revisions to policies, implementation measures, or other aspects of the General Plan 2030 Update made either in response to comments or otherwise, may lessen environmental impacts but not in a way that changes the analysis or its conclusions as set forth in the RDEIR. Changes to the RDEIR, including revisions to the mitigating policies or implementation measures, serve to clarify the analysis in the RDEIR, and do not meet the criteria of the CEQA Guidelines associated with recirculation. No new or substantially more severe impacts have been identified in the final EIR. Finally, comments alleging that the RDEIR is so fundamentally flawed that it requires revision and recirculation are not supported by the evidence; the number of very detailed comments by itself shows that the public had a meaningful opportunity to review and comment upon the RDEIR. Among the purposes of the RDEIR public comment process is to allow the public entity the opportunity to consider and respond to comments on significant environmental issues in a manner that more fully provides the decision makers with the information that is at the basic core of the CEQA process. Based upon the record, it cannot be said that the process hasn’t worked in this instance; the decision makers (the Planning Commission and Board of Supervisors) will have more than substantial information based upon the RDEIR, the comments, and the responses to comments, to make an informed decision on the General Plan 2030 Update.

Response to Comment I14-114:

The commenter’s closing remarks are noted. Comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I14-115:

The General Plan 2030 Update is available for free online and at the library. Also, a CD of the General Plan 2030 Update is available for \$10 or a printed hard copy can be purchased at RMA for \$800.

Response to Comment I14-116:

The inclusion of references used and or cited in the comment letter is noted.

Letter I15. Connie Fry

Response to Comment I15-1:

The commenter’s introductory remarks are noted. Comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I15-2:

The commenter's summary of the Attorney General's comment letter on the 2008 General Plan is noted. The commenter is referred to the various responses on the 2010 General Plan prepared for Comment Letter A8, provided above.

Response to Comment I15-3:

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not regulatory programs or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail and implementation of for the General Plan and the programmatic nature of the RDEIR. Master Response #3 and #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR. Please also see RDEIR page 1-3 for a summary of changes in the revised 2010 General Plan.

Response to Comment I15-4:

The commenter is referred to the response prepared for Comment I15-3.

Response to Comment I15-5:

The commenter's reference to the Yokohl Ranch development is noted. The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I15-6:

Alternatives to the General Plan 2030 Update provided in Chapter 4 of the RDEIR are designed to reduce one or more significant project impacts identified in the RDEIR. Table 4-3 provides an analysis of how each alternative varies from the project in regards to impact significance. In regards to increase in traffic (Impact 3.2-1), Table 4-3 (page 4-12) shows that two alternatives (Alternative 2, City-Centered and Alternative 5, Confined Growth) would reduce the anticipated traffic volumes and air quality emissions (compared to the proposed General Plan 2030 Update) though not to a level of less than significant. See also, Master Response #5 and #9 regarding the selection and evaluation of Alternatives.

Response to Comment I15-7:

The commenter's general statements regarding the scope of the general plan are noted. Comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I15-8:

Air quality impacts, including the air quality impacts from dairies and agricultural uses, are addressed in Section 3.3 “Air Quality” and Section 3.4 “Energy and Climate Change”. Impacts to agricultural resources are addressed in Section 3.10 “Agricultural Resources” of the RDEIR. Please also see Response to Comment I11-73 for discussion of greenhouse gases associated with the Animal Confinement Facilities Program. Please also refer to Master Response #4.

Response to Comment I15-9:

The commenter’s statement regarding rural sprawl is noted. Please see Response to Comment I23-45 for discussion of ranchettes. Contrary to the comment, the General Plan does not advocate sprawl, the proposed General Plan focuses future growth within established community areas, as discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment I15-10:

The commenter’s closing remarks are noted. Comment does not address the content or adequacy of the RDEIR; no further response required. The County’s General Plan is considered a “living document” that will likely be reviewed and updated as things change and new information is presented that affects its viability. The commenter is referred to Master Response #4. Additionally, the commenter is referred to Comment Letter A16 from the San Joaquin Valley Air Pollution Control District which identifies support for the County’s efforts to address air quality issues.

Letter I16. Don Manro**Response to Comment I16-1:**

Comment noted. Comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I16-2:

Commenter references a citation to TCAG documents made in the Project Description. The indicated reference materials along with all other references cited in the RDEIR are readily available for review at the County and TCAG offices. The indicated reference to population projections was incorporated in to the RDEIR and was originally referenced in the General Plan Background Report (see pages 2-30 and 2-31). These documents and references are available for review at the County offices. Furthermore, the County is entitled to make reasonable assumptions regarding population growth (see *City of Long Beach v. Los Angeles Unified School District* (2010) 176 Cal.App.4th 889; *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018 [“A public agency can make reasonable assumptions based on substantial evidence about future conditions without guaranteeing that those assumptions will remain true

(Pub. Resources Code, §21080, subd. (e); *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 412, 183 Cal.Rptr. 898”)).

Response to Comment I16-3:

The source document referenced in the RDEIR for population projections is properly identified and is considered part of the administrative record, which is readily available for review by County decision makers as well as the general public. It was properly cited where it is used in the text (TCAG, 2008), with the full reference provided in the references chapter. To keep the EIR to a manageable length, source documents used in preparing an EIR need not be included in the EIR (CEQA Guidelines §15148). Thus, scientific, engineering, and technical reports, and similar documents relied on in preparing an EIR need not be incorporated in the body of the EIR or in an EIR appendix. Instead, the EIR should include citations to such documents, and when possible, those citations should include the pages or sections of the document that were used as the basis for any statements in the EIR. The source document, Tulare County of Governments (TCAG) Historical City/County Population Estimates, is properly identified and cited in the RDEIR Introduction pursuant to CEQA Guidelines Section 15148. It is referenced throughout the RDEIR whenever population projects from these documents are used. In addition, the full citation is provided in RDEIR Chapter 7.0 (References). It was not incorporated by reference pursuant to CEQA Guidelines Section 15150 into the RDEIR and is therefore not listed on page 1-13 of the RDEIR. Also, the commenter is referred to the response prepared for Comment I16-1.

Response to Comment I16-4:

The commenter is referred to the responses prepared for Comment I16-3 and I16-9. As noted above, the RDEIR discusses population projections and buildout assumptions on page 2-24. Additional details are also provided in Master Response #5.

Response to Comment I16-5:

The year 2030 population estimate of 742,970 is based on projections provided by TCAG (TCAG, page 1, 2008) and the State Department of Finance (California Department of Finance, pages 18-19, 2007). These population estimates were prepared independently of the proposed project and the numbers were not “constructed to obtain, by trial and error, an estimate of the average annual increase in population required to match the RDEIR’s total new growth.” To help clarify the role of the two agencies referenced for the population data used in the RDEIR, demographers from the California Department of Finance develop and provide annual estimates of current population and housing statistics for both cities and counties within California along with population projections for a variety of target years. For example, interim county population projections for the years 2010, 2015, and 2020 were released this past June (June 22, 2011) and are currently posted on the California Department of Finance website (<http://www.dof.ca.gov/research/demographic/>). Once these population projections are made available, the various jurisdictions within the state (including TCAG) review and incorporate these projections as part of their individual planning processes. The commenter is also referred to

the response prepared for Comment A8-10 and Master Response #5 which provide additional background regarding the land use diagram and the buildout assumptions used in the RDEIR. .

Response to Comment I16-6:

The RDEIR addresses direct impacts based on the population projections, land use diagram and the policies and implementation measures set out in the General Plan 2030 Update. This includes growth that may occur in Planned Community Areas. The text on page 5-3 referencing the locations where growth would be directed (“i.e., CACUDBs, HDBs, and CACUABs”) does not include descriptions of all areas, but rather provides several examples. Policy PF-1.2 explicitly states the only locations where urban develop will be allowed, and includes planned community areas in this list (see page 2-25 of the RDEIR). Contrary to what the commenter states, the RDEIR does not exclude this information from the document or analysis. See also Master Response #5 in response to the sub-comment regarding the Land Use Diagram and land use designations. Please see response to comment A8-7 for discussion of new towns and community areas. New town development is currently available under existing General Plan UDBs; new town policies do not promote new town development, they provide criteria to evaluate their feasibility.

Response to Comment I16-7:

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The RDEIR is not misleading with respect to where growth would occur under the proposed project or any alternative. See the response to Comment I16-6, above.

Response to Comment I16-8:

Growth-Inducement is addressed in Chapter 5 of the RDEIR. As noted, the purpose of a general plan is to guide the growth and development of a community. Accordingly, the County’s proposed General Plan 2030 Update is premised on a certain amount of growth taking place (see pages 5-1 through 5-3). The RDEIR evaluates the Goals and Policies Report (Part I of the General Plan Update) and provides an assessment of the environmental impacts that may occur as a result. The General Plan 2030 Update does not make any changes to established UDBs and UABs; and no land use or zoning designations will be changed within them. By establishing Hamlet boundaries, the County is in fact restricting and enforcing urban development within those areas.

The commenter is incorrect in stating that the growth inducing impacts will be more severe than stated in the RDEIR due to new policies, because the analysis in the RDEIR evaluates the impacts of the entire Goals and Policies Report (Part I of the General Plan Update), including any new/revised policies. Both direct and indirect growth-inducing impacts of the General Plan 2030 Update are considered significant and unavoidable (RDEIR, section 5.2). Please see response to comment A8-7 for discussion of new towns and community areas.

Response to Comment 116-9:

The commenter is referred to pages 5-3 through 5-7 of the RDEIR for the requested information. Consistent with the CEQA Guidelines (Section 15130[b][1]), the analysis was based primarily on a summary of projections contained in the existing general plan documents for jurisdictions within and surrounding the County. The summary table of these general plan documents (Table 5-2) included on page 5-5 of the RDEIR is provided below. Contrary to the commenter's statement, references for the source materials are identified at the bottom of the table.

**TABLE 5-2
REGIONAL POPULATION PROJECTIONS AND PLANNING EFFORTS**

Jurisdiction	General Plan Planning Timeframe	General Plan Buildout Population	Significant Environmental Impacts
City of Dinuba	2006-2026	33,750	Farmland conversion; conflicts with agricultural zoning and Williamson Act contracts; conversion of agricultural soils to non-agricultural use; regional air quality impacts; and climate change-greenhouse gases.
City of Woodlake			Unavailable.
City of Visalia	1991-2020	165,000	Air quality; biological resources; land use conflicts; noise; transportation/traffic; mass transit; agricultural resources; water supply; and visual resources.
City of Tulare	2007-2030	134,910	Farmland conversion; aesthetics; water supply; traffic; air quality; global climate change; noise; flooding from levee or dam failure; biological resources; and cultural resources.
City of Farmersville	2002-2025	12,160	Agricultural resources; agricultural land use conflicts; air quality; and traffic circulation.
City of Exeter			Information unavailable at time of analysis.
City of Lindsay	1990-2010	17,500	Air quality and farmland land conversion.
City of Porterville	2006-2030	107,300	Farmland conversion; air quality; noise; and biological resources.
City of Kingsburg	1992-2012	16,740	Farmland conversion and air quality.
City of Delano	2005-2020	62,850	Air quality; noise; farmland conversion; disruption of agricultural production; and conversion of agricultural soils to non-agricultural use.
County of Fresno	2000-2020	1,113,790	Farmland conversion; reduction in agricultural production; cancellation of Williamson Act Contracts; traffic; transit; bicycle facilities; wastewater treatment facilities; storm drainage facilities; flooding; police protection; fire protection; emergency response services; park and recreation facilities; library services; public services; unidentified cultural resources; water supply; groundwater; water quality; biological resources; mineral resources; air quality; hazardous materials; noise; and visual quality.
County of Kern	2004-2020	1,142,000	Air quality; biological resources; noise; farmland conversion; and traffic.
County of Kings*	1993-2005	149,100 (low) 228,000 (high)	Biological resources; wildlife movement; and special status species.

* The adopted Kings County General Plan did not identify a projected population for 2005. The General Plan does include population projections for 2010, which is included in this table.

SOURCE: City of Delano, 1999; City of Dinuba, 2008; City of Farmersville, 2003; City of Kingsburg, 1992; City of Lindsay, 1989; City of Porterville, 2007; City of Visalia, 2001, 1991; County of Fresno, 2000; County of Kern, 2004; County of Kings, 2009; DOF, 2007; TCAG, 2008.

The RDEIR further describes the various General Plan Amendments (GPAs) and General Plan Initiatives (GPIs) that were also taken into consideration for the cumulative impacts discussion and analysis. Following this description, pages 5-7 through 5-13 of the RDEIR describe the proposed project's contribution to each potential cumulative effect. Where the proposed project's incremental effect is not cumulatively considerable, or is rendered less than cumulatively considerable through mitigation, this is noted in the discussion, per CEQA Guidelines Section 15130(a) and (a)(3).

The cumulative impact analysis in the RDEIR was done properly under CEQA and is explained in RDEIR section 5.3. Pursuant to CEQA Guidelines section 15130, the RDEIR analysis uses a summary of projections approach, using regional growth projections to evaluate the cumulative impacts of the proposed project which were supplemented with additional information from the Department of Finance, local authorities (i.e. Cities and Counties), proposed General Plan amendments and General Plan Initiatives which have not yet been approved. This approach was appropriate to use in the RDEIR and is consistent with CEQA. This method was chosen rather than list method because it provides overall growth projections for the region over the long-term and was determined to be more suited to the nature of the project. Inclusion of this supplemental information was also used to ensure the RDEIR contained a conservative cumulative analysis.

Contrary to the comment letter, the Department of Finance's Population projections discussed in the RDEIR are readily available to the public and are most easily accessed at: <http://www.dof.ca.gov/research/demographic/reports/projections/>. TCAG projections are available at the TCAG offices located at 5955 S. Mooney Blvd., Visalia, CA 93277. Additionally, it should be noted that all planning documents referenced in Table 5-2 are the most current planning documents available with valid growth projections to describe the cumulative setting and analysis contained in the RDEIR. As with all the General Plan 2030 Update background documents, these reference materials along with all other references cited in the RDEIR are readily available for review at the County offices.

Response to Comment I16-10:

The commenter is directed to page 5-4 of the RDEIR which identifies the appropriate methods (consistent with CEQA Guidelines) to evaluate cumulative impacts. As defined in the RDEIR, the Regional Growth Projections Method is considered an appropriate methodology for evaluating cumulative impacts given the nature of the proposed project (a general plan update) and because it provides overall growth projections for the region over the long term. The Regional Growth Projections Method is defined as:

- Regional Growth Projections Method – a summary of projects contained in an adopted plan or related planning document or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.

Consistent with this approach, the RDEIR reviewed the various planning documents identified in Table 5-2 and considered the population projections as solely part of the cumulative analysis for the General Plan 2030 Update, which serves as the growth attributed to development anticipated

under the adopted general plans of the jurisdictions identified in Table 5-2. As a further step, the RDEIR also considered the various cumulative effects identified in the environmental documents prepared for the general plan documents identified in Table 5-2.

The impacts of the proposed project are analyzed in the RDEIR are associated with buildout of the proposed General Plan at the 2030 horizon year as discussed on RDEIR pages 2-17 and 2-24 (see Master Response #5 for additional discussion of this issue). Consistent with CEQA Guidelines Section 15130, the RDEIR analyzed its contribution to cumulative impacts (buildout) in combination with growth in the Cities and Counties as discussed on RDEIR page 5-4.

Response to Comment I16-11:

The commenter's restatement of the CEQA Guidelines specific to the definition of the method used to evaluate cumulative impacts is noted. The commenter is referred to the response to Comment I16-11 which confirms the appropriate use of the Regional Growth Projections Method to evaluate cumulative impacts in the RDEIR. The indicated reference materials along with all other references cited in the RDEIR are readily available for review at the County and TCAG.

The commenter used an outdated draft of the CEQA Guidelines. The language was revised in 2009 to read as follows:

“A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency” (CEQA Guidelines Section 15130(b)(1)(B)). Also, see the response to Comment I16-2.

Response to Comment I16-12:

The commenter states that the RDEIR cumulative analysis is inadequate because it “fails to utilize (one) planning document.” There is nothing in the CEQA Guidelines that precludes the use of more than one document for projecting regional growth. In fact, such a limitation would frustrate the purpose of CEQA, if a regional plan had not yet taken into account changes in local planning documents produced subsequent in time. As further noted in the CEQA Guidelines Section 15130 “a summary of projections may also be supplemented with additional information such as a regional modeling program” (see also *Federation of Hillside and Canyon Associations v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1265 [holding that cumulative projections in a SCAG regional plan could be supplemented]). Furthermore, as noted above, the lead agency must analyze reasonable foreseeable impacts and is allowed to make reasonable assumptions (see *City of Long Beach v. Los Angeles Unified School District* (2010) 176 Cal.App.4th 889; *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018 [“A public agency can make reasonable assumptions based on substantial evidence about future conditions without guaranteeing that those assumptions will remain true. (Pub. Resources Code,

§21080, subd. (e); *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 412, 183 Cal.Rptr. 898.”)].

Requiring the use of one planning document or disallowing any supplementation of such plans would complicate the substantive goals of CEQA, as the County could be forced to use data they no longer believe to be applicable or could potentially exclude more recent proposals. The RDEIR used regional planning figures from TCAG which were supplemented with population projections from the Department of Finance and information from the local authorities, as well as proposed General Plan amendments and General Plan Initiatives which have not yet been approved. This approach was appropriate to use in the RDEIR and is consistent with CEQA. Additionally, it should be noted that all planning documents referenced in Table 5-2 are the most current planning documents available with valid growth projections to described the cumulative setting and analysis contained in the RDEIR. As with all the General Plan 2030 Update background documents, these reference materials along with all other references cited in the RDEIR are readily available for review at the County offices.

Response to Comment I16-13:

The comment also suggests that the County can only use documents/information in the cumulative analysis that has been certified. Such a strict reading would be inconsistent with both the revised CEQA Guidelines, which allow supplementation of projections, it would also be inconsistent with the goals of CEQA as it could result in the use of outdated information as noted in the comment, and such an approach is inconsistent with existing CEQA case law (see *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099 [projects currently undergoing environmental review, prior to certification of an EIR, can be reasonably probable future projects in a cumulative analysis]).

Response to Comment I16-14:

The cumulative impact analysis provided in the RDEIR clearly identifies the methodology (regional growth projections method) used and the specific impact areas (i.e., San Joaquin Valley Air Basin, TCAG Planning Area, etc.) for environmental issues with unique geographic boundaries (including air quality, traffic, etc.). As discussed in the RDEIR, the overall assumption of the analysis is that the majority (75%) of the net new growth will occur within incorporated city and CACUDBs as opposed to within the unincorporated areas, which will contain a much smaller (25%) portion of the net new growth.

Response to Comment I16-15:

While the reference to the 85%/15% split identified on page 5-4 is incorrect, the correct population split of 75%/25% is correctly used in the RDEIR analysis, as indicated in Table 5-1 and 2-11 of the RDEIR. The correct population assumptions are also more fully described on page 2-24 of the RDEIR in the section titled “Build out and Population Growth Assumptions under the General Plan”. The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for page 5-4. This revision does not change the analysis or conclusions presented in the RDEIR.

The growth projections were only incorrectly stated on RDEIR page 5-4, the remaining references throughout the RDEIR were correct. The RDEIR text on page 5-4 has been amended to correctly state that 75% of net new growth will occur within incorporated city and CACUDBs as opposed to within the unincorporated areas, which will contain 25% of net new growth (see Chapter 4 of this FEIR).

Letter I17. Greg and Laurie Schwaller

Response to Comment I17-1:

Thank you for submitting comments on the RDEIR. Responses to the comments contained in this letter (I17) are provided in Responses to Comments I17-2 through I17-1,093 below. Having reviewed these comments, we have a few additional comments as follows:

A good faith effort has been made to provide responses to the substantial number of comments made by commenters, within the parameters set by CEQA. The commenter has submitted a significant number of comments on General Plan 2030 Update principles, concepts, policies, and implementation measures, many of which bear on policy matters rather than on the RDEIR's analysis of environmental impacts. Comments that suggest changes to the proposed language of specific components of the proposed project but do not address the adequacy of the analysis in the RDEIR are part of the administrative record and will be forwarded to County Decision makers as part of this Final EIR. However, CEQA does not require responses to these types of comments. Under CEQA, "lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR" (CEQA Guidelines, §15204(a); see also Section 15088). See Master Response #1 regarding policy comments that do not raise CEQA issues.

Commenter has also submitted a significant number of comments suggesting that General Plan 2030 Update policies and implementation measures are weak, vague, or unenforceable. Because a general plan is a long range planning document, it must be general enough to allow a degree of flexibility in decision-making as times and circumstances change (see the Governor's Office of Planning and Research General Plan Guidelines, page 14). The language of the General Plan 2030 Update policies and implementation measures has been carefully crafted to provide directives that clearly convey the County's intent and preference for physical development yet are flexible enough to remain applicable to the inevitable changes that will occur in the County over the course of twenty years and to allow for parcel specific considerations. Often, for example, this means the use of the word "should" rather than the word "shall." See Master Response #3 and #4 regarding the enforceability of the General Plan 2030 Update policies and the level of detail appropriate for the General Plan 2030 Update and programmatic EIR.

Numerous comments question whether individual policies and implementation measures are adequate to reduce the environmental impacts of the proposed project. The General Plan 2030 Update policies and implementation measures should not be reviewed individually. They were designed to be part of a comprehensive system (i.e. the entire General Plan 2030 Update) and function in relation to other goals, policies, land use designations, and implementation measures

in the General Plan 2030 Update. In other words, individual policies were not designed (and cannot be expected) to function as individual mitigation measures and cannot be analyzed as such. Rather, groups of policies and implementation measures work together to mitigate impacts. Where such groups were found insufficient to mitigate an environmental impact in the RDEIR, additional measures were added to the group to further reduce the impact to the extent feasible (see generally, RDEIR Chapter 3.0). For some impacts, despite all feasible mitigation, the impacts were determined to be significant and unavoidable. Again, see Master Response #3 and #4 for further discussion.

The commenter should also note generally that “the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (CEQA Guidelines §15204).

Response to Comment I17-2:

The commenter’s opinion regarding the General Plan 2030 Update and RDEIR are noted. The RDEIR adequately analyzes the impacts of the proposed project under CEQA. Commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Master Response #5.

Response to Comment I17-3:

The commenter’s opinion regarding the alternatives and vague policies/implementation measures is noted. Commenter is referred to Master Response #9 regarding the RDEIR’s alternatives analysis and to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-4:

The commenter’s opinion regarding the baseline, alternatives, cumulative impacts, and climate change are noted. The comment does not provide any explanation regarding commenter’s opinion on these issues and therefore, no further response can be provided.

Response to Comment I17-5:

The commenter is referred to Master Response #9 regarding the analysis of alternatives in the RDEIR.

Response to Comment I17-6:

The commenter’s closing remarks and discussion regarding more detailed comments that are to follow is noted. The comment states that “our May 27, 2010, comments override any inconsistencies in this attachment.” Commenter is referred to Master Response #2 and Response to Comment 17-2 regarding comments submitted on the 2008 Draft EIR. As discussed therein,

the County does not have the duty to decipher what comments the public or agencies believe to still be applicable or inapplicable from their 2008 comment letters, which is why they have been given the opportunity to draft new comment letters (see CEQA Guidelines Section 15088.5(f)(1)).

Response to Comment I17-7:

The commenter's introductory remarks to the more detailed comments on the general plan and RDEIR are noted. Comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I17-8:

The commenter's statement regarding their previously submitted 2008 comments is noted. The commenter is referred to Master Response #2 and Response to Comment I17-6.

Response to Comment I17-9:

The commenter is incorrect in its allegation that the County said the CAP will not be considered for approval at the time of the General Plan Update adoption. The RDEIR General Plan Update 2030 includes adoption of the CAP in the project description. Background information and the Notice of Availability provided that the CAP is not part of the General Plan 2030 Update documents, but will be considered for approval subsequent to adoption of the proposed project, indicating that the CAP will be considered upon adoption of the General Plan 2030 Update (at the same time). The commenter is referred to Master Response #10 regarding the climate action plan. The climate action plan is considered an implementation measure (see page 3.4-39 of the RDEIR) that was recommended through the environmental analysis conducted for the General Plan 2030 Update. Similar to the other implementation measures identified through out the elements of the General Plan 2030 Update, the County will implement the various measures as appropriate through out the timeframe of the general plan. Given the importance of this issue and to demonstrate the County's commitment to addressing climate change issues, the County has chosen to begin development of a climate action plan (Air Quality Implementation Measures #16) prior to adoption of the General Plan 2030 Update. The climate action plan is considered a "living document" that will likely be reviewed and updated as the general plan is implemented and as the science of climate change continues to evolve. Please see Master Response #7 and Response to Comment A8-11.

Response to Comment I17-10:

The commenter's suggestion to include references to the Technical Advisory Committee in the General Plan 2030 Update is noted.

Response to Comment I17-11:

The commenter's opinion regarding the intent of the General Plan 2030 Update and future growth in the County is noted. This is not a comment on the adequacy of the RDEIR and no further response is necessary. Commenter is referred to Master Response #5. Also, the commenter is

referred to the response prepared for Comment A8-7 for a discussion of new towns and growth corridors.

Response to Comment I17-12:

The commenter's statement regarding current economic conditions in Tulare County is noted. This is not a comment on the adequacy of the RDEIR and no further response is necessary. Commenter is referred to Master Response #1.

Response to Comment I17-13:

The commenter's opinion regarding the intent of the General Plan 2030 Update and future growth in the County is noted. This is not a comment on the adequacy of the RDEIR and no further response is necessary. Commenter is referred to Master Response #1 and #5.

Response to Comment I17-14:

The commenter's opinion regarding the intent of the General Plan 2030 Update and future growth in the County is noted. This is not a comment on the adequacy of the RDEIR and no further response is necessary. Commenter is referred to Master Response #1.

Response to Comment I17-15:

The commenter's opinion regarding the intent of the General Plan 2030 Update and future growth in the County is noted. This is not a comment on the adequacy of the RDEIR and no further response is necessary. Commenter is referred to Master Response #1 and Response to Comment A8-7.

Response to Comment I17-16:

Commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. As discussed under CEQA Guidelines Section 15125 "the description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives." As further discussed under CEQA Guidelines Section 15204(a) "CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentators." While the background report was incorporated by reference, the commenter is referred to the environmental setting discussion in the individual resource chapters for discussion of baseline conditions." This comment provides no specific information on what information they believe is not representative of existing conditions/baseline, therefore no further response is possible.

As discussed in Master Response #2, the decision to prepare the RDEIR included consideration of the various comments identified by the commenter.

Response to Comment I17-17:

Commenter is referred to Master Response #4 regarding the level of detail appropriate for the General Plan and programmatic EIR. The commenter's opinion regarding the General Plan 2030 Update's component documents is noted.

Response to Comment I17-18:

As acknowledged on RDEIR page ES-7, the Background Report is one of many documents used by the RDEIR to identify the environmental setting for the proposed project. The environmental setting, including some information from the Background Report, is included in the individual resource chapters under the heading "Environmental Setting." Please see Response to Comment I17-16 for discussion of the appropriate level of detail for the environmental setting.

Response to Comment I17-19:

Table 6-2 in the Background Report provides the estimated days above both the State and National standard for PM10 based on a 365 day average. This is explained in the footnote; the data is not misleading or inaccurate. The commenter is also referred to the environmental setting discussion in the RDEIR starting on page 3.3-9.

Response to Comment I17-20:

The Background Report was prepared using the best available data at the time of its publication. The base year for data collection varies by resource topic and depends on the availability of data by the various organizations and agencies responsible for collection and presentation of their specific data. Please see Response to Comment I17-18. Commenter is referred to Master Response #4 for a description of the level of detail appropriate for the General Plan and programmatic EIR. As discussed in CEQA Guidelines Section 15125 "the description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives." The data provided is representative of existing conditions and is adequate to serve as a baseline against which impacts can be analyzed.

The comment also states that the characteristics of various schools are not consistently described. The description of individual school facilities is consistent, however additional details were provided for certain school facilities where more detailed information was available. The Background Report was prepared using the best available data at the time of its publication which had differing levels of details depending upon the information received from various school districts. Furthermore, the commenter is directed to Impact 3.9-7 which addresses impacts to school facilities rather than the Background Report or the Environmental Setting discussion. The commenter is referred to the response prepared for Comment I21-159.

Response to Comment I17-21:

The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur during the planning horizon of the draft General Plan. It should also be noted that General Plan policies are

statements of general principles to guide future actions. They are not regulatory programs or project-specific mitigation measures. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Additionally, it should be noted that not every policy identified in the General Plan 2030 Update is intended to have its own specific implementation measure. As described in the Goals and Policies Report (see pages 1-8 through 1-9), policies serve as the basis for which consistency findings will be made as future projects are considered by County decision makers. Implementation measures are those specific programs, procedures, or techniques that have been identified to carry out a specific policy. Additionally, a specific implementation measures can be used to implement one or more policies. As discussed in Master Response #3, while the County has listed numerous implementation measures in the General Plan, and noted in the RDEIR, it is simply not feasible to list every potential implementation measure which will be adopted over the 20 year horizon of the General Plan, nor to provide the text of every potential ordinance that will be adopted as a result of General Plan implementation. Government Code Section 65400 recognizes that implementation of the General Plan will take time. Furthermore, in other instances, such as the approval of subdivisions, or other site specific projects are reviewed by the Board of Supervisors, Planning Commission, and various other County agencies and staff, for consistency with the General Plan, which also ensures implementation of the General Plan's Goals, Policies, and Land Use Designations. The commenter is referred to Master Response #3, #4, and #7 for additional discussion of the use and specificity of implementation measures. Furthermore, the language cited in the General Plan ("the following principles guide action on these implementation Measures...") has been used in numerous other General Plans which are being successfully implemented. For example see the Marin County General Plan page 1-19⁶ ["Implementation can take time, especially when needed resources are limited and required for more than one program. Because implementation can take time, the Board of Supervisors and those to whom the Board delegates may need to prioritize programs. ..."].

Lastly, to the extent that commenter references the previous Draft EIR, General Plan Update, and/or comments submitted on those documents in 2008 please see Master Response #2.

Response to Comment I17-22:

The commenter is referred to the response prepared for Comment I17-21. Commenter is also referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Response to Comment I19-72 for discussion of policies and their relationship to implementation measures. Please also see Master Response #7.

⁶ Marin County General Plan available at: http://www.co.marin.ca.us/depts/cd/main/fm/cwpdocs/CWP_CD2.pdf

Response to Comment I17-23:

The commenter is referred to the response prepared for Comment I17-21. Commenter is also referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-24:

The commenter is referred to the response prepared for Comment I17-21. Commenter is also referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-25:

The commenter is referred to the response prepared for Comment I17-21. Commenter is also referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-26:

The commenter is referred to the response prepared for Comment I17-21. Commenter is also referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-27:

The commenter is referred to the response prepared for Comment I17-21. Commenter is also referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-28:

Comment noted. This comment does not concern the adequacy of the RDEIR and no further response is required. Please see Master Response #1 and Response to Comment #I17-987. All comments will be forwarded to County decision makers for their consideration.

Response to Comment I17-29:

Comment noted. This comment does not concern the adequacy of the RDEIR and no further response is required. Please see Master Response #1. All comments will be forwarded to County decision makers for their consideration.

Response to Comment I17-30:

Commenter is referred to Master Response #7 and the response prepared for Comment I17-21 regarding the use of implementation measures. This comment does not concern the adequacy of the RDEIR and no further response is required. Please see Master Response #1. All comments will be forwarded to County decision makers for their consideration. Please also see Master

Response #3 and Response to Comment I19-72 for discussion of policies and their relationship to implementation measures.

Response to Comment I17-31:

Comment noted. This comment does not concern the adequacy of the RDEIR and no further response is required. Please see Master Response #1. All comments will be forwarded to County decision makers for their consideration.

Response to Comment I17-32:

The commenter is directed to Master Response #9 for a discussion of the analysis of a reasonable range of project alternatives in the RDEIR. The comment is incorrect that the alternatives assume the same policies, and is directed to Response to Comment I19-111 for further discussion..

Response to Comment I17-33:

The commenter is directed to Master Response #9 for a discussion of the analysis of a reasonable range of project alternatives in the RDEIR.

Response to Comment I17-34:

The commenter is directed to Master Response #9 for a discussion of the analysis of a reasonable range of project alternatives in the RDEIR. The level of detail provided for the Alternatives is consistent with CEQA, as noted under CEQA Guidelines Section 15126.6:

“Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, *but in less detail than the significant effects of the project as proposed.* (*County of Inyo v. City of Los Angeles* (1981) 124 Cal.App.3d 1)” (emphasis added).

Response to Comment I17-35:

The commenter is directed to Master Response #9 and Response to Comment I17-34 for a discussion of the analysis of a reasonable range of project alternatives in the RDEIR.

Response to Comment I17-36:

The commenter’s opinion regarding the General Plan 2030 Update is noted. Commenter is referred to Master Response #5 regarding a description of the patterns of growth allowed under the proposed project. Furthermore, the project objectives are clearly discussed on RDEIR page 2-3. Please see Response to Comment A8-10 and I19-62 which address the comment that the General Plan relies upon “market forces.”

Response to Comment I17-37:

The commenter is directed to Master Response #9 and Response to Comment I17-34 for a discussion of the analysis of a reasonable range of project alternatives in the RDEIR.

Response to Comment I17-38:

The commenter is directed to Master Response #9 for a discussion of the analysis of a reasonable range of project alternatives in the RDEIR.

Response to Comment I17-39:

Comment noted. Please see Master Response #9.

Response to Comment I17-40:

Comment noted. This comment does not concern the adequacy of the RDEIR and no further response is required. Please see Master Response #1 and Response to Comment I17-42, 43, and 44. All comments will be forwarded to County decision makers for their consideration.

Response to Comment I17-41:

Please see Response to Comment I17-42, I17-1043, and I17-1044.

Response to Comment I17-42:

Comment noted. This comment does not concern the adequacy of the RDEIR and no further response is required. Please see Master Response #1. All comments will be forwarded to County decision makers for their consideration. Please also see Response to Comments I17-1043 and 1044 which address comments on the “Ahwahnee Principles.” Furthermore, as acknowledged by the commenter the draft General Plan contains Goals and Policies similar to the cited Ahwahnee Principles.” The commenter also cites a “Specific Plan” as evidence that these principles can be implemented in more concrete form. A specific plan is more specific and designed to implement a General Plan (see Government Code Section 65450 et seq.). The General Plan does not preclude preparation of Specific Plans. However, as discussed in Master Response #4, the proposed project in this RDEIR is for a General Plan.

Additionally, please see Master Response #3 and Response to Comment I17-41 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Response to Comment I17-1043 and I17-044.

Response to Comment I17-43:

Comment noted. This comment does not concern the adequacy of the RDEIR and no further response is required. Please see Master Response #1. All comments will be forwarded to County decision makers for their consideration. Additionally, please see Master Response #4 regarding the level of detail appropriate for the General Plan and programmatic EIR.

Please also note that more detailed information on the UDB, HDBs boundaries, etc... is provided in General Plan. For example, see Part I, Figures 2.2-1 through 2.2-22, HDBs are shown in Figures 2.3-1 through 2.3-12, and UABs are shown in General Plan Figures 2.4-1 through 2.4-11 (see RDEIR Appendix C). Please also see Response to Comment A8-7 and Master Response #5.

Response to Comment I17-44:

Comment noted. Individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan. The commenter is also referred to Master Response #10 regarding the County's Climate Action Plan. Please also see Master Response #4 and #5.

Response to Comment I17-45:

The commenter's introductory note to the various comments that follow is noted.

Response to Comment I17-46:

The commenter's suggestions, opinions, and questions regarding the General Plan 2030 Update are noted. This is not a comment on the adequacy of the RDEIR and no further response is necessary (CEQA Guidelines §15204). The commenter is referred to Master Response #1. To the extent that commenter references comments previously submitted on the Draft EIR in 2008, please see Master Response #2. Please note however that the RDEIR also summarizes changes in the RDEIR and the General Plan starting on RDEIR page ES-6.

Response to Comment I17-47:

As explained in the cited language some existing planning documents have been incorporated into the General Plan. While the County is providing a comprehensive update not all of the planning documents need to be revised at this time or revisited each time the General Plan is updated. This approach is consistent with Government Code Section 65301(a) ["The general plan may be adopted in any format deemed appropriate or convenient by the legislative body, including the combining of elements. The legislative body may adopt all or part of a plan of another public agency in satisfaction of all or part of the requirements of Section 65302..."]. Furthermore, Tulare County covers approximately 4,840 square miles; by using more specific existing planning documents, the County is better able to tailor plans to meet area specific concerns. Dates identified in Chapter 1, Page 1, of the General Plan 2030 Update are intended to be the dates of actual adoption and will be updated when the General Plan 2030 Update is actually adopted.

Response to Comment I17-48:

The commenter is referred to Master Response #5 regarding the growth allowed under the General Plan and Master Response #3 for discussion of implementation of the General Plan. The commenter is further directed to the response prepared for Comment I17-46.

Response to Comment I17-49:

The commenter is directed to the response prepared for Comment I17-48.

Response to Comment I17-50:

The commenter is directed to the response prepared for Comment I17-48. As discussed in Master Response #5 and Response to Comment I21-2, the RDEIR focuses growth and provides for infill development. However, as discussed Response to Comment A8-10 and I19-62, there are numerous factors that affect population growth which the County has limited control over. Therefore, the County has drafted policies and land use designations to focus this growth.

Response to Comment I17-51:

The commenter is directed to Master Response #1.

Response to Comment I17-52:

The concept is meant to include hamlets and the term will put back into the text.

Response to Comment I17-53:

The commenter is directed to the response prepared for Comment I17-46.

Response to Comment I17-54:

Comment noted.

Response to Comment I17-55:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-52. Concept 4 on page A-2 of the General Plan 2030 Update is amended to read as follows:

Concept 4: Natural and Cultural Resources

As Tulare County develops its unincorporated communities and hamlets, the County will ensure that development occurs in a manner that limits impacts to natural and cultural resources through the implementation of its Goals and Policies and through proper site planning and design techniques.

Response to Comment I17-56:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-52. Principal 2 on page A-2 of the General Plan 2030 Update is amended to read as follows:

Principle 2: Reinvestment

Promote reinvestment in existing unincorporated communities and hamlets in a way that enhances the quality of life and their economic viability in these locations.

Response to Comment I17-57:

The commenter is directed to the response prepared for Comment I17-46 and Master Response #3.

Response to Comment I17-58:

The commenter is directed to the response prepared for Comment I17-46. Commenter is also referred to Master Response #10 regarding the Climate Action Plan.

Response to Comment I17-59:

It is unclear what “previous comments” the comment is referring to; therefore, no specific response can be provided. Responses to comments on page 4 and 7 of commenter’s letter are responded to above. In addition, to the extent that the comment concerns policy matters and not the adequacy of the RDEIR, no response need be provided. The commenter is directed to the response prepared for Comment I17-46 and I17-30.

Response to Comment I17-60:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Additionally, see Master Response #5 regarding land use diagrams and build-out assumptions for the General Plan Update. The environmental impacts of the proposed project on all resource areas: land use, traffic, air quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources, have been adequately analyzed in the RDEIR in accordance with CEQA. Additionally, the commenter is directed to Master Response #3 and #4, which provide additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein, individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan.

Furthermore, there is nothing inconsistent with the language on General Plan page 2-3 and 3-3. The language on pages 2-3 and 3-3 provide the same substantive definitions. Please see Response to Comment A8-7 for discussion of new towns. Please see Response to Comment I17-43 for discussion of General Plan UDB Figures. Please also see Master Response #3 for discussion of implementation of the General Plan.

Response to Comment I17-61:

The commenter is directed to the response prepared for Comment I17-21, I17-46, I17-48 and I21-2. Additionally, see Master Response #5 regarding land use diagrams and build-out assumptions for the General Plan Update. Please see Response to Comment I17-41, I17-1043 and I17-1044 for discussion of Ahwahnee Principles.

Response to Comment I17-62:

The commenter is directed to the response prepared for Comment I17-46.

Response to Comment I17-63:

The commenter is directed to the response prepared for Comment I17-46. Please also see Master Response #3 and #4 for discussion of implementation of the General Plan and the appropriate level of detail. Please also see Master Response #5 and Response to Comment I21-2 for discussion of buildout

Response to Comment I17-64:

The commenter is directed to the response prepared for Comment I17-46. Additionally, see Master Response #5 regarding land use diagrams and build-out assumptions for the General Plan Update. Please see Response to Comment A8-7 for discussion of new towns and planned community areas.

Response to Comment I17-65:

The commenter is directed to the response prepared for Comment I17-46. Please also see Master Response #3 and Response to Comment I19-72 for discussion of policies and their relationship to implementation measures.

Response to Comment I17-66:

The commenter is directed to the response prepared for Comment I17-46. Additionally, please see Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. As discussed in Master Response #3, individual policies should not be reviewed in a vacuum but as part of the full comprehensive General Plan; please see Response to Comment I17-321 for discussion of buffers.

Response to Comment I17-67:

The commenter is directed to the response prepared for Comment I17-46. Additionally, please see Master Response #3, #4, and #7 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-68:

The commenter is directed to the response prepared for Comment I17-46 and Master Response #3, #7 and #10.

Response to Comment I17-69:

The commenter is directed to the response prepared for Comment I17-46, I21-2, A8-7, and Master Response #3 and #4.

Response to Comment I17-70:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please see Response to Comment I17-41, I17-1043 and 1044 for discussion of Ahwahnee Principles.

Response to Comment I17-71:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21, and Master Response #3, #4, and #7.

Response to Comment I17-72:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please also see Policy PF 1.11 and PF Implementation Measure #38 in Part I, Chapter 2 of the General Plan 2030 Update for more information on planning boundaries.

Response to Comment I17-73:

Please also see Master Response #4 and #5.

Response to Comment I17-74:

The commenter is directed to the response prepared for Comment I17-46 and Master Response #4. The Patterson Tract is shown within Figure 2.4-8 on page 2-63 (Part I) of the General Plan 2030 Update.

Response to Comment I17-75:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-76:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-77:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-78:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-79:

The commenter is directed to Master Response #3 and #7.

Response to Comment I17-80:

The commenter is directed to the response prepared for Comment I17-46 and Master Response #3.

Response to Comment I17-81:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The environmental impacts of the proposed project on all resource areas: land use, traffic, air quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources, have been adequately analyzed in the RDEIR in accordance with CEQA. Additionally, the commenter is directed to Master Response #3 and #4, which provide additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein, individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan.

Response to Comment I17-82:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-83:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The environmental impacts of the proposed project on all resource areas: land use, traffic, air quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources, have been adequately analyzed in the RDEIR in accordance with CEQA. Additionally, the commenter is directed to Master Response #3 and #4, which provide additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein, individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan 2030 Update

Response to Comment I17-84:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The environmental impacts of the proposed project on all resource areas: land use, traffic, air quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources, have been adequately analyzed in the RDEIR in accordance with CEQA. Additionally, the commenter is directed to Master Response #3 and #4, which provide additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein, individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan 2030 Update.

Response to Comment I17-85:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The environmental impacts of the proposed project on all resource areas: land use, traffic, air

quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources, have been adequately analyzed in the RDEIR in accordance with CEQA. Additionally, the commenter is directed to Master Response #3 and #4, which provide additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein, individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan 2030 Update.

Response to Comment I17-86:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-87:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21 and Master Response #4 regarding the level of detail appropriate for the General Plan and programmatic EIR. Additionally, see Master Response #5 on the land use diagrams and build-out assumptions of the General Plan 2030 Update.

Response to Comment I17-88:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-89:

The commenter is directed to the response prepared for Comment I17-46. Commenter is also directed to Master Response #5 on the land use diagrams and build-out assumptions of the General Plan Update. The environmental impacts of the proposed project on all resource areas: land use, traffic, air quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources, have been adequately analyzed in the RDEIR in accordance with CEQA. Additionally, the commenter is directed to Master Response #3 and #4, which provide additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein, individual policies should not be reviewed in a vacuum, but as part of the full comprehensive General Plan 2030 Update.

Response to Comment I17-90:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-91:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-92:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-93:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-94:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-95:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-96:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-97:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-98:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-99:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Additionally, see Master Response #5 on the land use diagrams and build-out assumptions of the General Plan Update.

Response to Comment I17-100:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-101:

The commenter is directed to the response prepared for Comment I17-46. CACUABs currently exist and no changes are being proposed at this time.

Response to Comment I17-102:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I21-2. As can be seen in RDEIR Figure 2-3, the CACUABs are adjacent to and focus development around the existing Cities. As discussed under General Plan Policy PF-4.1:

“The County shall establish CACUABs which define the area where land uses are presumed to have an impact upon the adjacent incorporated city, and within which the cities’ concerns may be given consideration as part of the land use review process. The lands within the UAB are considered to be the next logical area in which urban development may occur and the area within which UDBs may ultimately be expanded.

Although it is the policy of the County that this area will at some time become appropriate for urban development, generally no public purpose is served by permitting intensive development therein. As communities grow and expand, it is logical to assume the UDBs may be correspondingly expanded or established until they coincide with the ultimate UAB. The land lying between the Urban Development Boundary and the Urban Area Boundary will generally have an agricultural land use designation or rural residential land use designation in conformity with Land Use Policy LU 3.8: Rural Residential Interface” (Emphasis added.)

As described in the Policy above, intensive development is not automatically permitted with the CACUABs. As discussed in Section 3.9 the General Plan contains numerous policies to address infrastructure. As discussed therein, the General Plan contains Policy PF-1.4 which addresses the comments infrastructure concerns:

“The County shall encourage urban development to locate in existing UDBs and HDBs where infrastructure is available or may be established in conjunction with development. The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available, and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies”

The environmental impacts of the proposed project on all resource areas: land use, traffic, air quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources, have been adequately analyzed in the RDEIR in accordance with CEQA. Additionally, the commenter is directed to Master Response #3 and #4, which provide additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update.

Response to Comment I17-103:

The commenter is directed to the response prepared for Comment I17-46.

Response to Comment I17-104:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-105:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-106:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-107:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-108:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-109:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-110:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-111:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-112:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-113:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-114:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Commenter is referred to Master Response #5 regarding the land use designations under the General Plan Update.

Response to Comment I17-115:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-116:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-117:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-118:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-119:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-120:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-121:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-122:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-123:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Additionally, see Master Response #5 on the land use diagrams and build-out assumptions of the General Plan Update. Impacts of the proposed project on land use, traffic, air quality, climate change, noise, water quality, geology, hazardous materials, public services, recreation, agricultural resources, biological resources, and cultural resources have been adequately analyzed in the RDEIR in accordance with CEQA. Please also see Response to Comment I17-81.

Response to Comment I17-124:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Impacts of the proposed project on air quality and climate change are adequately addressed in the RDEIR (starting on page 3.3-18).

Response to Comment I17-125:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-126:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-127:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-128:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-129:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The energy and climate change impacts of the proposed project are analyzed in RDEIR section 3.4.

Response to Comment I17-130:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The transportation, energy and climate change impacts of the proposed project are analyzed in RDEIR section 3.2 and 3.4.

Response to Comment I17-131:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The transportation, energy and climate change impacts of the proposed project are analyzed in RDEIR section 3.2 and 3.4. Hydrology, water quality, and drainage are analyzed in RDEIR section 3.6.

Response to Comment I17-132:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Impacts to agricultural resources are analyzed in RDEIR section 3.10. The energy and climate change impacts of the proposed project are analyzed in RDEIR Section 3.4. Hydrology, water quality, and drainage are analyzed in RDEIR section 3.6.

Response to Comment I17-133:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-134:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-135:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-136:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-137:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The County will comply with the requirements of the state Planning and Zoning laws (Gov. Code, §§ 65000 – 66035) as well as CEQA (Pub. Res. Code §§ 21000 *et seq.*). Please also note that the County is not required to provide the Mitigation Monitoring and Reporting Program until the time of the CEQA Findings/Project Approval (see CEQA Guidelines Section 15091(c)).

Response to Comment I17-138:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-139:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-140:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-141:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-142:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-143:

Concept 4 on page B-1 of the General Plan 2030 Update is amended to read as follows:

Concept 4: Housing

The purpose of the Housing Element is to identify the County's housing needs, state the County's ~~counties~~ goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs, and to define the policies and programs that the County will implement to achieve the stated goals and objectives.

Response to Comment I17-144:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.
The impacts of the environmental resources listed in the comment have been adequately addressed in the RDEIR. Please see RDEIR Chapter 3.

Response to Comment I17-145:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-146:

The typographical error under the Housing heading on page B-2 of the General Plan 2030 Update is corrected to read as follows:

Housing

[Not included in this document. Adopted as a separate document on a schedule designed by the State Legislature ~~Legislator~~.]

Response to Comment I17-147:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The current General Plan includes the already adopted Animal Confinement Facilities Program (“ACFP”) as part of the Environmental Resources Management Element which controls dairy operations (see General Plan, Part I, Chapter 12). The General Plan 2030 Update does not modify the ACFP. A program EIR for the ACFP was prepared and certified by the County. The County is preparing an update to the ACFP that will provide additional examination of potential impacts in a comprehensive manner.

Response to Comment I17-148:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impacts of climate change are adequately addressed in RDEIR section 3.4. See Master Response #10 for further discussion of the County’s Climate Action Plan.

Response to Comment I17-149:

The typographical error under the Farmland of Local Importance heading on page 3-1 (Part I) of the General Plan 2030 Update is corrected to read as follows:

For Tulare County, this is defined as “lands that produce dry-land grains (barley and wheat); lands that have physical characteristics that would qualify for ‘Prime’ or ‘Statewide Importance’ Farmlands except for the lack of irrigation water; and lands that currently supply confined livestock, poultry and/or aquaculture operations”.

Response to Comment I17-150:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21

Response to Comment I17-151:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-152:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-153:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Additionally, economic impacts are not environmental impacts under CEQA (CEQA Guidelines §15131). A cost-benefit analysis need not be part of an EIR.

Response to Comment I17-154:

Please see Response to Comment I17-147. The environmental impacts associated with animal confinement facilities have been adequately addressed in the RDEIR. Please see RDEIR sections 3.3, 3.4, and 3.10. In addition, the current General Plan includes the already adopted Animal

Confinement Facilities Program (“ACFP”) as part of the Environmental Resources Management Element which controls dairy operations. The General Plan 2030 Update does not modify the ACFP. A program EIR for the ACFP was prepared and certified by the County. The County is preparing an update to the ACFP that will provide additional examination of all potential impacts in a comprehensive manner. Please see response to Comment I11-73 for additional discussion of the ACFP and related environmental review.

Response to Comment I17-155:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Additionally, economic impacts are not environmental impacts under CEQA (CEQA Guidelines §15131). A cost-benefit or other economic analysis need not be part of an EIR.

Response to Comment I17-156:

Commenter’s opinion is noted. The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-157:

Commenter’s opinion is noted. The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-158:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-159:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-160:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-161:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-162:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-163:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-164:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-165:

Comment noted. The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-166:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-167:

Comment is noted and correction will be made.

Response to Comment I17-168:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-169:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-170:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.
See Master Response #4 for a discussion of how the General Plan will be implemented.

Response to Comment I17-171:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-172:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-173:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-174:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-175:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-176:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-177:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-178:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-179:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-180:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-181:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Policy AG-1.13 #2 on page 3-6 (Part I) is amended to read as follows:

2. The use ~~shall~~ should not be sited on productive agricultural lands if less productive land is available in the vicinity;

Response to Comment I17-182:

Comment noted. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-183:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-184:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-185:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-186:

The commenter is directed to the response prepared for Comment I17-81.

Response to Comment I17-187:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-188:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-189:

The commenter is directed to the response prepared for Comment I17-154.

Response to Comment I17-190:

The commenter is directed to the response prepared for Comment I17-154.

Response to Comment I17-191:

The Background Report was prepared using the best available data at the time of its publication. Both the California Department of Food and Agriculture and the U.S. Department of Agriculture are considered reputable sources of information specific to the topic of dairies. The base year for data collection varies by resource topic and depends on the availability of data by the various organizations and agencies responsible for collection and presentation of their specific data. The data provided is adequate to serve as a baseline against which impacts can be analyzed. Commenter is referred to Master Response #4 for a description of the level of detail appropriate for the General Plan and programmatic EIR. The comment provides no information which would suggest that the material provided in the RDEIR Environmental Setting is not accurate.

Response to Comment I17-192:

The commenter is directed to the response prepared for Comment I17-191.

Response to Comment I17-193:

The commenter is directed to the response prepared for Comment I17-191 and Comment I17-154.

Response to Comment I17-194:

The commenter is directed to the response prepared for Comment I17-191 and Comment I17-154.

Response to Comment I17-195:

The commenter is directed to the response prepared for Comment I17-154.

Response to Comment I17-196:

The commenter is directed to the response prepared for Comment I17-154.

Response to Comment I17-197:

The commenter is directed to the response prepared for Comment I17-154. The proposed project impacts on climate change are discussed in section 3.4 of the RDEIR. See also Master Response #10 regarding the Climate Action Plan.

Response to Comment I17-198:

Comment noted. The commenter is directed to the response prepared for Comment I17-154. Commenter is also directed to the response prepared for Comment I17-46, I17-21, and I17-81.

Response to Comment I17-199:

The commenter is directed to the response prepared for Comment I17-46 and I17-21.

Response to Comment I17-200:

The commenter is directed to the response prepared for Comment I17-154. Section 3.3 of the RDEIR provides adequate information on the contribution dairies make to air quality violations in the County. RDEIR Appendix D includes detailed emissions calculations from the models used in the air quality analysis. Appendix B, The Background Report, provides additional data and information used in the RDEIR analysis of air emissions from dairies and feedlots (see Appendix B, General Plan Background Report, Chapter 6). Additionally, the Tulare County Draft Phase I Animal Confinement Facilities Plan Supplemental Program EIR, referenced by commenter as the “DSPEIR,” is also cited in the RDEIR air quality analysis. Additionally, the SJVAB’s attainment/nonattainment status for all criteria pollutants is clearly disclosed and discussed in RDEIR section 3.3.

Response to Comment I17-201:

The air quality impacts associated with dust are adequately analyzed in RDEIR section 3.4. It accounts for dust from all major sources, including agricultural operations and the use of rural dirt roads. The proposed project’s impact on the implementation of applicable air quality plans is discussed in RDEIR section 3.3, Impact 3.3-3. Please see Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR.

Response to Comment I17-202:

The proposed project’s impacts on PM10, NOX, and ROG emissions are addressed in RDEIR section 3.3. In addition, greenhouse gas emissions from dairies and feedlots were analyzed in Section 3.4 of the RDEIR. Additionally, see Master Response #10 for information on the County’s Climate Action Plan.

Response to Comment I17-203:

The commenter is directed to the response prepared for Comment I17-202.

Response to Comment I17-204:

The commenter is directed to the response prepared for Comment I17-200, I17-201, and I17-202.

Response to Comment I17-205:

Commenter's statements from the Draft Supplemental Program EIR for the ACFP are noted. As discussed under RDEIR Impact 3.10-1, buildout of the proposed project will result in a reduction in agricultural land. While the RDEIR acknowledged existing water quality issues (RDEIR page 3.6-27), there is expected to be a decrease in agricultural acreage below the projects baseline, primarily as a result of conversion of irrigated farming to new or expanded non-irrigated agricultural uses (RDEIR, p. 3.10-6). The commenter is referred to the response to Comment I11-73 for additional information regarding this comment specific to dairies, water quality issues, and the County's Animal Confinement Facilities Program.

Response to Comment I17-206:

The RDEIR includes a number of policies and implementation measures designed to address the hydrology, water quality, and drainage impacts associated with the proposed project. See RDEIR section 3.6. Additionally, the commenter is directed to the response prepared for Comment I17-46 and I17-21.

Response to Comment I17-207:

The commenter is referencing the Data Needs Assessment and Recommendations references originally identified in the County's Phase I Animal Confinement Facilities Plan Draft Supplemental Program EIR. The commenter's suggestions are specific and more appropriately addressed as part of the County's Animal Confinement Facilities Plan. The commenter is referred to the response to Comment I11-73 for additional information regarding this comment specific to dairies, water quality issues, and the County's Animal Confinement Facilities Program.

Response to Comment I17-208:

Comment noted. The commenter is directed to the response prepared for Comment I17-205.

Response to Comment I17-209:

The commenter is directed to the response prepared for Comment I17-205 and Comment I17-206.

Response to Comment I17-210:

The commenter is directed to the response prepared for Comment I17-205 and Comment I17-206.

Response to Comment I17-211:

The commenter is directed to the response prepared for Comment I17-46 and I17-21.

Response to Comment I17-212:

Economic and social effects are not environmental impacts under CEQA and need not be analyzed in an EIR (CEQA Guidelines, §15131).

Response to Comment I17-213:

The commenter is directed to the response prepared for Comment I17-212.

Response to Comment I17-214:

The commenter is directed to the response prepared for Comment I17-212 and Comment I17-191.

Response to Comment I17-215:

The commenter is directed to the response prepared for Comment I17-212.

Response to Comment I17-216:

The commenter is directed to the response prepared for Comment I17-212.

Response to Comment I17-217:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-218:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-219:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-220:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-221:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-222:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-223:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-212.

Response to Comment I17-224:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-225:

Air quality impacts from diesel particulate matter and other toxic air contaminants analyzed in RDEIR section 3.3. The comment suggests that the County should “carefully assess the short- and long term cost/benefit ration of supporting the creation and enhancement of intermodal connections for freight handling.” Movement by train is typically at least twice as fuel efficient as clean trucks on a ton-mile basis which reduces air quality emissions by a similar amount.⁷

Furthermore, it is not necessary to place idling restrictions on diesel trucks because such restrictions already exist within Title 13, Cal. Code Regulations, Section 2485 (restricting truck idling after five minutes). Energy and climate change impacts are addressed in RDEIR section 3.4 Economic and social impacts associated with the project are not environmental impacts and need not be discussed in the RDEIR (CEQA Guidelines §15131).

Response to Comment I17-226:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-227:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-228:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-229:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-230:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-231:

As noted in Master Response #3, individual policies should not be reviewed in a vacuum but as part of the whole General Plan. The comment is referred to RDEIR Section 3.11 which addresses

⁷ Port of Los Angeles Rail Study Update 2006 pages ES-2 and ES-3; Available at: http://www.portoflosangeles.org/DOC/REPORT_SPB_Rail_Study_ES.pdf

numerous other applicable policies designed to address impacts to riparian areas and other types of sensitive habitats (see RDEIR page 3.11-34). For example, Policies ERM-1.1 through ERM-1.6, ERM-1.8, and ERM-1.12 require the County to protect key sensitive habitats (i.e., riparian, wetlands, and oak woodlands, etc.) by encouraging future County growth outside these sensitive habitat areas. Please see Master Response #1.

Response to Comment I17-232:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The recreational impacts of the proposed project are discussed in RDEIR section 3.9. As discussed in Master Response #3, individual policies should not be reviewed in a vacuum but as part of the whole General Plan.

Response to Comment I17-233:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-234:

Comment noted. The change was made in the document.

Response to Comment I17-235:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-236:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please also see Response to Comment I17-329 which discusses proposed Policies and existing County Ordinance code requirements for tree planting.

The comment also states that “none of the other policies in this section have any IMs at all.” Please see Response to Comment I19-72 which addresses this issue.

Response to Comment I17-237:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-238:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-239:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-240:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The environmental impacts of the proposed project are adequately analyzed in RDEIR section 3.1. See Master Response #5 for further description of the land use diagram, land use designations, and build-out assumptions under the General Plan Update.

Response to Comment I17-241:

The commenter is directed to the response prepared for Comment I17-240, Comment I17-46 and Comment I17-21.

Response to Comment I17-242:

The commenter is directed to the response prepared for Comment I17-240, Comment I17-46 and Comment I17-21.

Response to Comment I17-243:

The commenter is directed to the response prepared for Comment I17-240, Comment I17-46 and Comment I17-21.

Response to Comment I17-244:

The commenter is directed to the response prepared for Comment I17-240, Comment I17-46 and Comment I17-21.

Response to Comment I17-245:

The commenter is directed to the response prepared for Comment I17-240, Comment I17-46 and Comment I17-21, and Comment I17-81.

Response to Comment I17-246:

The commenter is directed to the response prepared for Comment I17-240, Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-247:

The commenter is directed to the response prepared for Comment I17-240, Comment I17-46, Comment I17-21, and Comment I17-81.

Response to Comment I17-248:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-249:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-250:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-251:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Additionally, please see Master Response #5 regarding land use designations and build-out assumptions under the General Plan Update and Master Response #10 regarding the County's Climate Action Plan.

Response to Comment I17-252:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-253:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-254:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-255:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-256:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-257:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-258:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-259:

Comment noted. Commenter does not point to any specific inadequacy and therefore no further response can be provided. The commenter is referred to Response to Comment I17-191 for a discussion of the Background Report.

Response to Comment I17-260:

Comment noted. Commenter does not point to any specific inadequacy and therefore no further response can be provided. Please see Master Response #5 for a discussion of land use diagrams,

land use designations, and build out assumptions of the General Plan Update. Please see Master Response #2 regarding comments submitted on the Draft EIR in 2008.

Response to Comment I17-261:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please see Master Response #5 for a discussion of land use diagrams, land use designations, and build out assumptions of the General Plan Update.

Response to Comment I17-262:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please see Master Response #5 for a discussion of land use diagrams, land use designations, and build out assumptions of the General Plan Update.

Response to Comment I17-263:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please see Master Response #5 for a discussion of land use diagrams, land use designations, and build out assumptions of the General Plan Update.

Response to Comment I17-264:

The column in Table 3-6 of the Background Report labeled “Existing Plan Population” provides the existing population in each of the community plan areas as of 2006. Regarding the Background Report for the 2008 Draft EIR, no response need be provided. Please see Master Response #2.

Response to Comment I17-265:

Please see Master Response #5 for a discussion of land use diagrams, land use designations, and build out assumptions of the General Plan Update. The Background Report was prepared using the best available data at the time of its publication. The base year for data collection varies by resource topic and depends on the availability of data by the various organizations and agencies responsible for collection and presentation of their specific data. The data provided is adequate to serve as a baseline against which impacts can be analyzed. Additionally, population assumptions are fully described on page 2-24 of the RDEIR and population data (both existing and projected) are provided for each Community Plan area I Background Report Table 3-6. Commenter is referred to Master Response #4 for a description of the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-266:

The Target Year for each Community Plan is listed in its own column in Table 3-6 of the Background Report. The “Projected Population (Target Year)” column refers to the projected population for the target year listed in the corresponding “Target Year” column.

Response to Comment I17-267:

The acreage discussed in the text following Table 3-6 in the Background Report refers to different portions of land than the Table, which just provides total plan acreage and vacant land acreage. The population figures in Table 3-6 were taken from the Community Plans. The population figures in the text were taken from TCAG (as cited) and therefore vary slightly from those in the Community Plans. For consistency and accuracy, population projections used in the EIR analysis were taken from TCAG (see RDEIR, Chapter 2, Project Description.).

Response to Comment I17-268:

As discussed in Master Response #5, there are numerous factors which limit buildout at the horizon year. As discussed on RDEIR page 2-24 “In many cases, theoretical buildout may be less than the maximum allowed densities and intensities due to a number of factors, including... Policies or regulations (e.g., height limits, setbacks, *infrastructure constraints* etc.) may lower the amount of development allowed on a particular parcel, and/or...” (Emphasis added).

Response to Comment I17-269:

The statement referred to by commenter means that the land use designations and development standards govern how much build-out could ultimately be allowed. Please see Response to Comment I17-268.

Response to Comment I17-270:

A water supply evaluation was prepared by the County to evaluate the impact the proposed project would have on County-wide water resources. See Appendix G of the RDEIR and Master Response #6. This information was incorporated into the water supply analysis in RDEIR Section 3.9. The impact of the proposed project on climate change was analyzed in RDEIR Section 3.4. Please also see Master Response #10 on the County’s Climate Action Plan and Master Response #5 and Response to Comment I17-268 on projected buildout.

Response to Comment I17-271:

The commenter is directed to response to Comment A8-10 and I19-62. Regarding the implementation of General Plan 2030 Update policies and implementation measures, the commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-272:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-273:

Comment noted. Please see Response to Comment I17-46.

Response to Comment I17-274:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-275:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-276:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-277:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-278:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-279:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-280:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-281:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-282:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-283:

The commenter is directed to the response prepared for Comment I17-81, Comment I17-46 and Comment I17-21.

Response to Comment I17-284:

The commenter is directed to the response prepared for Comment I17-81, Comment I17-46 and Comment I17-21.

Response to Comment I17-285:

The commenter is directed to the response prepared for Comment I17-81, Comment I17-46 and Comment I17-21.

Response to Comment I17-286:

The commenter is directed to the response prepared for Comment I17-81, Comment I17-46 and Comment I17-21.

Response to Comment I17-287:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and includes the policies suggested by commenter. Commenter is referred to the response prepared for Comment A8-11. Also, see Master Response #10 for a description of the Climate Action Plan.

Response to Comment I17-288:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-289:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-290:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-291:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-292:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-293:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-294:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-295:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-296:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-297:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-298:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-299:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-300:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-301:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-302:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-303:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-304:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-305:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and includes the policies suggested by commenter. Commenter is referred to the response prepared for Comment A8-11. Also, see Master Response #10 for a description of the Climate Action Plan.

Response to Comment I17-306:

The commenter is directed to the response prepared for Comment I17-305.

Response to Comment I17-307:

The commenter is directed to the response prepared for Comment I17-305.

Response to Comment I17-308:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-309:

The commenter is directed to the response prepared for Comment I17-305.

Response to Comment I17-310:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-311:

The commenter is directed to the response prepared for Comment I17-305.

Response to Comment I17-312:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-313:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-314:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-315:

The comment states that “The County should require that all industrial development be located so that it can be readily served by public transit.” Please see Response to Comment A7-21 which discusses General Plan policies related to Public Transit. Please also see Master Response #3 which discusses the need to allow some flexibility to allow for future unknown changes and project specific/site specific considerations. For example some industrial development is resource dependent, and not all resources may be located near public transit. Please also see Master Response #1.

Response to Comment I17-316:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-317:

The commenter is directed to the response prepared for Comment I17-81, Comment I17-46 and Comment I17-21.

Response to Comment I17-318:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-319:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and measures to reduce the impact include the policies suggested by commenter. Commenter is referred to the response prepared for Comment A8-11. Also, see Master Response #10 for a description of the Climate Action Plan.

Response to Comment I17-320:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and measures to reduce the impact include the policies suggested by commenter. Commenter is referred to the response prepared for Comment A8-11. Also, see Master Response #10 for a description of the Climate Action Plan.

Response to Comment I17-321:

The comment is referred to RDEIR Section 3.2 which addresses policies related to non-vehicular modes of transit, Section 3.1 which addresses aesthetics, Section 3.6 which addresses groundwater (see also Response to Comment I11-91), and Section 3.11 which addresses biological resources. In particular the commenter is referred to the Resource Conservation Designation in General Plan, Part I, page 4-15 (“Uses typically allowed in this designation are those related to resource utilization and resource conservation activities and could include uses that provide a buffer between incompatible types of land use”). The County acknowledges throughout the General Plan that buffers can serve multiple purposes and are part of site specific planning (see Policy PF-4.11, PF Implementation Measure #1, AG-1.1, Agricultural Implementation Measure #9, LU-4.3, LU-4.6, LU-5.6, LU-6.2, LU-7.3, LU Implementation Measure #2, LU Implementation Measure #18, ERM-1.8, ERM-5.8, ERM Implementation Measure #9, HS-6.11). However, as discussed in Master Response #3, individual policies should not be reviewed in a vacuum and it is not necessary to repeat this information in every individual policy. Furthermore, site specific buffers will be proposed at the time specific projects are proposed which address site specific concerns.

Response to Comment I17-322:

The location of existing schools is part of the environmental setting and is not an impact of the proposed project. The impacts associated with pesticide use (“edge effects”) and other non-agricultural uses are discussed under Impact 3.10-3 in the RDEIR; this discussion includes a list of policies in the General Plan designed to help reduce these edge effects. As discussed in Master Response #4, the RDEIR is not intended to provide project specific analysis for any potential future school. Such planning and environmental concerns will be considered at the time future school projects are proposed. Please also see Master Response #1, #3 and #4 for implementation of the General Plan and the appropriate level of detail.

Response to Comment I17-323:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-324:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and measures to reduce the impact include the policies suggested by commenter. Commenter is referred to the response prepared for Comment A8-11. Also, see Master Response #10 for a description of the Climate Action Plan.

Response to Comment I17-325:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-326:

The policy as currently proposed addresses the commenter's concerns with one exception. The County can't ensure that new developments implement a grid street pattern. Consequently, this proposed suggestion is not recommended. All other suggestions are incorporated within the existing policy and address climate change impacts. The commenter is directed to the response prepared for Comments A8-11, I17-46, and I17-21. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and measures to reduce the impact include a variety of policies that incorporate the measures identified by the commenter. Also, see Master Response #10 for a description of the Climate Action Plan.

Response to Comment I17-327:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-328:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-329:

As discussed in Master Response #3, individual policies should not be reviewed in a vacuum, the comment is therefore directed to the individual resources chapters in the RDEIR which discuss the applicable policies in relationship to the resource areas discussed in the comment. For example, see Policy ERM-1.7 which addresses planting of native vegetation, see also Response to Comment I11-86 for discussion of water conservation policies. Furthermore, recycled water is not available in all parts of the County (spanning 4,840 square miles); therefore it would be infeasible to mandate use of recycled water as suggested in the comment. Furthermore, expanding such infrastructure to all parts of the County would be infeasible given the large geographic scope and such development would result in its own environmental impacts associated with construction. While recycled water may be used for some projects it is infeasible to mandate this for every parcel within the County. The comment is also referred to the following policies which provide

for the planting of trees: Policy LU-7.4, Policy SL-2.3, Policy SL-4.1, Policy ERM-1.7, and Policy ERM-4.2.

The commenter is also reminded that the General Plan does not stand alone; there are numerous other existing Federal, State, and Local Regulations. This includes the County Ordinance code which currently includes xeriscape/water conservation/mulch requirements for landscaping as well as requirements for a landscaping plan which include the planting of trees (see Tulare County Ordinance code Section 7-31-1040).

The comment is also referred to Master Response #4 for discussion of the appropriate level of detail for the General Plan, many of the suggestions may ultimately be part of the ordinances designed to implement the General Plan. However it is not feasible to provide an ordinance level of detail in the General Plan within a reasonable period of time.

Response to Comment I17-330:

As discussed in Master Response #3, individual policies should not be reviewed in a vacuum; the proposed General Plan already contains a policy to provide for tree planting in parking lots (see Policy ERM-4.2). While not explicit to parking lots, Policies ERM-4.1 and ERM-4.6 promote renewable energy, including solar energy, which could include solar shading in parking lots. Please see Response to Comment I11-91 for discussion of permeable surfaces and groundwater infiltration. The commenter is referred to RDEIR Section 3.2 for discussion of General Plan policies related to alternative modes of transportation, including bicycling facilities. In particular, the General Plan already contains Policy AQ-2.2, AQ-2.3, and Policies TC-5.1 through TC-5.9, Transportation & Circulation Implementation Measure #22 which address bicycle related facilities, such as bicycle parking. Please also see Master Response #3 which explains how the General Plan will be implemented.

Response to Comment I17-331:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-332:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-333:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-334:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-335:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-336:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-337:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and measures to reduce the impact include the policies suggested by commenter. Commenter is referred to the response prepared for Comment A8-11. Also, see Master Response #10 for a description of the Climate Action Plan.

Response to Comment I17-338:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The impacts of the proposed project on hydrology and water quality, including measures designed to reduce impacts, are adequately addressed in RDEIR section 3.6. The impact of the proposed project on climate change is adequately addressed in RDEIR Section 3.4 and measures to reduce the impact include the policies suggested by commenter. Commenter is referred to the response prepared for Comment A8-11. Also, see Master Response #10 for a description of the Climate Action Plan. Please also see Master Response #3 and #4 and Response to Comment I11-82 for discussion of water conservation measures.

Response to Comment I17-339:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please also see Master Response #3 and Response to Comment I19-72 for discussion of implementation of the General Plan.

Response to Comment I17-340:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. See RDEIR section 3.1 for a discussion of the proposed project's impacts on light and glare.

Response to Comment I17-341:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21 and Master Response #4 and I19-33 and I19-35 for discussion of night lighting.

Response to Comment I17-342:

By definition the Housing Element is part of the General Plan (see Government Code Section 65302(c)). The Housing Element was adopted on March 23, 2010, and its impacts were analyzed in a separate Initial Study and Mitigated Negative Declaration that was also adopted on March 23, 2010. The General Plan, included as Appendix C, notes that a copy of the Housing Element is readily available "from the Tulare County Resources Management Agency and is also available on the internet at <http://generalplan.co.tulare.ca.us/>." More specifically, the document is available at: <http://www.co.tulare.ca.us/civica/filebank/blobdload.asp?BlobID=5570>

The General Plan 2030 Update provides a comprehensive update to the County's existing general plan. As part of the General Plan 2030 Update, all seven of the state mandated elements (land use, circulation, housing, open-space, conservation, safety, and noise [Government Code Section 65302]) as well as several optional elements are included. The purpose of the Housing Element is to establish housing goals, policies, and programs that respond to local housing conditions and needs. The unique housing requirements of lower-income households and identified special needs groups are given particular attention. Once housing needs are identified, resources and constraints are developed to meet those needs, while also striving to preserve, conserve, and rehabilitate existing and future housing.

While developed as an integral part of the General Plan 2030 Update, the Housing Element was adopted prior to the General Plan 2030 Update to meet State mandated time frames for housing element updates that are more frequent (five year timeframes) than those specified for larger general plan updates. Consequently, the County prepared the Housing Element and adopted the element within the recommend timeframe to allow for additional public input on specific housing issues and content required by the California Department of Housing and Community Development (HCD). Although the Housing Element was adopted, it will require revisions and corrections. An addendum to address revisions to the Housing Element will be prepared and will require adoption and certification by the HCD.

The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I17-343:

The commenter is directed to the response prepared for Comment I17-341 and I17-342.

Response to Comment I17-344:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. As discussed under Response to Comment I17-342 the Housing Element is required to be revised under a different timeframe from the rest of the General Plan. The commenter suggests that the Housing Element and the General Plan are inconsistent because among other things, the General Plan acknowledges that additional UDBs, and Community Plans exist. This is not a legal inconsistency, which is based upon applicable policies, not background information which changes with time. The Lemon Cove UDB was adopted in the 1974 Urban Boundaries Element. Furthermore, the Housing Element acknowledges that plans will be adopted "at some future date." The future adoption of such plans does not then result in creating a legal inconsistency. Furthermore, the General Plan states on page 1-5 that there is no existing UDB for Sultana, contrary to the language in the comment ("In addition, the Goals and Policies Report designates eight additional communities and calls for adopting a Community Plan for each. Each of these Communities has an existing Urban Development Boundary *except Sultana*"). A fact recognizes under Comment I17-48 and I17-342.

Response to Comment I17-345:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Comment I17-344 and I7-342.

Response to Comment I17-346:

The commenter is directed to the response prepared for Comment I17-342. The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and I7-342.

Response to Comment I17-347:

Comment re-states an objective in the Housing Element. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-348:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I7-342.

Response to Comment I17-349:

The commenter is directed to the response prepared for Comment I17-342.

Response to Comment I17-350:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-351:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-352:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-353:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-354:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-355:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-356:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-357:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-358:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-359:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-360:

The commenter is directed to the response prepared for Comment I17-46, I17-342, and I17-21.

Response to Comment I17-361:

The commenter is directed to the response prepared for Comment I17-46, I17-342, and I17-21.

Response to Comment I17-362:

The commenter is directed to the response prepared for Comment I17-342.

Response to Comment I17-363:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-364:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-365:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-366:

The commenter is directed to RDEIR Section 3.9, which discusses the impact of the proposed project on the provision of public facilities and other public services. Please note, however, that economic issues are not environmental impacts under CEQA and need not be discussed in the RDEIR (CEQA Guidelines, §15131). Please see Response to Comment I17-342.

Response to Comment I17-367:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required. Please see Response to Comment I17-342.

Response to Comment I17-368:

The commenter is directed to the response prepared for Comment I17-342.

Response to Comment I17-369:

The commenter is directed to the response prepared for Comment I17-342.

Response to Comment I17-370:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-371:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The comment states “why does this components make no mention of global climate change.” As further discussed in Master Response #3, individual policies should not be reviewed in a vacuum, and it is not necessary to repeat policy language that is provided elsewhere in the General Plan.

Response to Comment I17-372:

Comment noted. This comment does not address the adequacy of the RDEIR and no further response is required.

Response to Comment I17-373:

Concepts and Guiding Principles are simply statements that establish the broad intent of the General Plan 2030 Update. The comment is referred to the Goals, Policies, Land Use Designations, and Implementation Measures for greater detail. Please also see Master Response

#4 for discussion of the appropriate level of detail in the General Plan. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-374:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-375:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-376:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-377:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-378:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-379:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-380:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-381:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-382:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-383:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-384:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-385:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-386:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-387:

The commenter is directed to the response prepared for Comment I17-373.

Response to Comment I17-388:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-389:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-390:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-391:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-392:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-393:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-394:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-395:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-396:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-397:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-398:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-399:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-400:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-401:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-402:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-403:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-404:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-405:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-406:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-407:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-408:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-409:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-410:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-411:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-412:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-413:

The commenter is directed to the response prepared for Comment, I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-414:

The commenter is directed to the response prepared for Comment I17-413.

Response to Comment I17-415:

Waterways (watercourses), riparian areas, and wetlands are addressed in ERM policies. For example, see Policy ERM-1.8 requiring open space buffers for watercourses, riparian vegetation, wetlands and other sensitive habitats and natural communities sufficient to assure the continued

existence of the waterways and riparian habitat in their natural state. This policy would include “major waterways.” The commenter is also directed to Master Response #1.

Response to Comment I17-416:

The definition for “ridgeline” on page 8-2 (Part I) of the General Plan 2030 Update is amended to read as follows:

Ridgeline. A geological feature consisting of an elevated crest formed by a chain of mountains or hills.

Response to Comment I17-417:

It is not necessary to list every type of natural community that is considered regionally rare in order to include them within the meaning of “sensitive natural community.” The importance of riparian zones of all types is recognized; please see the Goals and Policies Report, Part I, p. 8-2.

Response to Comment I17-418:

The second sentence under the Vernal Pools heading on page 8-3 (Part I) of the General Plan 2030 Update is amended to read as follows:

While the pools are shallow enough to dry up each season ~~season~~, the unique soil characteristics allow water to remain in pools longer than surrounding uplands.

Response to Comment I17-419:

The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Act creates an arrangement allowing private landowners to contract with counties and cities to voluntarily restrict their land to agricultural and open space uses. The commenter’s suggested change in language for Goals and Policies Report, Part, p, 8-4, would not affect the analysis or conclusions in the RDEIR. Please see the response to Comment I21-63 for additional discussion of the Williamson Act. Also, please see Master Response #1.

Response to Comment I17-420:

The Goals and Policies Report, Part I provides an overview of existing conditions for each element of the General Plan 2030 Update. The Existing Conditions Overview for the Environmental Resources Management Element (ERME) is provided at pages 8-4 through 8-3. The overview is not intended to provide elaborate detail. As the commenter notes, agricultural soils are addressed in the ERM, and in the Agriculture Element. This comment does not address the adequacy of the RDEIR; no further response is provided.

Response to Comment I17-421:

The first sentence under the Basic Components of the Environmental Resources Management Element heading on page 8-6 (Part I) of the General Plan 2030 update is amended as follows as suggested by the commenter:]

ERME brings together two mandatory elements of the General Plan as specified by State Law in a single element correlated with other ~~complementary~~ ~~complimentary~~ elements of the County's General Plan, including the Agriculture, Scenic Landscapes, and Water Resources Elements.

See Master Response #3 regarding enforceable policy language. This comment criticizes the language used to describe the basic components of the ERME, and expresses confusion about policies, plans, and existing regulations. Please note that all of the goals and policies have been proposed as part of a comprehensive system (i.e. the entire General Plan). For example see Table on RDEIR page 3.6-39. These policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the General Plan which provide additional clarity on how they will be implemented and the goals and standards by which they will be achieved. Please also see Master Response #1. The comment does not address the adequacy of the RDEIR; no further response is provided.

Response to Comment I17-422:

The commenter is directed to the response prepared for Comment I17-421.

Response to Comment I17-423:

The commenter is directed to the response prepared for Comment I17-421.

Response to Comment I17-424:

The commenter is directed to Master Response #4 (Level of Detail for the General Plan and Programmatic Nature of the RDEIR).

Response to Comment I17-425:

The commenter is directed to Master Response #4 (Level of Detail for the General Plan and Programmatic Nature of the RDEIR), and the response to Comment A8-2 for additional discussion of the organization of the General Plan.

Response to Comment I17-426:

The commenter is directed to the response prepared for Comment I17-425.

Response to Comment I17-427:

The commenter is directed to the response prepared for Comment I17-425.

Response to Comment I17-428:

The commenter is directed to the response prepared for Comment I17-425, and Master Response #1.

Response to Comment I17-429:

The commenter suggests that open space lands should be permanently preserved to protect natural resources and agriculture. Please note that ERM implementation measure #48 provides that the county should consider other tools in addition to the continued implementation of the Williamson Act program as part of its open space and protection program, such as transfer of development rights. Additionally, Policy AG-1.6 and Agricultural Element Implementation Measure #15 provide that the County develop an Agricultural Conservation Easement program.

Response to Comment I17-430:

The comment related to discouraging noncontiguous development patterns is noted. The commenter is directed to Master Response #7 and #10 as well as the response prepared for Comment A8-2.

Response to Comment I17-431:

The commenter is directed to Master Response #3, #4, and #7 for discussion of implementation and enforceability of the General Plan 2030 Update.

Response to Comment I17-432:

As the commenter notes, the discussion of Conservation on page 8-6 (Goals and Policies Report, Part I) refers to policies. Text at this page also indicates that it is not possible, at the scale of the map, to provide precise boundary lines for different areas. The commenter also is directed to Master Response #4 (Level of Detail for the General Plan and Programmatic Nature of the RDEIR).

Response to Comment I17-433:

The commenter is directed to Master Response #1 regarding policy comments. The commenter is also directed to Master Response #3 for discussion of implementation and enforceability of the General Plan. Please also see Chapter 2, section 2.3 in the RDEIR for discussion of project objectives. The County will need to balance numerous planning, environmental, and policy considerations in the General Plan. This comment does not address the adequacy of the RDEIR; no further response is provided.

Response to Comment I17-434:

Existing recreational areas in Tulare County are listed in the RDEIR in Table 3.9-18 (RDEIR, pp. 3.9-30- 3.9-31. County, state and federal facilities are available to County residents. As discussed in the RDEIR, despite implementation of numerous policies and implementation measures (see RDEIR, p. 3.9-67); this impact would be potentially significant. The RDEIR identifies PFS

Implementation Measure #3 (requiring the County to develop and adopt an impact fee program for new development) as mitigation that would reduce this impact to less than significant.

Response to Comment I17-435:

This comment addresses a number of resources areas in a general way, and requests that a cost/benefit analysis for open space should be included in the General Plan 2030 Update documents. Please note that a cost/benefit analysis is not required under CEQA or the CEQA Guidelines. “Neither CEQA nor the State CEQA Guidelines require that an EIR include studies comparing the project’s environmental costs with its benefits...the only direct comparison required in an EIR is the comparison of the project alternatives..., and a cost benefit analysis is not required in making that comparison” (Kostka & Zischke, Practice Under the California Environmental Quality Act (2d ed Cal CEB, 2008), p. 643-644, §13.34). The commenter is also directed to the responses prepared for Comment I17-1 and Comment I17-21.

Response to Comment I17-436:

The commenter requests that the ERME Basic Components sections be revised, and refers to the Sonoma County Open Space Element as an example to be followed. The comment will be shared with decision makers. This comment does not address the adequacy of the RDEIR; no further response is required. The commenter is directed to the response prepared for Comment I17-1.

Response to Comment I17-437:

The General Plan 2030 Update includes policies and implementation measures to address climate change. Please see Section 6.3 in the 2010 Background Report. Discussion and analysis in the RDEIR has also been updated in light of the recent legislative actions specific to sustainability and climate change, the County has initiated a Climate Action Strategy specific to its unique rural nature. As an initial step, the County has prepared a Greenhouse Gas (GHG) Inventory for the Planning Area. Information from the inventory as well as applicable regulatory information is incorporated into the Air Quality section (Section 3.3) and the Energy and Global Climate Change section (Section 3.4) of this RDEIR and an initial, proposed Climate Action Plan has been prepared. Subsequently, the analysis of air quality impacts now includes a more robust discussion of the proposed project’s impacts associated with climate change. See section 3.4 of the RDEIR for the climate change analysis and section 3.11 for the biological resources analysis. Also, the commenter is referred to Master Response #10 for more information on the Climate Action Plan.

Response to Comment I17-438:

The commenter indicates that the language in Policy ERM-1.1 (Protection of Rare and Endangered Species) and ERM Implementation Measures #1 through #7 would result in ineffective policies to avoid or reduce significant impacts to native vegetation and biological resources as a whole. The comment expresses general concerns regarding habitat fragmentation as it affects rare, threatened or endangered species, and the influence of global climate change on these types of impacts. Please see Master Response #3 regarding enforceable policy language.

Consistent with the general level of detail of the biological impact analysis, the RDEIR sets forth programmatic mitigation measures that would apply to future projects and site specific actions. As discussed in Master Response #4, a Program EIR is permitted to set forth generalized mitigation measures (in this case general plan policies), and General Plan EIR mitigation measures must be flexible enough to address long-term impacts of development in a County with a large land area and broad diversity of habitats. Please see responses to Comment I5-3 through Comment I5-8 for additional discussion of biological resources.

Response to Comment I17-439:

Please see Master Response #3 regarding enforceable policy language. The commenter is also directed to the response prepared for Comment I17-21.

Response to Comment I17-440:

The commenter's suggested information sources will be shared with decision makers. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-438, and Comment I17-21.

Response to Comment I17-441:

The Background Report (February 2010) updates baseline data to the extent feasible (RDEIR, p.ES-7). As part of the update to the General Plan Background Report, the County reviewed the habitat data originally presented in the Background Report (2008 version) and discovered several discrepancies in how the habitat categories were presented and quantified. The updated General Plan Background Report and RDEIR incorporate the most current habitat mapping data (2002) available from the California Department of Forestry and Fire Protection (CDF). CDF evaluates and maps habitat data for the entire state of California and is considered a reputable and comprehensive source of data in particular when addressing the programmatic impacts of long range planning documents such general plans or regional transportation plans.

Response to Comment I17-442:

The comment does not address the adequacy of the analysis in the RDEIR. Please see Chapter 3.11 "Biological Resources" of the RDEIR for a description of impacts to these resources and for a summary of General Plan 2030 Update policies designed to address a variety of open space and conservation resource issues specific to the County. The commenter is also directed to the responses prepared for Comment I17-46, Comment I17-21, Comment I17-438, and Master Response #1.

Response to Comment I17-443:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-444:

The commenter is directed to the response prepared for Comment I17-46, Comment I17-21, and Master Response #7.

Response to Comment I17-445:

The commenter appears to request that the zoning ordinances referenced in ERM Implementation Measure #7 be included in the General Plan. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur throughout the planning timeframe of the draft General Plan. General Plan policies are statements of general principles to guide future actions. They are not intended to provide ordinance level of detail; please see Master Response #4 regarding appropriate level of detail for a general plan. The timelines associated with Implementation Measures are general guidelines for completion of the Work Plan, subject to available staff, financial resources and other considerations. Because implementation will take time and will be costly, the County will need to prioritize Implementation Measures. See Goals and Policies Report, Part I, pp. 1-11 – 1-12. The commenter is also directed to the responses prepared for Comment I17-1, I17-46 and Comment I17-21.

Response to Comment I17-446:

The commenter recommends revising Policy ERM-1.2. The commenter is directed to the response prepared for Comment I17-1, I17-46, Comment I17-21, and Master Response #1.

Response to Comment I17-447:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-448:

The commenter expresses a general criticism regarding the enforceability of policies and implementation measures. Please see Master Response #3 regarding enforceable policy language. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-449:

The commenter indicates that Policy ERM-1.4 (Protect Riparian Areas) is extremely important and should be implemented quickly. As the commenter also notes, a number of implementation measures would implement this policy (ERM Implementation Measures #5, #7 and #9). Please note that Implementation Measure #8 implements Policy ERM-1.14. Please see the responses to Comments I17-438 and Comment I17-439 regarding climate change.

The commenter indicates that mitigation banking programs to preserve natural resource lands are feasible and have been established in many other jurisdictions, and that ERM Implementation Measure #8 should be revised accordingly. ERM Implementation Measure #8 implements Policy

ERM-1.14 (Mitigation and Conservation Banking Program) which requires the County to support the establishment and administration of a mitigation banking program; it is not necessary to revise Implementation Measure #8 as suggested by the commenter. Please note that effective mitigation banking programs often require coordination with other governmental entities, such as the Army Corps of Engineers and the California Department of Fish and Game. Policy ERM-1.14 recognizes the context in which such programs must be developed. The commenter's suggestion will be forwarded to decision makers for their consideration. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46, Comment I17-21, and Comment I17-447.

Response to Comment I17-450:

The commenter expresses the commenter's general opinion that Policy ERM-1.5 (Riparian Management Plans and Mining Reclamation Plans and ERM Implementation Measure are of equal importance to Policy ERM-1.4 and its implementing measures. Please see the response to Comment I17-445 regarding the level of detail appropriate for a general plan. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur throughout the planning timeframe of the draft General Plan. General Plan policies are statements of general principles to guide future actions. They are not intended to provide ordinance level of detail. Please note that the Surface Mining and Reclamation Act (SMARA) creates policy to assure that environmental effects are prevented or minimized, the consideration is given to recreational activities, watersheds, wildlife, range and forage and aesthetic enjoyment, and that mined lands are reclaimed to a useable condition once mining is completed. Policy ERM-1.5 requires the County to provide riparian resources and habitats in mining reclamation plans and other management plans. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-451:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21, and Comment I17-440.

Response to Comment I17-452:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46, I17-440, and Comment I17-21.

Response to Comment I17-453:

The timelines associated with Implementation Measures are general guidelines for completion of the Work Plan, subject to available staff, financial resources and other considerations. Because implementation will take time and will be costly, the County will need to prioritize Implementation Measures. See Master Response #7 and Goals and Policies Report, Part I, pp. 1-11 – 1-12. Please see the response to Comment I17-449. The commenter is also directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-454:

The commenter does not address this recommendation to any specific impact evaluated in the RDEIR. ERM Implementation Measure #10 is considered in the analysis of each Biological Resource Impact. Please note that Individual Policies and Implementation Measures should not be viewed in a vacuum but as part of the whole of the General Plan. The commenter is directed to RDEIR Section 3.11 (Biological Resources). Impact analyses consider all of the applicable Policies and Implementation Measures which are part of a comprehensive approach to managing biological resources in the County. These are considered in context with existing Federal, State and Local regulations. The RDEIR also identifies additional Mitigating Policies and Implementation Measures to minimize significant impacts. The General Plan 2030 Update and the RDEIR address plans and policies covering thousands of square miles in Tulare County; the level of detail the commenter suggests is not feasible at this level of analysis; please see Master Response #4 regarding level of detail a for the General Plan and programmatic nature of the RDEIR. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-455:

The commenter does not address this recommendation to any specific impact evaluated in the RDEIR. ERM Implementation Measure #11 is considered in the analysis of each Biological Resource Impact. Please see the response to Comment I17-454 for additional discussion regarding impact analysis and level of detail. As discussed in the RDEIR, the approximately 6,000 acre Pixley National Wildlife Refuge, portions of which are located within the historic Tulare Lake bed, provides a wintering area for migratory waterfowl as part of the Pacific Flyway (RDEIR, pp. 2-2, 3.11-15, 3.11-19). The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-456:

This comment generally endorses Policy ERM-1.7 and ERM Implementation Measure #12, and suggests that the language of the “Policy and the IM must be strengthened.”

Please see Master Response #3 and #7 regarding enforceable policy language. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-457:

Policy ERM-1.8 and ERM Implementation Measure #9 are considered in the analysis of each Biological Resource Impact. Impact analyses consider all of the applicable Policies and Implementation Measures which are part of a comprehensive approach to managing biological resources in the County. For example, policies ERM-1.1 through 1.8 and 1.12 require the County to protect other key sensitive habitats (i.e., riparian, wetlands, and oak woodlands, etc.) by encouraging future County growth outside these sensitive habitat areas and requiring buffer areas between development projects and these areas. Policy ERM-1.14 directs the County to support the establishment and administration of a mitigation banking program. Policies ERM-5.7 and

ERM-5.8 require the County to address development impacts to local waterways through the use of lakefront and water bank vegetation buffers designed to protect habitats and the scenic quality of local lakes and waterways (RDEIR, pp. 3.11-41 through 3.11-42). Please see the response to Comment I17-454 for additional discussion regarding impact analysis and level of detail. Please see Master Response #3 regarding enforceable policy language. The commenter is also directed to the responses prepared for Comment I17-1 and Comment I17-21.

Response to Comment I17-458:

Revised Policy ERM-1.9 in the RDEIR is a proposed mitigation measure. If adopted, the text of this mitigation measure would replace Policy ERM-1.9 as written in the Draft General Plan 2030 Update. The County considered various comment submitted on the previously proposed Draft General Plan 2030 Update and prepared an updated plan for analysis in the RDEIR; please see Master Response #2 for additional discussion. The proposed mitigating Policy ERM-1.9 includes language designed to preserve and protect biological resources *“including those within and adjacent to designated critical habitat, reserves, preserves, and other protected lands...”* This additional language strengthens the policy’s commitment to protecting critical and protected biological resources.

The commenter also criticizes the absence of a specific Implementation Measure for this policy. Implementation Measures are helpful, but not necessary to ensure implementation of each policy. The commenter is referred to Master Response #7 and Response to Comment I19-72 for additional discussion regarding implementation measures. Also, please see Master Response #3 and #4 regarding the enforceability of general plan policies and level of detail appropriate for a general plan EIR. The commenter is also directed to the responses prepared for Comment I17-1 and Comment I17-21.

Response to Comment I17-459:

The commenter is referred to Master Response #7 for additional discussion regarding implementation measures. Also, please see Master Response #3 and #4 regarding the enforceability of general plan policies and level of detail appropriate for a general plan EIR. General Plan policies and implementation measures should be considered as part of a comprehensive system and should not be viewed individually. These policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the General Plan which provide additional clarity on how they will be implemented and the goals and standards by which they will be achieved. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-460:

Please see Master Response #3 and #4 regarding the enforceability of general plan policies and level of detail appropriate for a general plan EIR. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-461:

Please see Response to Comment I19-71. The commenter's recommendation will be shared with decision makers for their consideration. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-462:

Policy ERM-1.12 requires the County to support the conservation and management of oak woodland communities. Policy ERM-1.12 and implementation measure #15 are considered in the impact analyses for multiple resources areas in the RDEIR (e.g., Impact 3.1-4, Impact 3.1-5, and Impact 3.4-3); the commenter does not direct this comment to any particular analysis. The timelines associated with Implementation Measures are general guidelines for completion of the Work Plan, subject to available staff, financial resources and other considerations. Because implementation will take time and will be costly, the County will need to prioritize Implementation Measures. See Goals and Policies Report, Part I, pp. 1-11 – 1-12. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46, Comment I19-71 and Comment I17-21.

Response to Comment I17-463:

The commenter indicates any reduction of natural oak woodland should be mitigated at a ratio of at least 1:1. The commenter does not direct this comment specifically to any of the impact analyses which include consideration of Policy ERM-1.12 and ERM Implementation Measure #13 (see response to Comment I17-462); this response addresses the commenter's proposed mitigation ratio in general terms.

Please note that the General Plan consists of goals and policies that will guide future development decisions. It does not include site-specific development proposals. General Plan policies and mitigation measures should be consistent with the geographic scope of the project, population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code Sections 65300.9 and 65301(c); CEQA Guidelines Sections 15143, 15146, 15151, and 15204). It is important for General Plan policies and mitigation measures, which cover such a large and diverse area, to be flexible enough to accommodate the individual environmental and planning needs of each area of the County. Accordingly, this EIR proposes goals, policies, and mitigation measures at a programmatic level. An attempt to examine impacts on a site-specific basis and to provide mitigation measures for those project level impacts would be speculative given the lack of information about future site-specific development. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-464:

Policy HS-4.6 requires the County to monitor studies of pesticide use and the effects of pesticide on residents and wildlife and require mitigation wherever feasible and appropriate. Current knowledge and research does not provide a sound basis to analyze greenhouse gas effects of the

broad classes of compounds mentioned by the commenter, or methyl bromide, in particular; as such, it would be speculative to attempt to do so. Please see Maser Response #4 regarding level of detail for the General Plan and programmatic nature of the RDEIR.

The commenter is also directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-465:

Please see discussion under Impact 3.8-1 in the RDEIR regarding transportation, use or disposal of hazardous materials; this discussion addresses the commenter's general concerns regarding pesticides and toxic chemicals generally, and identifies relevant policies in the proposed General Plan 2030 Update. Please see Maser Response #4 regarding level of detail for the General Plan and programmatic nature of the RDEIR. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-466:

Please see Master Response #3 regarding enforceable policy language. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-467:

The timelines associated with Implementation Measures are general guidelines for completion of the Work Plan, subject to available staff, financial resources and other considerations. Because implementation will take time and will be costly, the County will need to prioritize Implementation Measures. See Goals and Policies Report, Part I, pp. 1-11 – 1-12. The commenter indicates that the Draft Habitat Conservation Plan referenced in ACFP Phase I documents could serve as a basis for the mitigation banking program reference in ERM Implementation Measure #8 and Master Response #1. The Draft Habitat Conservation Plan referenced in the SCFP Phase I documents was never adopted and thus cannot be used as the basis for a mitigation banking program. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-468:

Please see Master Response #3 regarding implementation of the General Plan. Please also see Response to Comment I17-137 for discussion of the Mitigation Monitoring and Reporting Program. This comment does not address the adequacy of the RDEIR. The commenter's policy recommendation will be forwarded to decision makers. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-469:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46, Comment I17-468 and Comment I17-21. Please also see Master Response #3 and Government Code Section 65400.

Response to Comment I17-470:

Implementation Measures are helpful, but not necessary to ensure implementation of each policy. Please see Master Response #4 regarding level of detail for the General Plan and programmatic nature of the RDEIR. Please see Master Response #7 and Response to Comment I19-72 for additional discussion of Implementation Measures.

The commenter is also directed to the responses prepared for Comment I17-470, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-471:

The commenter is directed to the responses prepared for Comment I17-470, Comment I17-1, Comment I17-46 and Comment I17-21. The County incorporated the ambient lighting standard based on experience provided by its biological resource consultants familiar with the potential impacts resulting from changes in ambient conditions to habitats and species and on its review of standards used by other jurisdictions to protect biological resources.

Response to Comment I17-472:

The commenter expresses concern that Policy ERM-1.16 would not be effective in reducing impacts related to habitat conversion and fragmentation. The County supports the protection of these and other open space areas through a variety of policies contained in the General Plan 2030 Update. The general plan focuses development in and around established community areas as discussed in the response to Comment I5-5 and I5-6, with policies designed to cluster and support infill development which would serve to protect and maintain habitat connectivity by limiting development within larger open space areas (see also the response prepared for Comment A8-9). . Additionally, the General Plan 2030 Update provides a number of policies and implementation measures designed to directly protect sensitive species and habitats. Impact 3.11-4 of the RDEIR analyzes potential impacts to wildlife corridors (i.e., habitat fragmentation, etc.) and identifies a number of these policies (summarized below). Specifically, ERM-1.5 “Protect Riparian Areas”, serves to protect a variety of riparian areas, in particular those associated with stream corridors and waterways which support regional migratory corridors and preserve areas. Similarly, ERM-1.12 “Management of Oak Woodland Communities” and ERM-5.15 “Open Space Preservation” support habitat connectivity concerns. These policies not only support the preservation of open space areas, but also work to maintain the habitat linkages necessary to address the issue of climate change as evidenced by the commenter. See Master Response #3 for a discussion of enforceable policy language.

Response to Comment I17-473:

The commenter asks why the County does not have a conservation plan to protect critical habitat areas. Please note that critical habitat is a formal designation under the Federal Endangered Species Act, which includes enforcement mechanisms. The County does not have the authority to designate critical habitat. Coordination with federal authorities is an effective means to protect

critical habitat. Please see Master Response #4 regarding the level of detail for the General Plan and programmatic nature of the RDEIR.

The commenter is also directed to the response prepared for Comment I17-470, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-474:

Please see Master Response #1 and Master Response #2 regarding policy comments and the 2008 Draft General Plan and previous Draft EIR. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-475:

Timely recognition of mineral deposits would, along with other ERM policies allow the County to prevent incompatible uses in adjacent areas. Please note that the intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur throughout the planning timeframe of the draft General Plan. General Plan policies are statements of general principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. The proposed General Plan 2030 Update is a policy document to provide a long term, comprehensive plan for the physical development of the County. While the County strives to provide as much detail as possible regarding the Mitigating Policies and Implementation Measures, some flexibility must be maintained to provide a General Plan capable of covering 4,840 square miles. As a General Plan EIR, the RDEIR does not examine impacts or identify mitigation on a site-specific basis and it would be speculative to attempt given the lack of information about future site-specific development. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-476:

Policy ERM-2.6 does not reduce or enlarge the County's responsibilities as a lead agency under CEQA, or permitting agency under SMARA. Policy ERM-2.13 includes provisions for financial assurances. Please see Master Response #1 regarding policy comments. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-477:

The commenter is directed to the responses prepared for Comment I17-476, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-478:

The comment does not address the adequacy of analysis in the RDEIR. Please note that the intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur throughout the planning timeframe of the draft General Plan. General Plan policies are statements of general

principles to guide future actions. They are not zoning ordinances or project-specific mitigation measures. Please see Master Response #1 regarding policy comments. The commenter is also directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-479:

Please see Master Response #1 regarding policy comments. Please see Master Response #3 regarding enforceable policy language. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-480:

Please see Master Response #4 and the response to Comment I17-478 regarding level of detail and the programmatic nature of the RDEIR. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-481:

Please see the response to Master Response #4 and Comment I17-478 regarding level of detail and the programmatic nature of the RDEIR. While the County strives to provide as much detail as possible in the mitigation measures and policies, some flexibility must be maintained to provide a General Plan capable of covering the County's 4,840 square miles. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-482:

As the commenter notes, Policy ERM-2.13 provides for reclamation plans consistent with the commenter's recommendation in this comment. Policy ERM-2.11 also requires the County to establish procedures to ensure compliance with conditions of approval on all active and idle mines. Please see Master Response #4 and the response to Comment I17-478 regarding level of detail and the programmatic nature of the RDEIR. Please see Master Response #1. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-483:

Please note that ERM Implementation Measure #28 includes water quality among the resource topics to be addressed through mining permit conditions. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-484:

Please note that ERM Implementation Measure #28 includes air quality among the resource topics to be addressed through mining permit conditions, consistent the commenter's suggestion. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-485:

Policy ERM-2.13 includes provisions for financial assurances, consistent with the commenter's recommendation. Implementation Measures are helpful, but not necessary to ensure implementation of each policy. The commenter is referred to Master Response #7 and Response to Comment I19-72 for additional discussion regarding implementation measures. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-486:

The General Plan 2030 Update includes policies and implementation measures that address mining reclamation plans, consistent with the commenter's suggestion. See, for example, Policy ERM-1.5 (Riparian Management Plans and Mining Reclamation Plans), Policy ERM-2.13 (SMARA Requirements) and ERM Implementation Measure #32 (providing for periodic review of standard conditions of approval for surface mine and reclamation plans). The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-487:

Please see Master Response #3 regarding enforceable policy language. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-488:

This language in Policy ERM-2.13 refers to exemptions established under State law (i.e., SMARA). Please see Master Response #4 regarding level of detail and programmatic nature of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-489:

The commenter recommends revisions to Policy ERM-2.13 to eliminate references to exemptions from SMARA. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The County has no authority over State law. Consequently, the County will not grant exemptions to SMARA unless they are consistent with State law. No revisions to the policy are necessary.

Response to Comment I17-490:

The commenter is directed to the responses prepared for Comment I17-486, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-491:

Compliance with applicable laws is required, regardless of whether the General Plan 2030 Update addresses this topic with an implementation measure. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-492:

The commenter does not provide details as to the types of environmental damage that annual inspections would avoid. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-493:

Implementation Measures are helpful, but not necessary to ensure implementation of each policy. Please see Master Response #4 regarding level of detail for the General Plan and programmatic nature of the RDEIR. Please see Master Response #7 for additional discussion of Implementation Measures. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-494:

This comment reiterates the commenter's general concerns regarding enforceable policy language. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-495:

The comment does not address the adequacy of the RDEIR. Please note that Policy EMR-3.1 requires that all mining operations in the County take precautions to avoid contamination, consistent with the commenter's recommendation regarding water quality. The County has taken a proactive stance regarding GHG emissions and global warming and has prepared (and circulated) a climate action plan as part of the General Plan 2030 Update. In addition, the General Plan 2030 Update includes a number of policies and implementation measures designed to reduce future GHG emissions. Please see RDEIR Chapter 3.6 for discussion of water quality, and RDEIR Chapter 3.9 for a discussion of water supply. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-496:

The comment identifies specific activities and compounds at a level of detail beyond that required for a general plan, or a general plan EIR. Please see Master Response #4 regarding level of detail. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-497:

The commenter indicates that the same concerns expressed in Comments I17-495 and I17-496 applies to Policy ERM-3.4. Please see the responses to Comments I17-495 and Comment I17-496. The commenter is also directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-498:

The commenter recommends revisions to Policy ERM-3.5. Because implementation will take time and will be costly, the County will need to prioritize Implementation Measures. See Goals and Policies Report, Part I, pp. 1-11 – 1-12. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The second sentence under Policy ERM-3.5 on page 8-14 (Part I) of the General Plan 2030 Update is amended to read as follows:

Reclamation costs shall be borne by the mine operator, and guaranteed by financial assurances set aside for restoration procedures [New Policy, MRPAC Goals, Policies, Implementation Measures, and Development Standards, Goal F and associated policies].

Response to Comment I17-499:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-500:

Please note that these policies and implementation measures are not yet part of the proposed project (the Draft General Plan 2030 Update); rather, they are identified as mitigation measures in the RDEIR. These are additional, new policies are intended to improve energy efficiency and minimize wasteful use of energy. With implementation of these additional mitigating policies, Impact 3.4-2 would be less than significant. If adopted, they would become part of General Plan 2030 Update. The commenter is also directed to the responses prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-501:

Please see Response to Comment I14-34 through 36 for discussion of energy conservation measures.

The requested level of detail for required technologies is beyond that required for a general plan, or a general plan EIR, and, over the life of the plan could limit the County's ability to require new and more efficient technologies.

The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-502:

The commenter is directed to the responses prepared for Comment I17-501, Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-503:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-504:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-505:

The comment generally makes policy recommendations, but does not indicate that the RDEIR is inadequate. Please note that the General Plan 2030 Update does not modify the already adopted Animal Confinement Facilities Program (“ACFP”) as part of the Environmental Resources Management Element which controls dairy operations. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-506:

Implementation Measures are helpful, but not necessary to ensure implementation of each policy. The commenter is also directed to the response prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-507:

As discussed in multiple responses to this comment letter, implementation measures are helpful, but not necessary to ensure implementation of each policy. The commenter is also directed to the response prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-508:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21. Please also note that economic considerations in the comment are beyond the scope of the RDEIR (see CEQA Guidelines Section 15131).

Response to Comment I17-509:

The commenter is directed to the response prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-510:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-511:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-512:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-513:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21. Please also note that economic considerations in the comment are beyond the scope of the RDEIR (see CEQA Guidelines Section 15131).

Response to Comment I17-514:

Please see the response to Comment I17-513. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-515:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-516:

Please see the response prepared for Comment I17-515.

Response to Comment I17-517:

The commenter criticizes the level of detail provided in the Background Report regarding “neighborhood Play Lots.” The commenter is directed to RDEIR page 3.9-29 for the Environmental Setting for Parks. The level of detail requested in the comment however is not necessary. As discussed under CEQA Guidelines Section 15125 “The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.”

However, in addition to the County, state and federal parks and recreational resources discussed in the RDEIR in Chapter 3.9 (Public Services, Recreation Resources and Utilities), a number of neighborhood parks, play lots, pocket parks and other recreation facilities are located within the incorporated cities in the County. As these are operated and planned by individual cities these facilities are not discussed further in the RDEIR. Please note that Policy ERM-5.6 provides that neighborhood play lots (pocket parks) are encouraged as part of new subdivision applications as a project amenity, but would not be included in the calculation of dedication requirements for individual projects. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-518:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-519:

The commenter urges the County to increase the number of County-owned parks in accessible locations, and expresses a general opinion that this would mitigate global warming; however, the commenter does not provide any data or analysis in support of this conclusion. Parks and publicly held open space within the County provide a range of uses addressing a variety of park-related needs. The County has prepared a Draft Climate Action Plan (CAP). The County recognizes that the most important role for the County in addressing climate change is through its land use decisions as guided by the General Plan 2030 Update. The CAP will be most useful as a single document that provides a comprehensive collection of the County's land use, transportation, and conservation policies that combine to set Tulare County on a path to meeting greenhouse gas emission reduction targets. Please note that the Climate Action Plan is an Implementation Measure (AQ Implementation Measure #16). Please see Master Response #10 for discussion of the Climate Action Plan. The commenter is directed to the response prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-520:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-521:

The commenter requests revisions to ERM Implementation Measure #52. The commenter is apparently mistaken regarding the correct number – the comment apparently refers to ERM Implementation Measure #43. This comment generally restates the commenter's concerns in Comment I17-519 regarding parks and climate change. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-522:

The commenter generally indicates agreement with the accuracy of the map of existing parks presented in the Background Report (Figure 4-1). This figure also depicts the general location and extent of national park and forest land (Kings Canyon/Sequoia National Park, Inyo National Forest, and Sequoia National Forest).

Response to Comment I17-523:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-524:

Please note that Policy ERM-5.8 is one of twenty policies designed to meet Recreation and Open Space Resources Goal ERM-5 ("To provide a parks, recreation and open space system that serves the recreational needs of County residents and visitors, with special emphasis on recreation related to Environmental Resources Management"). Policy ERM-5.8 provides guidance in

providing public access to watercourses, balanced with resource protection. Other ERM policies under Goal ERM-1 (“To preserve and protect sensitive significant habitats, enhance biodiversity, and promote healthy ecosystems throughout the County [*New Goal*]”) address protection of riparian areas: e.g., Policies ERM-1.2, ERM-1.4 and ERM-1.5. Riparian habitats within the County include montane riparian and valley foothill riparian, covering approximately 4,580 acres of the County. Riparian habitats are important as migration corridors and for providing water, thermal cover, nesting and feeding opportunities for wildlife. These policies do not establish a minimum buffer distance, however, given the variety of riparian habitats and the locations in which they occur in the County, wider or narrow buffers may be appropriate for individual projects. As discussed in the RDEIR (see pp. 3.11-35 through 3.11-38) under Impact 3.11-2, impacts to sensitive natural communities would be significant. The RDEIR also identified additional mitigating policies and implementation measures; however, because the General Plan 2030 Update would still result in the overall reduction of plant or wildlife species habitat despite adoption of additional mitigating policies and implementation measures, this impact is considered significant and unavoidable. The commenter’s suggested revision would not change this conclusion.

The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-525:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21. ERM Implementation Measure #44 on page 8-30 (Part I) of the General Plan 2030 Update is amended to read as follows: “The County shall develop shoreline development standards regulating uses along water courses and waterways, such as well drilling, location of septic tanks, building setbacks, lot sizes, public access, and encouragement of protection of scenic and recreational assets in conformance with Government Code §66478.11(a)...”

Response to Comment I17-526:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-527:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-528:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-529:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-530:

Background Report Figure 4-1, Existing Parks provides information relevant to the commenter's interest in the location and extent of park and open space lands; please see the response to Comment I17-522. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-531:

Please note that the Climate Action Plan is an Implementation Measure (AQ Implementation Measure #16). Please see Master Response #10 for discussion of the Climate Action Plan. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-532:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-533:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-534:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-535:

The level of detail requested by commenter is beyond that required in a general plan or a general plan EIR. Discussion and analysis in the RDEIR of existing conditions, the proposed project, and impacts related to the need or use of park and recreation facilities is adequate (see Response to Comment I17-517). Implementation of the proposed project would increase the overall demand on park and recreation-related activities and facilities in the County. Future growth under the proposed project is expected to generate additional demand on these types of services and facilities, increasing the County's costs to build and maintain new facilities and programs and personnel. The additional costs would be offset through increased revenue, and fees on new development. In addition, future projects would be reviewed on an individual basis and required to comply with requirements (including impact fees) in effect at the time building permits are issued. Additionally, policy ERM-5.13 "Funding For Recreational Areas and Facilities" and Public Facilities and Services Implementation Measures #1, #2, and #3 provide for the necessary

funding mechanisms to provide additional or expanded services for new development. Analysis in the RDEIR concludes that this impact (Impact 3.9-9) would be significant, and identifies an additional implementation measure to reduce this impact to less than significant. PFS Implementation Measure #3 requires the County to develop and adopt an impact fee program for new development to provide financing mechanisms to ensure the provision, operation, and on-going maintenance of appropriate public facilities and services, including (but not limited to) recreational facilities.

The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-536:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-537:

The commenter indicates that the County should place a high priority on preservation of open space. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-538:

This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-539:

The commenter's concerns focus on open space lands that are available to the public. This impact is analyzed under Impact 3.9-9. With mitigation, this impact is less than significant and additional or revised mitigation as the commenter suggests is not required. However, the commenter's suggestion will be shared with decision makers. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-540:

Please see the responses to Comments I17-461 through Comment I17-463 regarding the commenter's concerns about oak woodlands. Please note that the Climate Action Plan is an Implementation Measure (AQ Implementation Measure #16). Please see Master Response #10 for discussion of the Climate Action Plan. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-541:

This comment also reiterates the commenter's concerns regarding enforceability. Please note that analysis in the RDEIR considered the effects of additional illumination as would adversely affect

day or nighttime views in the County (Impact 3.1-5), and as would have a substantial adverse effect on special status species (Impact 3.11-1). Many of the goals and policies that would address the effects of additional illumination are presented at pp 3.1-32, and 3.11-34 in the RDEIR. In addition new, required additional Mitigating Policies were identified for these impacts. Policies LU-7.18 (Lighting), LU-7.19 (Minimize Lighting Impacts) would reduce adverse effects on day or nighttime views; Policy ERM-1.15 as a requires the County to ensure that lighting associated with new development or facilities be designed to prevent artificial light from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions would reduce impacts to special status species. Such restrictions appear to be consistent with the commenter's suggestion in this comment. Please note that, despite additional mitigating policies, these impacts would be significant and unavoidable. The commenter is directed to discussion and analysis in the RDEIR in Chapter 3.1 (Land Use and Aesthetics) and Chapter 3.11 (Biological Resources) and Response to Comments I19-33 and I19-35 for additional information. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-542:

The level of detail requested by the commenter is beyond that required in a general plan or a general plan EIR. Please see Master Response #4 for discussion of the appropriate level of detail for a general plan and a programmatic EIR. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-543:

Policies and implementation measures are identified as mitigation (i.e., "Required Additional Mitigating Policies and Implementation Measures") in the RDEIR. However, if adopted, they would become part of General Plan 2030 Update. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-544:

Please see Master Response #3 for discussion of enforceable policy language. Please note that despite additional mitigating policies ERM-6.2, ERM-6.3, and ERM-6.6, Impact 3.12-1 would be significant and unavoidable (RDEIR, p. 3.12-19.) The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-545:

Please see Master Response #3 for discussion of enforceable policy language. As discussed in multiple responses to comments, implementation measures are helpful, but not necessary to ensure implementation of each policy. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-546:

The revisions suggested by the commenter are not necessary to make this policy effective; please see Master Response #3 for discussion of enforceable policy language. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-547:

Please see Master Response #3 for discussion of enforceable policy language. Because implementation will take time and will be costly, the County will need to prioritize Implementation Measures; please see Master Response #7 for additional discussion. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-548:

This comment does not address the adequacy of the RDEIR. The CLG program is discussed in the Background Report (p.9-45) and the RDEIR (pp. 3.12-2 – 3.12-3). Please see Master Response #1. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-549:

These implementation measures are identified in the RDEIR as Required Additional Mitigation and Implementation Measures for Impact 3.12-2 (RDEIR pp. 3.12-20 through 3.12-23). If adopted, they would become part of implementation program for General Plan 2030 Update. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-550:

General Plan 2030 Update policies and implementation measures should not be reviewed individually. They were designed to be part of a comprehensive system (i.e. the entire General Plan 2030 Update) and function in relation to other goals, policies, and implementation measures in the General Plan 2030 Update. In other words, individual policies were not designed (and cannot be expected) to function as individual mitigation measures and cannot be analyzed as such. Rather, groups of policies and implementation measures work together to mitigate impacts. Thus, ERM Implementation Measure #55A should be read in context. Please see Impact Analysis 3.12-2 in the RDEIR (RDEIR pp. 3.12-20 through 3.12-23). To the extent commenter is requesting details regarding future, individual development projects, the RDEIR does not examine impacts or identify mitigation on a site-specific basis and it would be speculative to attempt given the lack of information about future site-specific development. The commenter is also directed to the responses prepared for Comment I17-549, Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-551:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-552:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-553:

As discussed in multiple responses to comments, implementation measures are helpful, but not necessary to ensure implementation of each policy. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46, Comment I17-21, and I19-72.

Response to Comment I17-554:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-555:

Policies AG-1.15 (Soil Productivity), ERM-1.2 (Development in Environmentally Sensitive Areas), ERM-5.20 (Allowable Uses on Timber Production Lands), ERM-7.2 (Soil Productivity) are examples of policies that are consistent with the commenter's recommendation that the County should provide policy guidance to protect soils. The commenter is directed to the responses prepared for Comment I17-550, Comment I17-1, Comment, I17-46 and Comment I17-21. As discussed in Master Response #3, individual policies should not be reviewed in a vacuum but as part of the whole General Plan 2030 Update.

Response to Comment I17-556:

The commenter recommends revising ERM Implementation Measure #52 to include the topics the commenter identifies in Comment I17-555, and Comment I17-556. The commenter is directed to the responses prepared for Comments I17-555 and Comment I17-556. The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-557:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-558:

The level of detail requested by the commenter is beyond that required in a general plan or a general plan EIR. The RDEIR does not examine impacts or identify mitigation on a site-specific

basis and it would be speculative to attempt given the lack of information about future site-specific development. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-559:

The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-560:

Comment noted. The commenter is directed to the response prepared for Comment I17-1. Commenter's suggestions, opinions, and questions regarding the General Plan 2030 Update are noted. However, comments on the General Plan that do not address the adequacy of the RDEIR do not require responses (CEQA Guidelines, §15204). To the extent that Comments I17-561 through I17-651 do not address the adequacy of the RDEIR, commenter is referred to the response prepared for Comment I17-1, I17-21, and I17-46.

Response to Comment I17-561:

Comment noted. Every effort was made to make the RDEIR a reader-friendly document and to fulfill the informational purpose of CEQA (see CEQA Guidelines, §15121). The RDEIR was prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences in light of what is reasonably feasible (CEQA Guidelines, §15151). "[T]he adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters" (CEQA Guidelines §15204(a)). The information and organization in the RDEIR represents the lead agency's good faith effort at full disclosure without overwhelming the reader with technical and specialized analysis and data (CEQA Guidelines, § 15151, 15147, 15148). See Master Response #3 and #4 regarding the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-562:

The commenter is directed to the response prepared for Comment I17-21. The RDEIR analyzes the environmental impacts of the General Plan 2030 Update, in accordance with CEQA

Response to Comment I17-563:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-564:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-565:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-566:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-567:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-568:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-569:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-570:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-571:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-572:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-573:

Comment noted. Every effort was made to make the RDEIR a reader-friendly document and to fulfill the informational purpose of CEQA (see CEQA Guidelines, §15121). The RDEIR was

prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences in light of what is reasonably feasible (CEQA Guidelines, §15151). “[T]he adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (CEQA Guidelines, §15204(a)). The information and organization in the RDEIR represents the lead agency’s good faith effort at full disclosure without overwhelming the reader with technical and specialized analysis and data (CEQA Guidelines, §15151, 15147, 15148). See Master Response#3 and #4 regarding the level of detail appropriate for the General Plan and programmatic EIR. Lastly, please note that economic and social effects are not environmental impacts and need not be analyzed in an EIR (CEQA Guidelines, §15131).

Response to Comment I17-574:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-575:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-576:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-577:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-578:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-579:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-580:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-581:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-582:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-583:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-584:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-585:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-586:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-587:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-588:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-589:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-590:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-591:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-592:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-593:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-594:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-595:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-596:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-597:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-598:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-599:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-600:

The RDEIR analyzes the impacts of the proposed project on air quality, including the impacts of the County's agricultural activities on air quality in Section 3.3. The RDEIR was prepared with a

sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences in light of what is reasonably feasible (CEQA Guidelines, §15151). See Master Response #3 and #4 regarding enforceable policy language and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-601:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-602:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-603:

See Master Response #10 for a discussion of the County's Climate Action Plan. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-604:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-605:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-606:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-607:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-608:

Comment noted. Every effort was made to make the RDEIR a reader-friendly document and to fulfill the informational purpose of CEQA (see CEQA Guidelines, §15121). The RDEIR was prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences in light of what is reasonably feasible (CEQA Guidelines, §15151). "[T]he adequacy of an EIR is

determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (CEQA Guidelines, §15204(a)). The information and organization in the RDEIR represents the lead agency’s good faith effort at full disclosure without overwhelming the reader with technical and specialized analysis and data (CEQA Guidelines, § 15151, 15147, 15148). See Master Response #3 and #4 regarding the level of detail appropriate for the General Plan and programmatic EIR. Lastly, please note that economic and social effects are not environmental impacts and need not be analyzed in an EIR (CEQA Guidelines, §15131). The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-609:

The commenter is directed to the response prepared for Comment I17-608.

Response to Comment I17-610:

The commenter is directed to the response prepared for Comment I17-608.

Response to Comment I17-611:

The commenter is directed to the response prepared for Comment I17-608.

Response to Comment I17-612:

The commenter is directed to the response prepared for Comment I17-608.

Response to Comment I17-613:

The commenter is directed to the response prepared for Comment I17-608.

Response to Comment I17-614:

The commenter is directed to the response prepared for Comment I17-608.

Response to Comment I17-615:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-616:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The sentence in AQ-1.3 states: “Applicants shall be required to propose alternatives as part of the State CEQA process that reduce air emissions and enhance, rather than harm, the environment.” This means that applicants proposing projects that require an EIR must propose alternatives, as set forth in the CEQA statute and Guidelines (Pub. Res. Code, §§21000 et

seq; Cal. Code Regs. §§15000 et seq.). The overall intent of the policy is to reinforce the need to evaluate alternatives when conducting the CEQA analysis for applicable projects. Furthermore, the policy is intended to reinforce the intent of the alternatives analysis to seek alternative that reduce or minimize the significant environmental impacts associated with a particular project, in this case air quality impacts. The policy does not require the County to select the alternative that would minimize cumulative air quality impacts. Additionally, an alternative that minimizes cumulative air quality impacts may not necessarily be the environmentally superior alternative overall. Additionally, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, or a proposed project against its unavoidable environmental risks (CEQA Guidelines, §15093). The agency may find that these benefits outweigh the unavoidable adverse environmental effects. (Id.).

Response to Comment I17-617:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-618:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-619:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-620:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-621:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-622:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-623:

The commenter is directed to Master Response #10 regarding the Climate Action Plan.

Response to Comment I17-624:

The commenter is directed to Master Response #10 regarding the Climate Action Plan. Additionally, the commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-625:

See Master Response #3 for a discussion of enforceable policy language. AQ Implementation Measure #17 is intended to implement policies AQ-1.7, AQ-1.8, and AQ-1.9 (see page 3.4-38 and 3.4-39 of the RDEIR).

Response to Comment I17-626:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. The RDEIR discusses numerous measures designed to reduce GHG emissions in Tulare County (see RDEIR Section 3.4, Response to Comment A8-11, and Master Response #10). AQ-1.9 was added to the suite of county-specific measures in order to further reduce GHG emissions. Please see Master Response #3 and #4 regarding implementation of the General Plan and the appropriate level of detail.

Response to Comment I17-627:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-628:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-629:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-630:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-631:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-632:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-633:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-634:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The General Plan 2030 Update includes numerous policies designed to address climate change, energy efficiency, and smart growth. Please see RDEIR pages 3.4-33 through 3.4-38 and the response prepared for Comment A8-11.

Response to Comment I17-635:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The General Plan 2030 Update includes numerous policies designed to address climate change, energy efficiency, and smart growth. Please see RDEIR pages 3.4-33 through 3.4-38 and the response prepared for Comment A8-11.

Response to Comment I17-636:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The General Plan 2030 Update includes numerous policies designed to address climate change, energy efficiency, and smart growth. Please see RDEIR pages 3.4-33 through 3.4-38 and the response prepared for Comment A8-11.

Response to Comment I17-637:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-638:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The General Plan 2030 Update includes numerous policies designed to address climate change, energy efficiency, and smart growth. Please see RDEIR pages 3.4-33 through 3.4-38 and the response prepared for Comment A8-11.

Response to Comment I17-639:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-640:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-641:

CEQA only requires impacts to be mitigated to the extent feasible, given economic, environmental, legal, social, and technological factors (CEQA Guidelines, §§ 15126.4; 15364). In the event that it is infeasible to pave new roads, the policy provides that funding for roadway maintenance shall be adequately addressed and secured. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-642:

Implementation Measure #6 clearly states that water trucks shall be provided at “refuse sites to stabilize unpaved roads to prevent fugitive dust emissions.” Implementation Measure #14 also implements AQ-4.3. It requires “adequate watering and dust control measures to prevent visible emissions . . . from construction sites and roads.” Together these measures implement AQ-4.3. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-643:

Comment noted. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Please see Response to Comment I11-70 for discussion of wood burning fireplaces and agricultural burning

Response to Comment I17-644:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-645:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-646:

Comment noted. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, please see IM #15, which implements AQ-4.6.

Response to Comment I17-647:

Comment noted; clerical correction is made. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-648:

The Animal Confinement Facilities Plan (ACFP) amendment is on a separate track and is not part of the General Plan 2030 Update. The policies identified by the commenter related to dairies and feedlots will be evaluated during ACFP amendment review. The commenter is referred to the responses prepared for comments I11-73 and Comment I17-205 for additional information regarding dairy related issues and impacts.

Response to Comment I17-649:

It is unclear which CARB measures commenter is referring to. However, the County reviewed and consulted a number of resources that have been developed to help jurisdictions address climate change, energy efficiency, and smart growth issues, including guidance provided by the California Air Pollution Control Officers' Model Policies for Greenhouse Gases in General Plans (June 2009). The County has incorporated many of the concepts as policies and implementation measures in the General Plan 2030 Update. The commenter is directed to Master Response #10 and to pages 3.4-33 through 3.4-38 of the RDEIR which provides a summary of key General Plan 2030 Update policies that would implement or support the measures recommended by the Attorney General for addressing global warming in general plans. Further, commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-650:

Development within the County must comply with federal, state, and local regulatory and statutory requirements. In some cases, these regulatory and statutory requirements result in the avoidance of significant impacts under CEQA. In cases where compliance would result in less-than-significant impacts, no further mitigation is needed under CEQA (see *City of Long Beach v. Los Angeles Unified School District* (2009) 176 Cal.App.4th 889, 913, 914 [discussing compliance with Safe School Plan requirements under Education Code Sections 32282 *et seq.* to help avoid hazardous material impacts]; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308 [“compliance (with environmental regulations) would indeed avoid significant environmental effects”]; see also CEQA Guidelines Sections 15002(h)(3), 15064(h)(3), and 15130(c.)). In some cases, impacts would remain significant and unavoidable even with compliance with all applicable regulatory and statutory requirements. In this case, CEQA requires additional mitigation, beyond statutory and regulatory requirements, if feasible (CEQA Guidelines §15126.4). The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-651:

The purpose of a General Plan is not to re-state all the regulatory and statutory requirements applicable to development in the County, it is to provide broad policy guidance to shape development in the County. Development within the County must comply with federal, state, and local regulatory and statutory requirements in addition to the General Plan. Therefore it is not necessary to reiterate these requirements in the General Plan. Policies and impacts related to agricultural dust are addressed in RDEIR section 3.3.

Response to Comment I17-652:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-653:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-654:

The SJVAB's attainment/nonattainment status for all criteria pollutants is clearly disclosed and discussed in RDEIR section 3.3. The commenter is directed to the responses prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-655:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-656:

The commenter is directed to the response prepared for Comment I17-19.

Response to Comment I17-657:

Comment noted. The Background Report was prepared using the best available data at the time of its publication. The base year for data collection varies by resource topic and depends on the availability of data by the various organizations and agencies responsible for collection and presentation of their specific data. The data provided is adequate to serve as a baseline against which impacts can be analyzed. The commenter is referred to the text of the RDEIR for analysis of environmental impacts. Commenter is referred to Master Response #4 for a description of the level of detail appropriate for the General Plan and programmatic EIR. However the summary in the revised RDEIR is more up to date.

Response to Comment I17-658:

The commenter is directed to the response prepared for Comment I17-657.

Response to Comment I17-659:

The commenter is directed to the response prepared for Comment I17-657.

Response to Comment I17-660:

A description of the health effects associated with air quality contaminants in Table 3.3-1 of the RDEIR. The RDEIR adequately indicates that Valley Fever is an air quality and health concern in the project area because it can cause pulmonary infections in humans and other mammals (see

RDEIR page 3.3-6). The RDEIR indicates that the transmission of Valley Fever occurs mostly through naturally occurring winds, as well as dust storms blowing “infected” dust (dust containing Valley Fever fungus spores) from the surrounding foothills into cities. The cause of Valley Fever is most prevalent in undisturbed soils. Since the valley portion of Tulare County is preponderantly disturbed agricultural land, the risk of infection due to development on agricultural land is considered low. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-661:

The commenter is directed to Master Response #5 regarding land use designations and build-out assumptions of the proposed project. In addition, see Master Response #9 regarding the range of alternatives evaluated in the RDEIR, with varying development patterns.

Response to Comment I17-662:

The commenter is directed to Master Response #5 regarding land use designations and build-out assumptions of the proposed project. In addition, commenter is directed to Master Response #9 for a discussion of the commenter-proposed “Healthy Growth Alternative.”

Response to Comment I17-663:

The methodology section on pages 3.3-16 through 3.3-17 of the RDEIR clearly state the assumptions used in the analysis. In addition, the modeling assumptions and detailed emission calculations are provided in Appendix D of the RDEIR. The RDEIR incorporates the best available data for dairy-related emissions, which as clearly indicated in the RDEIR includes emissions-related data for the 2007 to 2020 time period. The commenter is also directed to the information provided in Table 3.3-5 of the RDEIR.

Response to Comment I17-664:

The terms “very large” and “very intense” come from the San Joaquin Valley Air Pollution Control District Guide for Assessing and Mitigating Air Quality Impacts and are undefined in that document. The document indicates that “[t]he SJVAPCD will advise lead agencies on quantification procedures and significance on a case by case basis” (SJVAPCD, Guide for Assessing and Mitigating Air Quality Impacts, page 24 (2002); available at <http://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI%20Jan%202002%20Rev.pdf>). Pages 3.3-18 and 3.3-19 indicate that some future large-scale construction activity could exceed SJVAPCD adopted thresholds for some criteria pollutant exposure, with actual significance to be determined for individual projects on a project-by-project basis as future development applications are submitted. It should also be noted that the impact analysis goes on to described the various County policies and SJVAPCD regulations that would be implemented to ensure that construction-related impacts are kept at less than significant levels consistent with construction-related impacts for current projects. These policies with measures are described below.

Response to Comment I17-665:

ROG and PM10 are criteria pollutants. The proposed project would result in a significant increase in ROG and PM10. The variation in language quoted by commenter is a distinction without a difference. They mean the same thing. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-666:

The impact conclusions referenced by the commenter are consistent with terminology used in the preparation of environmental compliance documents prepared in accordance with CEQA Guidelines. No further change recommended.

Response to Comment I17-667:

The commenter is directed to the response prepared for Comment I17-21 and I17-22. The commenter suggests that the DEIR should state that construction will occur every day of the week, five days a week, at least for eight hours. This proposed addition is not required. The RDEIR is a programmatic document and, as appropriate, estimated air quality emissions and modeled off-road emissions (see Appendix D). Project level construction schedules and emissions will be “determined on a project-by-project basis as future development applications are submitted” (RDEIR, p. 3.3-19). “Off-road emissions were calculated using CARB’s OFFROAD2007 Model and represent 2007 emissions. The off-road model captures emissions from various types of off-road equipment, including agricultural, construction, lawn and garden and off-road recreation, which includes equipment from hedge trimmers to cranes. Using the off-road model, analysts generated a tons per-day average for all off-road equipment, using a “Monday-Sunday” averaging period and “Annual” as the month or season. To obtain an annual estimate for 2007, this number was multiplied by 365. The model estimates emissions for all off-road mobile sources in Tulare County, including unincorporated and incorporated areas. Because the scope of this analysis includes unincorporated areas only, total County emissions were allocated to unincorporated Tulare County based on the percent of the population that live in unincorporated Tulare County in 2007. For 2030 emissions, the 2007 emissions values were assumed to increase in accordance with the job growth rate (10.5 percent)” (see RDEIR page 3.3-17).

Response to Comment I17-668:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please also see Master Responses #3 and #7 for additional discussion of the use and specificity of implementation measures. To the extent the commenter references the 2008 Draft EIR, please see Master Response #2. Commenter is incorrect in alleging that mitigation measures are deficient because they do not strongly and specifically address vehicle emissions. Commenter is referred to measures AQ-2.1 Transportation Demand Management, AQ-2.2 Indirect Source Review, AQ 2.3 Transportation and Air Quality, AQ 2.4 Transportation Management Associations, AQ-2-5 Ridesharing and AQ Implementation Measure #8. Please refer to the Mitigation Policies and Implementation Measures on DEIR p. 3.3-20 which includes measures that address the concern for compact development and infrastructure.

Response to Comment I17-669:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Information on the health effects of criteria pollutants and toxic air contaminants are provided in RDEIR Table 3.3-1. Public health impacts of global warming impacts are provided in County of Tulare, 2010 Background Report, pp. 8-81, referenced in RDEIR p. 3.4-15. The other potential impacts of Global Climate Change are discussed on RDEIR, pp. 3.4-15-19.

Response to Comment I17-670:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Regarding differences between the 2008 and 2010 Tables, please see Master Response #2.

Response to Comment I17-671:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Regarding differences between the 2008 and 2010 Tables, please see Master Response #2. For methane and ammonia emissions discussion related to dairy, please see RDEIR on 3.3-26 and 4-15. Ammonia and methane emissions are discussed in depth in RDEIR 3.3 and 3.4 (See, for example, 3.3-25-26 and 3.4-24.) For measures to reduce methane see measures I-5, RW-1, RW-2, A-1. The current General Plan includes the already adopted ACFP as part of the Environmental Resources Management Element which controls dairy operations. The General Plan 2030 Update does not modify the ACFP.

Response to Comment I17-672:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Both the Air Quality and Global Climate Change chapters discuss SJVAPCD's Rule 4570. The commenter states that the RDEIR does not state that Rule 4570 applies only to very large facilities. In fact, the regulatory dairy threshold for Rule 4570 is 500 milking cows. The commenter is referred to SJVAPCD web site for Rule 4570:
http://www.valleyair.org/rules/currnrules/R4570_1010.pdf.

Response to Comment I17-673:

The commenter quotes the RDEIR, but does not provide comments on the adequacy of the RDEIR. No response is required.

Response to Comment I17-674:

The details of how, when, and by whom the mitigation measures will be implemented, will be presented in the Mitigation Monitoring and Reporting Program (MMRP). The MMRP is adopted at the time of project approval/findings (see CEQA Guidelines Section 15091(d) and 15097).

Response to Comment I17-675:

The commenter is directed to the response prepared for Comment I17-674.

Response to Comment I17-676:

The commenter is incorrect in stating that the County has not made a good faith effort in locating new growth and development. The commenter is directed to Mitigation Policies and Implementation Measures on RDEIR p. 3.3-21 which outlines the air quality and land use measures designed to address the land use issues raised in this comment. See, for example, smart land use planning and design measures AQ-3.1 Location of Support Services, AQ-3.2 Infill Near Employment, AQ-3.3 Street Design, AQ-3.4 Landscape, AQ-3.5 Alternative Energy Design, AQ-3.6 Mixed Land Uses, and AQ Implementation Measures #11 and #12. See also, policies designed to encourage commit and social growth while retaining quality of life standards: LU-1.1 Smart Growth and Healthy Communities, LU-1.2 Innovative Development, LU-1.3 Prevent Incompatible Uses, LU-1.4, Compact Development, LU-1.8 Encourage Infill Development. The commenter is also directed to the Land Use and Environmental Resource Management measures provided in RDEIR Table on 3.1-20. The commenter is also directed to Section 3.10 of the RDEIR, Agricultural Resources, which directly addresses discouraging the conversion of agricultural land. The Significance Criteria includes: “The proposed project would result in a significant impact if it would: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to Farmland Mapping and Monitoring Program of the California Resources agency, to non-agricultural use.” (RDEIR p.3.10-10) The details of how, when, and by whom the mitigation measures will be implemented, will be presented in detail in the Mitigation Monitoring and Reporting Program (MMRP). The MMRP is adopted at the time of project approval (see CEQA Guidelines Section 15091(d) and 15097).

Response to Comment I17-677:

The commenter provides only a general comment on the RDEIR. No response is required.

Response to Comment I17-678:

The commenter makes a general comment regarding baseline. The only specific reference is to air quality. Baseline is discussed on RDEIR page 3-5 and in the individual resource sections under the heading “Environmental Setting.” Please see Response to Comment I17-669 regarding RDEIR discussion of health impacts. CEQA does not require an analysis of costs of programs (see, *San Francisco Ecology Ctr. v City & County of San Francisco* (1975) 48 Cal.App.3d 584, 595).

Response to Comment I17-679:

The potential for Growth Inducement is analyzed in RDEIR p. 5-1 to 5-2 and Indirect Impacts in RDEIR 5-1. The impacts of growth in air quality are addressed in 3.3 and greenhouse gases in 3.4.

Response to Comment I17-680:

The commenter is incorrect in alleging that the RDEIR does not “analyze the extent to which the proposed project will convert non-renewable resources such as agricultural land, scenic landscapes, wetlands and riparian areas to urban uses that future generations will probably be unable to reverse.” The commenter is directed to the response prepared for Comment I17-676

regarding conversion of farmland. A variety of other policies from the Land Use, Scenic Landscapes, Agriculture, Environmental Resource Management, and Public Facilities & Services Elements promote community cohesiveness by encouraging the placement of compatible land uses (see Policies LU-1.3, LU-3.6, LU-3.8 and LU-5.4), the use of buffers to minimize a variety of negative land use impacts (see Policies LU-5.6, LU-6.2, AG-1.11, and ERM-1.8), and the development of environmentally sensitive land uses (i.e., minimal soil erosion, groundwater recharge soil areas, maximum use of beneficial vegetation, etc.) within existing open space areas (see Policies LU-1.1, ERM-1.2, LU-7.2, SL-3.2). Additionally, Policies PFS-9.2, PFS-9.3 and PFS-9.4 call for the future placement of utility corridors that do not affect the economic use of adjacent properties or result in the division of an existing neighborhood area. (RDEIR p.3.1-10). RDEIR Section 3.11 specifically addresses preserving wetlands. The RDEIR includes the following measures and policies: Policies designed to protect sensitive habitats from the impacts of future development in Tulare County ERM-1.1 Protection of Rare and Endangered Species, ERM-1.2 Development in Environmentally Sensitive Areas, ERM-1.3 Encourage Cluster Development, ERM-1.4 Protect Riparian Areas, ERM-1.5 Riparian Management Plans and Mining, Reclamation Plans, ERM-1.6 Management of Wetlands, ERM-1.7 Planting of Native Vegetation, ERM-1.8 Open Space Buffers, ERM-1.9 Coordination of Management on Adjacent Lands, ERM-1.12 Management of Oak Woodland Communities, ERM-1.13 Pesticides, ERM-1.14 Mitigation and Conservation Banking Program, ERM-5.8 Watercourse Development, ERM-5.15 Open Space Preservation, and ERM Implementation Measures #2, #5, #7, #8, #9, #10, #11, #13, #14, and #54. See also, Implementation Measures designed to identify and mitigate the impact of development on key biological resources: ERM Implementation Measure #3, ERM Implementation Measure #4 and ERM Implementation Measure #6. Policies designed to preserve and maintain biological resources within the Foothill Growth Management Plan include the following: FGMP-4.1 Identification of Environmentally Sensitive Areas, FGMP-5.1 Protect Agricultural Lands, FGMP-8.1 Riparian Area Development, FGMP-8.5 Protection of Lakes, FGMP-8.12 Vegetation Removal, FGMP-8.13 Use of Native Landscaping, FGMP-8.14 Identification of Wildlife, and FGMP-8.19 Preservation of Unique Features (RDEIR 3.11-34).

Response to Comment 117-681:

Table 3 of the General Plan 2030 Update's Climate Action Plan (pp. 22-23) includes the Global Warming Potential of GHGs and describes the lifetime of the gases. For example, Table 3 notes that HFC lifetime ranges from 1 to 260 years.

Response to Comment 117-682:

Please see Response to Comment A8-7 for discussion of New Towns. Furthermore, the General Plan Framework describes the creation of community and hamlet growth boundaries, defines parameters for growth in unincorporated areas outside of these locations, including guidance on new towns (RDEIR 2-9). Key policy changes in the document include new criteria for evaluating impacts of proposals (RDEIR 2-14). The new town must demonstrate a fiscally neutral or positive impact on the County and must demonstrate access to water and have a balanced mix of land uses (Policy and Measure PF-5.2). In addition no new towns would be allowed on important farmland unless equivalent capacity is transferred from County Adopted City Urban

Development Boundaries (CACUDB) or Hamlet Development Boundaries (HDB) through mechanisms such as purchase and transfer of development rights to offset the loss of important farmland (RDEIR 4-32).

Response to Comment I17-683:

The commenter does not make a specific comment on the adequacy of the RDEIR. Please see Master Response #4.

Response to Comment I17-684:

The commenter incorrectly questions the assumption in the EMFAC 2007 model that there will be a clean mix of vehicles in the future and alleges that population growth wipes out any gains and that diesel vehicles are kept for longer periods of time. EMFAC 2007 is a reliable model that is approved for use by CARB and the state's air districts. The modeling takes into account population growth and the phasing out of automobiles, light trucks, and diesel trucks.

Response to Comment I17-685:

The details of how, when, and by whom the mitigation measures will be implemented, will be presented in detail in the Mitigation Monitoring and Reporting Program (MMRP). The MMRP is adopted at the time of project approval (see CEQA Guidelines Section 15091(d) and 15097). Please see Master Response #3 and #7.

Response to Comment I17-686:

The commenter makes general statements regarding the effectiveness of the policies and measures and implementation strategies. No examples are provided. The commenter is directed to the response prepared for Comment I17-685.

Response to Comment I17-687:

The commenter makes general statements regarding the effectiveness of the policies and measures and implementation strategies. The commenter is directed to the response prepared for Comment I17-685.

Response to Comment I17-688:

The commenter provides a recommendation regarding a new policy for the General Plan 2030 Update. This recommendation will be forwarded to the decision makers.

Response to Comment I17-689:

The commenter is directed to the response prepared for Comment I21-126.

Response to Comment I17-690:

The commenter is directed to Master Response #2 regarding differences between the 2008 DEIR and 2010 RDEIR. In the RDEIR, odors are analyzed under Impact 3.3-5 on pages 3.3-27 to 3.3-28. Regarding size thresholds, SJVACPD screening distance for dairy odors is one mile. Within that distance, see SJVAPCD's Guide for assessing and Mitigating Air Quality Impacts (2002) ACFP Policies #'s 4 and 5 prohibit establishment of new facilities within established windshields of urban areas, concentrations of residences, public parks and schools.

Response to Comment I17-691:

The commenter is directed to the responses prepared for Comment I17-690 and Comment I11-73 for a description of how odor and other impacts related to dairies were addressed in the RDEIR. Additionally, the commenter is directed to Section 3.3 of the ACFP, which describes the monitoring program. It can be found at: <http://www.co.tulare.ca.us/civica/filebank/blobdload.asp?BlobID=4406>. The location of the facilities is provided in the Tulare County Draft Phase I Animal Confinement Supplemental Program EIR, Figure 3-1, Tulare County Dairy Land Map. The Supplemental Program EIR discusses the impact on sensitive receptors on pp.3-19 to 3-10.

Response to Comment I17-692:

The commenter is directed to the County's Climate Action Plan, pp. 11-15 which explains the County's 26.2 percent reduction target. That target is consistent with AB 32 and the California Air Resources Board's Scoping Plan.

Response to Comment I17-693:

The commenter incorrectly states that the emissions analysis covers only mobile on road vehicle emissions and dairy and feedlot emissions. Off-road vehicle emissions are summarized in Table 3.3-5 and reported in detail in RDEIR, Appendix D, Air Quality Modeling Data, pp. 8-13. Emissions for the following categories vehicles and equipment are included: recreational, construction and mining, lawn and gardening, light commercial, logging, industrial, agricultural, airport ground support, transport refrigeration, military tactical support, entertainment, rail yard operations, and pleasure craft.

Response to Comment I17-694:

The commenter is directed to Master Response #2 for a discussion of the differences between the 2008 DEIR and the 2010 RDEIR.

Response to Comment I17-695:

The commenter is directed to Master Response #2 for a discussion of the differences between the 2008 DEIR and the 2010 RDEIR.

Response to Comment I17-696:

The health impacts of emissions are discussed in RDEIR 3.3-3 to 3.3-6. While CEQA does not require cost benefit analysis of projects (see *San Francisco Ecology Ctr. v City & County of San Francisco* (1975) 48 Cal.App.3d 584, 595). Table 3.3-1 provides a list of other emission “quality of life impacts”, including, for example, vegetation and property damage. The commenter incorrectly states that the County has failed to prepare a GHG Reduction Plan. The County has, in fact, prepared a detailed Climate Action Plan, which once adopted, will become an implementation Measure for the General Plan 2030 Update. The commenter states that the RDEIR does not provide details of SJVAPCD’s Rules regarding animal confinement. The commenter is directed to RDEIR Impact 3.3-5. The commenter is also directed to Response to Comment I17-669.

Response to Comment I17-697:

The details of how, when, and by whom the mitigation measures will be implemented, will be presented in the Mitigation Monitoring and Reporting Program (MMRP). The MMRP is adopted at the time of project approval (see CEQA Guidelines Section 15091(d) and 15097).

Response to Comment I17-698:

Comment noted.

Response to Comment I17-699:

The suggested additional topics are addressed in different elements of the General Plan 2030 Update. As the commenter acknowledges, air quality is addressed in Chapter 9, and water quality is addressed in Chapter 11 of the Goals and Policies Report. This comment does not address the adequacy of the RDEIR. Please note that the Existing Conditions Overview subsections provide an overview, but not every detail of existing conditions. The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-700:

The Existing Conditions Overview at pp. 10-2 - 10-3 of the Goals and Policies Report, Part I acknowledges that Tulare County has a long history of flooding, and acknowledges that flooding events in Earlimart and Cutler-Orosi. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-701:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-702:

Wildland fire hazards are adequately evaluated in the RDEIR (RDEIR pp. 3.8-29 through 3.8-35). The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-703:

The commenter requests that County firefighting budget, and wildfire environmental impact information be included in the Background Report. While economic considerations are important to the County, such economic analysis is beyond the scope of CEQA and this RDEIR (see CEQA Guidelines Section 15131 [“Economic or social effects of a project shall not be treated as significant effects on the environment”]). The commenter is directed to the responses prepared for Comment I17-702, Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-704:

The commenter is referred to RDEIR Figure 3.8-2 “Wildland Fire Threat.”

Furthermore, HS Implementation Measure #11 directs the County to maintain a fire hazard severity map. This map is not intended to serve as a map of existing conditions, rather, the map would be updated periodically based on input from CalFire and local fire districts; the information presented is expected to change to reflect then-current conditions related to fire hazard severity over the life of the General Plan 2030 Update. The commenter is also directed to the responses prepared for Comment I17-702, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-705:

The commenter requests additional detail and maps regarding the location of flood hazard areas, and the extent to which riparian areas in the County would be identified as Hazardous Lands. The level of detail requested by the commenter is beyond what is required in a general plan. The General Plan consists of a statement of development policies and includes diagrams and text setting forth objectives, principles, standards, and plan proposals (see Gov. Code § 65302). These policies and objectives are then implemented by the County and its staff through various other actions, such as the adoption of new zoning ordinances which are more detailed and specific (see Gov. Code §§ 65359, 65400, 65455, and 65860). Please note that Policy HS-5.3 requires the County to continue to participate in the National Flood Insurance Program (“NFIP”). The Federal Emergency Management Agency (“FEMA”) administers the NFIP to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in floodplains. FEMA also issues Flood Insurance Rate Maps (FIRMs) that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. Additionally, FEMA has developed requirements and procedures for evaluating earthen levee systems and mapping the areas affected by those systems. Levee systems are evaluated for their ability to provide protection from 100-year flood events and the results of this evaluation are documented in the FEMA Levee Inventory System (FLIS). The intent of Policy HS-5.3 is to provide hazard map information that is kept current. The commenter is also

directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, the commenter is also directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update's compliance with AB 162 and available flood-related maps that have incorporated into the General Plan 2030 Update.

Response to Comment I17-706:

The commenter indicates that Figure 10-1 in the General Plan 2030 Update (Seismic/Geologic Hazards and Microzone) does not provide current or accessible information. This map is considered representative of existing risks. Geologic hazards are not prone to change under such a short geologic timeframe.

Please note that Policy HS-2.1 requires the County to continue to monitor and evaluate areas to determine levels of earthquake risk. The intent of this policy is to ensure the most current seismic hazard information is available to the residents of the County. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-707:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-708:

The commenter expresses support for Policy HS-2.3 (Hillside Development), and also asks the County to revise the language, consistent with the commenter's view that policy language in the General Plan 2030 Update is vague and unenforceable. The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-709:

The commenter asks Policy HS-2.6 (Seismic Standards for Dams) be revised, and an implementation measure be included, consistent with the commenter's view that policy language in the General Plan 2030 Update is vague and unenforceable. The commenter indicates that these recommendations are also relevant to the proposed Yokohl Ranch development. As discussed in Master Response #11, the Yokohl Ranch project is not part of the proposed project and is going through separate environmental review, which includes both a programmatic and project level EIR. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-710:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-711:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-712:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Please also see I17-507.

Response to Comment I17-713:

The commenter urges the County to revise Policy HS-4.4 (Contamination Prevention) and develop an implementation measure for this policy. The commenter also asks the County to specifically identify GHG emissions as a contaminant. Please note that not all GHG emissions would be considered “hazardous” as that term is defined in the General Plan 2030 Update. The General Plan 2030 Update uses the California Code of Regulations (CCR) definition. A hazardous material is a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of (*CCR, Title 22, Division 4.5, Chapter 10, Article 2, § 66260.10*); (General Plan 2030 Update, Part I, p. 10-2). Please see the response prepared for Comment A8-11 for discussion of GHG emissions and the policies and implementation measures that would help reduce them. The commenter is directed to the responses prepared for Comment I17-46 I17-1, Comment and Comment I17-21.

Response to Comment I17-714:

Please see Response to Comment I17-507. The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-715:

The commenter does not identify a specific impact in the RDEIR the recommended revisions are intended to address. Policy HS-4.6 is considered in the analyses for Impact 3.8-1 (significant hazard to the public or the environment from the transportation, use, or disposal of hazardous materials) and Impact 3.8-2 (uses that emit hazardous emissions of handle hazardous materials, substances, or waste within one-quarter mile of school sites). With mitigation, Impact 3.8-1 would be less than significant; additional mitigation is not required. Impact 3.8-2 was determined to be less than significant; no mitigation is required (RDEIR, pp. 3.8-13 through 3.8-17). Nevertheless, the commenter’s recommendations will be shared with decision makers for their consideration. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-716:

The commenter requests that implementation measures be included for all of the policies listed on page 3.8-15 of the RDEIR. As discussed in multiple responses to this comment letter, implementation measures are helpful, but not necessary to ensure implementation of each policy. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-717:

This comment discusses the 2008 DEIR. Please see Response to Comment I17-718.

Response to Comment I17-718:

This comment discusses the 2008 DEIR. Please see Master Response #2.

The commenter also appears to be asking that a new policy be added to the General Plan 2030 Update to address hazardous material transportation. The General Plan 2030 Update includes policies that are consistent with the commenter's recommendation. Policy HS-4.1 addresses hazardous material use, storage and transportation in compliance with local, state and federal safety standards. Policy HS-4.2 addresses procedures for movement of hazardous wastes within the County (General Plan 2030 Update, Part I, p. 10-8). As discussed in Master Response #3, there are numerous existing Federal and State regulations which will also be applicable. This includes the RCRA (42 U.S.C. §§ 6901 et seq.) which controls and regulates the transportation of hazardous materials (see RDEIR page 3.8-1 and 3.8-2 for additional discussion).

The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-719:

This comment discusses the 2008 DEIR. Please see Master Response #2.

The commenter's reference to "HS-4.9" appears to be a reference to Policy HS-4.8. The RDEIR identifies Policy HS-4.8 as a Required Additional Mitigating Policy for Impact 3.8-1.

Policy HS-4.8 ensures that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Thus, Phase I and Phase II environmental site assessments may be required on a project by project basis. Phase I Site Assessments identify recognized environmental conditions, such as a release of hazardous waste, which may impact continued use or planned development of a site. Phase II Site Assessments are conducted to delineate the type, concentration, and extent of chemicals in soil, soil vapor, and groundwater. This could include more a detailed characterization of site conditions through hydro-geologic investigation, environmental monitoring, assessment of the risks posed by site conditions, and the establishment of clean-up criteria. These studies, when applicable, are required to be completed before any project level construction can begin. Furthermore, any

contamination identified through these studies must be remediated (when possible) before physical construction can begin.

With this mitigation, Impact 3.8-1 would be less than significant; additional or revised mitigation is not required. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-720:

This comment summarizes the commenter's understanding of flood hazards related to aging levees in the County. This comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46, Comment I17-705 and Comment I17-21.

Response to Comment I17-721:

As discussed in the RDEIR, the Tulare County Flood Control District is a countywide special district governed by the County Board of Supervisors. The Tulare County Flood Control District oversees the local flood program. As part of their role overseeing the National Flood Insurance Program, the Tulare County Flood Control District is seeking guidance from the County Board of Supervisors for participation in the FEMA Community Rating System (RDEIR, p 3.6-7). Please also see the response prepared for Comment I17-705 for additional discussion of levees, FEMA, and the County's role. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

This comment also discusses the 2008 DEIR. Please see Master Response #2.

Response to Comment I17-722:

The commenter cites a Grand Jury report, of unknown date, presenting the commenter's understanding of the Board of Supervisor's role as the Tulare County Flood Control District ("TCFCD"). The commenter also addresses taxation and funding for the TCFCD. While economic considerations are important to the County, such economic analysis is beyond the scope of CEQA and this RDEIR (see CEQA Guidelines Section 15131 ["Economic or social effects of a project shall not be treated as significant effects on the environment"]). The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-723:

The comment requests inclusion of material that was inadvertently omitted from the RDEIR (page 3.6-34), specifically, a description of the authority of the TCFCD. The following text was inadvertently omitted and will be included FEIR:

There is one flood control district, the Tulare County Flood Control District (TCFCD), established by State legislation in November 1969 and encompassing the entire County (Figure 3.6-6). The Act establishing the District provides the following powers to the District:

The functions of the TCFCD are to construct, maintain, and operate facilities for control and disposition of flood and storm waters.

The revision does not change the analysis or conclusions in the RDEIR. See Chapter 2 of this FEIR for all revisions to the EIR and General Plan 2030 Update.

Response to Comment I17-724:

This comment does not address the adequacy of the RDEIR; no further response is needed. Please see Master Response #1 and #4.

Response to Comment I17-725:

This comment discusses the 2008 DEIR. Please see Master Response #2. The commenter is also directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-726:

Analysis in the RDEIR adequately addresses the potential impacts associated with flood hazards in Chapter 3.6, and impacts to biological resources in Chapter 3.11. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-727:

The commenter asks that the County Flood Damage Prevention Ordinance be made available on line. Tulare County Ordinance code is available on line at <http://www.codepublishing.com/CA/tularecounty/>. Flood Damage Prevention is Chapter 27.

Response to Comment I17-728:

The commenter requests inclusion of a policy that would require regular flood hazard map updates. As the commenter also notes, Tulare County is now required to use State and local information (in addition to FEMA maps) to annually incorporate updated flood information into the County's General Plan Land Use Element (Government Code Sections 65302(a)) and, after January 2009, into the County General Plan Conservation and Safety Element (Government Code Sections 65302(d) and (g)). Tulare County will be subject to Statewide requirements that require up-to-date flood-risk and drainage problem areas be identified, mapped and addressed through County General Plan policies, maps and land use diagrams (RDEIR, p. 3.6-29). It is not necessary to include policies that repeat these requirements. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-705, Comment, I17-46 and Comment I17-21. Additionally, the commenter is also directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update's compliance with AB 162 and available flood-related maps that have incorporated into the General Plan 2030 Update.

Response to Comment I17-729:

The commenter expresses general, but qualified approval of Policy HS-5.1 and requests revisions. This comment generally reiterates the commenter's view that policy language in the General Plan 2030 Update is vague and unenforceable. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-730:

The commenter suggests language for an apparent omission in HS Implementation Measure #14 (General Plan 2030 Update, Part I, p. 10-20). In response to this comment, HS Implementation Measure #14 will be shown correctly in the Health and Safety Element of the Goals and Policies Report and will read as follows:

- **Health and Safety Implementation Measure #14.** The County shall maintain and annually update a Countywide database of FEMA flood plain maps to evaluate projects and provide useable information to County residents, businesses, and developers [*New Program*].

The revision does not change the analysis or conclusions in the RDEIR.

Response to Comment I17-731:

Consistent with FEMA and NFIP regulations, some development is permitted in areas identified as 100-year floodplains. However, development in these locations is subject to additional regulation designed to protect human life and health and minimize property damage. Participation in the NFIP requires the County to, at a minimum, adopt and enforce floodplain management regulations based on data provided by FEMA (44 CFR §60.2(h)). Periodic (annual or biennial) reports must be submitted to FEMA and the State Coordinating Agency (44 CFR § 60.2(f)). While economic considerations are important to the County, such economic analysis is beyond the scope of CEQA and this RDEIR (see CEQA Guidelines Section 15131).

The commenter's suggestion to prohibit subdivision development within 100 year floodplains appears to be intended to address Impact 3.6-5 (The proposed project would expose people or structures to flood hazards from development within a 100-year Flood Hazard Area or from increased rates or amounts of surface runoff from development). As discussed in the RDEIR, this impact is considered significant and unavoidable; although policies and implementation measures provide for human health and safety, property damage would still result in a flood event (RDEIR pp. 3.6-52 through 3.6-54).

As discussed under Master Response #3, the County will need to balance numerous planning, environmental, and policy considerations in the implementation of the General Plan. The commenter's suggestion would conflict with the General Plan 2030 Update overall strategy of encouraging growth within and adjacent to existing communities, and with Project Objectives to provide every community with the opportunity to prosper from economic growth. In addition, mandatory language or outright bans on development in certain areas suggested in this, and other comment letters, while beneficial for one resource area, could potentially have unintended

consequences for other resources areas. If accepted, the commenter's suggestion could also substantially increase the severity of other impacts as development occurs away from existing communities. For example, an outright ban on development on an unknown parcel in a flood zone could force development into other areas with greater geologic hazards, or fire hazards. Other commenters have requested: a ban on all development in flood zones (Comment I11-124); limiting development based upon fire considerations (Comment I25-5); a ban on development that impacts cultural resources (Comment I22-12). Flexibility is needed to allow decision makers to balance all of these concerns once specific projects on specific parcels are proposed. Please also note that future subdivisions would be subject to separate environmental review under CEQA as well as Government Code Section 66474. For these reasons, the commenter's suggested ban on residential subdivisions is not recommended, but will be forwarded to the decision makers for review (please see Master Response #1).

The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-732:

The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-733:

The commenter asks if the Tulare County Flood Control District Master Plan, including its Hydrology Appendix can be found online is the most current versions. The comment does not address the adequacy of the RDEIR. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-734:

The commenter expresses general support for Policy HS-5.4 (Multi-Purpose Flood Control Measures), and also indicates that the language is too vague and that the County should provide an implementation measure for this policy. The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-735:

The comment does not address the adequacy of the RDEIR. Please see Master Response #2 regarding the previously proposed general plan. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-736:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-507 Comment I17-46 and Comment I17-21.

Response to Comment I17-737:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-507 Comment I17-46 and Comment I17-21.

Response to Comment I17-738:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-507 Comment I17-46 and Comment I17-21.

Response to Comment I17-739:

The commenter expresses general support for Policy HS-6.7 (Water Supply System).

Response to Comment I17-740:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-507 Comment I17-46 and Comment I17-21.

Response to Comment I17-741:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-507 Comment I17-46 and Comment I17-21.

Response to Comment I17-742:

The commenter is also reminded that the General Plan does not stand alone; there are numerous other existing Federal, State, and Local Regulations. This includes the County Ordinance code which currently includes landscaping as well as requirements for a landscaping plan which include the planting of native vegetation (see Tulare County Ordinance code Section 7-31-1040(b)(3)(C)). See also Policy ERM-1.7, ERM Implementation Measure #12, #16, Policy WR-3.5. See RDEIR Section 3.11 for additional details.

The comment does not address the adequacy of the RDEIR. Policy HS-6.13 is one of a number of policies designed to address fire hazards (Impact 3.8-6). Analysis in the RDEIR determined that this impact would be less than significant and no mitigation is required. However, the commenter's suggestion will be shared with decision makers. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-743:

The comment does not address the adequacy of the RDEIR. Policy HS-6.15 is one of a number of policies designed to address fire hazards (Impact 3.8-6). Analysis in the RDEIR determined that this impact would be less than significant and no mitigation is required. However, the commenter's suggestion will be shared with decision makers. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-744:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-745:

The commenter expresses general approval of Policy HS-8.11.

Response to Comment I17-746:

Other policies also address noise. Goal HS-8 in the Health and Safety Element includes several policies intended to protect the County from excessive noise. For example, Policy HS-8.6 directs the County to ensure that noise level criteria for non-residential and non-sensitive uses are consistent with the recommendations of the California Office of Noise Control; Table 10-1 (Goals and Policies Report, Part I, p. 10-14) shows state land use compatibility for community noise environments. Policy HS-8.3 would require the County to incorporate effective mitigation measures to ensure outdoor noise levels are within acceptable limits. Health and Safety Implementation Measures 20, 21, and 22 address noise issues within the County. Table 8-7, Maximum Acceptable Ambient Noise Exposure for Various Land Uses lists suggested maximum acceptable noise levels in the County. Please see Chapter 3.5, Noise, in the RDEIR for additional discussion. Please also see Master Response #3 for discussion of implementation of the General Plan. As discussed in Master Response #3, individual policies should not be reviewed in a vacuum but as part of the whole General Plan.

The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-747:

This comment discusses the 2008 DEIR. Please see Master Response #2. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-748:

Please note that Policy HS-8.12 (Foothill and Mountain Noise) would set a quieter standard for areas within the FGMP outside of the foothill development corridors, i.e., outside of areas designated for urban development. Within the FGMP area, urban development is restricted to specific areas, including foothill development corridors (Policy PF-1.2). The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Policy HS-8.12 on page 10-15 (Part I) of the General Plan 2030 Update is amended as follows in order to correct a typographical error:

“For areas ~~designated~~ designed by Tulare County as being within Foothill and Mountain Planning Areas and outside Foothill Development Corridors...”

Response to Comment I17-749:

This comment requests additional detail regarding the timeline for HS Implementation Measure #21. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-750:

Policy HS-8.13 “Noise Analysis” is identified as a “Required Additional Mitigating Policy” in the RDEIR for multiple noise related impacts (Impact 3.5-2 through Impact 3.5-6) which reads as follows:

- HS-8.13 Noise Analysis.** The County shall require a detailed noise impact analysis in areas where current or future exterior noise levels from transportation or stationary sources have the potential to exceed the adopted noise policies of the Health and Safety Element, where there is development of new noise sensitive land uses or the development of potential noise generating land uses near existing sensitive land uses. The noise analysis shall be the responsibility of the project applicant and be prepared by a qualified acoustical engineer (i.e., a Registered Professional Engineer in the State of California, etc.). The analysis shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels (such as those referenced in Table 10-1 of the Health and Safety Element). *[New Policy – Draft EIR Analysis]*.

Analysis in the RDEIR determined that each of these impacts would be significant and unavoidable, despite the implementation of mitigating policies and implementation measures found in the proposed General Plan 2030 Update and those modified through the environmental analysis (i.e. mitigation measures); (Policy HS-8.13). The commenter does not suggest that this revision would reduce any of these impacts to less than significant. Furthermore, project specific mitigation measures (for example, those identified as part of a noise analysis report), such as the level of mitigation will be considered at the time specific projects are proposed. Please also note that the Title 24 noise regulations are based upon interior noise level (45 dBA for habitable spaces) rather than a specific amount of insulation, as suggested in the comment (see Title 24, California Code of Regulations, Part 2, Volume 1, Section 1207.11.2). Therefore the existing regulations as written already allow for the tailoring on noise insulation to meet project specific requirements.

Please also note that Policy ERM-4.8 (a Required Additional Mitigating Policy) would require the County to encourage new development and renovations to exceed Title 24 standards, and that Title 24 standards are periodically updated by the California Energy Commission (RDEIR, pp. ES-8, 3.4-3).

The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-751:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-752:

The commenter is directed to the response prepared for Comment I17-750, Comment I17-751, Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-753:

The commenter believes that Policies HS-8.18 and HS-8.11 are in conflict. Policy HS-8.11 (Health and Safety Element of the Goals and Policies Report) will be updated to address the inconsistency indicated by the commenter. Policy HS-8.11 is amended to read as follows:

- **HS-8.11 Peak Noise Generators.** The County shall limit noise generating activities, such as construction, to hours of normal business operation (7 a.m. to 7 p.m.). No peak noise generating activities shall be allowed to occur outside of normal business hours without County approval. *[New Policy]*

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-754:

The commenter expresses general support for Goal HS-9 (Healthy Communities). This is an introductory comment for the comments that follow, addressing HS-9 policies.

Response to Comment I17-755:

Descriptions of existing conditions and impact analyses in the RDEIR are adequate. Descriptions of environmental baseline conditions and regulatory settings in the RDEIR are located at the beginning of each resource section identified in Chapter 3 “Environmental Analysis.” More detailed descriptions of existing conditions are also contained in the Background Report, which is included as Appendix B of the RDEIR which was incorporated by referenced under CEQA Guidelines Section 15150 and should be considered to be “set forth in full” in the RDEIR. Discussion and analysis of several resource chapters includes public health considerations. The health consequences of environmental effects of the project are considered in a variety of ways. For example, the effects of toxic air contaminants are considered in Chapter 3.3 (Air Quality) (RDEIR, pp. 3.3-15 – 3.3-16); effects of noise on people are considered in Chapter 3.5 (Noise); water quality is discussed in Chapter 3.6; hazardous materials are discussed in Chapter 3.8.

The General Plan 2030 Update includes numerous policies and implementation measures that are consistent the goals the commenter appears to support, including focused growth, and the Climate Action Plan. Please see Master Response #5 and Master Response #10 for additional discussion.

The RDEIR identifies Alternative 5 as the environmentally superior alternative. However, Alternative 5 would still result in significant and unavoidable impacts (RDEIR, p. 4-36). Please see Master Response #9 for additional discussion of alternatives.

Estimating the costs of poor health is beyond the scope of analysis required in the RDEIR. While economic considerations are important to the County, such economic analysis is beyond the scope of CEQA and this RDEIR (see CEQA Guidelines Section 15131).

The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-756:

Contrary to the commenter's characterization of the General Plan 2030 Update (and the RDEIR) the proposed General Plan 2030 Update focuses future growth within and around established community areas. Please see Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25. Numerous policies designed to minimize and reduce VMT throughout the entire county are included. Please see response to comment I14-34 for a list of these policies. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The proposed General Plan also contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-2.2, PF-3, PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance]). The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-757:

The commenter is directed to the responses prepared for Comment I17-328, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-758:

Comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-759:

The RDEIR contains an adequate description of the existing environmental setting. According to CEQA Guidelines §15125, “[a]n EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published . . . [which] will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” A more detailed description of the existing conditions in Tulare County, including maps, is contained in the Background Report, which was incorporated by reference and included as Appendix B of the RDEIR. To comply with the CEQA Guidelines requirement that the environmental setting be no longer than necessary, some of the baseline information is found in that Appendix. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-760:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the response prepared for Comment I17-759 (addressing the commenter's concerns regarding baseline conditions), Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-761:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-762:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-763:

The comment does not address the adequacy of the RDEIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-764:

The Background Report is only a supporting document, as noted on RDEIR page 1-12, it is not intended to provide analysis of the project's environmental impacts. The commenter is referred to RDEIR Section 3.6 and 3.9 which described the baseline environmental setting and the impacts of the project related to water supply. The data provided in the RDEIR is adequate to serve as a baseline against which the impacts of the project can be analyzed. Commenter is referred to Master Response #4 for a description of the level of detail appropriate for the General Plan and programmatic EIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46, Comment I17-657, and Comment I17-21.

Response to Comment I17-765:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The language cited in the comment is simply the definition of the term. The comment does not cite to a policy which contains these terms, therefore no additional response is possible.

Response to Comment I17-766:

Please see RDEIR Section 3.9, RDEIR Appendix G, Master Response #6, and the response prepared for Comment I11-41 regarding the methodology used in the water supply analysis. Additionally, commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-767:

Please see RDEIR Section 3.9, RDEIR Appendix G, Master Response #6, and the response prepared for Comment I11-41 regarding the methodology used in the water supply analysis. The RDEIR also considers the impacts each of the alternatives would have on water resources. In particular the commenter is referred to RDEIR pages 3.9-4 through 3.9-11 and 3.9-44 through 4.9-49. This analysis accounts for both residential and agriculture water use. The commenter is directed to the responses prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-768:

The RDEIR discusses the uncertainty in imported surface water on pages 3.6-18. The RDEIR also discusses the certainty of imported water and the judicial decision referenced in the Comment on page 3.6-18, 3.9-37, 3.9-40, 3.9-41 (Delta Supply Issues). Similar information is discussed in RDEIR Appendix G, Section 3.3.

Furthermore, the Water Supply analysis starting on page 3.9-43 provided several different scenarios which involved changes in water supply. Scenario 2 provides the typical CEQA analysis in comparison to baseline conditions (i.e. historical supply). However, Scenarios 3 and 4 go beyond this requirement and provide information related to constrained future water supplies below baseline levels, including future restraints resulting from groundwater overdraft, San Joaquin River Restoration Settlement Agreement, Population Growth Within and Near Tulare County, Joint Management of Shared Aquifers, Groundwater Adjudications, Water Transfers and Exchanges, Delta Supply Issues, Climate Change and Variability, Institutional Issues Affecting Water Supplies (see also RDEIR Appendix G Section 3.3).

The comment suggests that the GPR “gives the reader no idea that many of our communities have severe water quality problems.” While the RDEIR acknowledged existing water quality issues (RDEIR page 3.6-27). While existing water quality issues are important to the County, it is not an impact of the proposed project (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324). Please also see Response to Comments I11-37 and I11-77.

The commenter is also referred to RDEIR Section 3.4 which addresses Climate Change Impacts.

Additionally, the commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-769:

Please see the Phase I Water Supply Evaluation for Tulare County (RDEIR Appendix G), and RDEIR Section 3.9 for the information requested in the comment. For example RDEIR Table 3.9-1 provides detailed existing demand information by area and by type of water use, Table 3.9-

7 provides information on the sources of water supply. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-770:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 and 3.9 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. See also RDEIR section 3.4 for the analysis of the project's impacts on Energy and Global Climate Change. As discussed therein, baseline emissions were based upon total energy consumption. For the purposes of this analysis it is not necessary to cite individual sources of energy consumption (see CEQA Guidelines Section 15204(a); RDEIR pages 3.4-22 through 3.4-25; see also RDEIR Appendix E). Furthermore, the RDEIR acknowledges that water transportation requires energy usage. As discussed on RDEIR page 3.4-13 "CARB staff's objective is to develop a threshold on performance standards that will substantially reduce the GHG emissions... Performance standards will address the five major emission sub-sources for the sector: energy use, transportation, *water use*, waste, and construction..."

Response to Comment I17-771:

The commenter is directed to the responses prepared for Comment I17-46 and Comment I17-21. The RDEIR discusses impacts of projected development related to impermeable surfaces. See Response to Comment I11-55, and RDEIR pages 3.6-38, 3.6-42, 3.6-45, and 3.9-40. The proposed General Plan contains a number of measures to increase permeable surfaces and capture stormwater. See Response to Comment I11-91 for greater detail. However, it is important to note, that existing conditions are not impacts of the proposed project.

Response to Comment I17-772:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 and 3.9 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA.

Response to Comment I17-773:

The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-774:

The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. The commenter is directed to the responses prepared for Comment I17-46,

Comment I17-2121 and I21-137. Please also see Master Response #3 and #4 regarding implementation of the General Plan and the appropriate level of detail.

Response to Comment I17-775:

The General Plan 2030 Update section referenced by commenter is a description of the existing conditions related to water resources in the County. Information related to future conditions and impacts related to water resources and climate change can be found in RDEIR sections 3.6, and 3.9. The commenter is directed to the appropriate section of the RDEIR (see Section 3.4) for a description of the climate change information requested, including discussion on RDEIR page 3.4-16 [Climate Change and Water Supply]. See also Response to Comment I11-77.

Please also see Response to Comment I17-768 and I11-119 for discussion if analysis in the RDEIR concerning reduced future water supplies below existing levels. As discussed therein, the Water Supply analysis starting on page 3.9-43 provided several different scenarios which involved changes in water supply. Scenario 2 provides the typical CEQA analysis in comparison to baseline conditions (i.e. historical supply). However, Scenarios 3 and 4 go beyond this requirement and provide information related to constrained future water supplies below baseline levels, including future restraints resulting from groundwater overdraft, San Joaquin River Restoration Settlement Agreement, Population Growth Within and Near Tulare County, Joint Management of Shared Aquifers, Groundwater Adjudications, Water Transfers and Exchanges, Delta Supply Issues, Climate Change and Variability, Institutional Issues Affecting Water Supplies (see also RDEIR Appendix G Section 3.3).

The comment suggests revising Policy WR-1.1 to address water for habitat, scenic landscapes, and other natural lands. Please see Master Response #3. As discussed therein, there are numerous existing regulations as well as General Plan policies which address sensitive habitats and other biological resources. For example, Policy ERM-1.6 provides “The County shall support the preservation and management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats” (see RDEIR Section 3.11 for additional relevant policies). It is not necessary for these policies to list every potential source of impacts to these resources; please see Master Response #4 for discussion of the appropriate level of detail for the General Plan and the RDEIR.

Response to Comment I17-776:

Please see Implementation Measures 1, 2, and 3 (Goals and Policies Report, pages 11-11 through 11-12) regarding the actions the County will take to implement Policy WR-1.1. Please also see Master Response #3 and #4, and RDEIR Section 3.6 and 3.9. Please also see Response to Comment I11-82 for discussion of water conservation measures. The commenter is directed to the responses prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-777:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the level of detail

appropriate for the General Plan and programmatic EIR. Furthermore, the commenter suggests that if any part of the County is in overdraft the entire county is in overdraft. This is not necessarily true. The County contains numerous basins and sub-basins whose conditions can vary.

Response to Comment I17-778:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. As discussed in Master Response #3, individual policies should not be reviewed in a vacuum. The RDEIR contains numerous policies which address water quality, which would also include dairies (see Policies WR-1.1 through 2.9 and other policies discussed in RDERI Section 3.6). Furthermore, the existing ACFP contains more policies relating wastewater treatment, including more detailed discussion of the applicable regulatory requirements. See also Response to Comment I17-804.

The level of detail required for a General Plan does not requiring the listing of every applicable land use or scenario for each policy. See Master Response #4 for the appropriate level of detail in a General Plan. In addition, the current General Plan includes the already adopted Animal Confinement Facilities Program (“ACFP”) as part of the Environmental Resources Management Element which controls dairy operations.

Response to Comment I17-779:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46, Comment I17-21, and Comment I17-775.

Response to Comment I17-780:

The commenter is directed to the response prepared for Comment I17-1 and Master Response #6 which describes the water supply evaluation and methodology conducted for the General Plan 2030 Update.

Response to Comment I17-781:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Please also see Master Response #3 and #7 and Response to Comment I17-137 which discuss how the General Plan will be implemented.

Response to Comment I17-782:

The commenter is directed to Master Response #3 and the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-783:

The commenter is directed to Master Response #3 and the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-784:

The commenter is directed to Master Response #3 and the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-785:

The existing conditions and impacts of the proposed project on water quality are addressed in RDEIR section 3.6. The commenter is directed to Master Response #3 and #4 and the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. In addition to the General Plan policies and implementation measures, the existing County Ordinance code also includes provisions for monitoring of wells (see Tulare County Ordinance code, Chapter 13 [Wells] 4-13-1000 et seq.).

Response to Comment I17-786:

The commenter is directed to Master Response #3 and #4, and the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-787:

The commenter is directed to Master Response #3 and #4, and the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-788:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-789:

General Plan Policy WR-1.5 is discussed in RDEIR section 3.6, page 3.6-46. The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-790:

The commenter states that WR Implementation Measure #6 does not implement Policy WR-1.5. Implementation Measure #6 does not that that it was designed to implement Policy WR-1.5, rather it states it will implement Policies WR-1.10, WR-2.5, WR-2.7, WR-2.8, and WR-3.10 (see General Plan Part I, page 11-12). See WR Implementation Measure #10 which implements Policy WR-1.5. Please see Response to Comment I21-2 for discussion of clustering development and infill and Master Response #3 and #4 regarding implementation of the General Plan and the appropriate level of detail. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-791:

The impacts of the proposed project on water resources, water quality and drainage are discussed in RDEIR section 3.6. The impacts of the proposed project on wastewater treatment and distribution systems are addressed in RDEIR section 3.9. Please see Response to Comment I11-82 and I11-86 for discussion of water conservation measures. Please see Master Response #3 regarding implementation of the General Plan and how it will be implemented. As discussed therein it is not feasible to provide every implementing ordinance at this time which will be adopted over the 20 year horizon of the General Plan. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-792:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. The comment also asks several questions about existing wastewater facilities. Information on existing wastewater facilities is provided in the RDEIR on pages 3.9-12 through 3.9-18, in particular Table 3.9-10. Please also see Response to Comment I11-41 for discussion of the water supply methodology. The comment is also directed to Master Response #4 regarding the appropriate level of detail.

Response to Comment I17-793:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 and Response to Comment I19-72 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-794:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Response to Comment I17-137 for discussion of Mitigation Monitoring and Reporting.

Response to Comment I17-795:

Impacts to Water Quality were determined to be less-than-significant and no further mitigation is needed (see RDEIR section 3.6, Impact 3.6-1; CEQA Guidelines, §15126.4(a)(3)). As discussed in Response to Comment I11-33, while existing conditions are an important issue for the County, they are not impacts of the proposed project.

Response to Comment I17-796:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-797:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-798:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-799:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #4 and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Master Response #3 about outright bans on development.

Response to Comment I17-800:

The impact of the proposed project on water quality was determined to be less-than-significant and no further mitigation is needed (see RDEIR section 3.6, Impact 3.6-1; CEQA Guidelines, §15126.4(a)(3)). The commenter is directed to the responses prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-801:

The Background Report, Phase I Water Supply Evaluation, and RDEIR Section 3.6 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. The impacts of the proposed project on water resources are adequately discussed and analyzed in RDEIR section 3.6. The commenter is directed to the responses prepared for Comment I17-802, Comment I17-1, Comment I17-46 and Comment I17-21. Please also see Response to Comments I11-82 and 86 for discussion of water conservation measures.

Response to Comment I17-802:

The commenter is referred to the water quality discussion in RDEIR Section 3.6 and the responses prepared for Comments I11-33, I11-37, I11-41, and I17-778, which discuss water quality and water supply. The RDEIR provides an accurate and comprehensive description of the water quality conditions in the project area, including water quality conditions related to the dairy and agricultural industries. As mentioned in numerous previous responses (in particular, see Response to Comment I17-1), the General Plan policies do not function and should not be evaluated individually, but as part of a comprehensive system (i.e. the entire General Plan 2030 Update). The General Plan 2030 Update includes a comprehensive set of policies designed to address water quality. These include policies WR-1.9 and WR-2.1 through WR-2.8 which require continued compliance with water quality standards and implementation of best management practices. Additional policies address water quality concerns by ensuring adequate stormwater drainage infrastructure (see PFS-4.1 through PFS-4.5). Additionally, Policy PFS-1.3 and Public Facilities and Services Implementation Measures #1, #2, and #3 provide for the funding mechanism to provide additional or expanded services in conjunction with new development. The proposed project also includes policies that identify resources that should be protected from water quality impacts (see Policies ERM-2.7, ERM-5.20, FGMP-8.6, FGMP-9.5, and WR-3.10). A number of policies require new development to minimize water quality impacts associated with wastewater and stormwater runoff through implementation of development standards and maintenance requirements for septic systems (see Policies FGMP-8.2, FGMP-8.4, PFS-2.5, PFS-3.1, PFS-3.3, PFS-3.5, PFS-3.6, WR-2.8, WR-2.9, and PFS Implementation Measure #7). The Water Resources Element includes policies that require monitoring and collection of water quality data for surface water and groundwater resources (see Policies WR-1.2 and WR-1.7). Consequently, with implementation of all the policies and implementation measures, the water quality impact was considered less than significant.

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-803:

Yes, we are reading your comments. In compliance with CEQA the County has included written responses to your comment letter here, in Responses to Comments I17-1 through I17-1,093.

Response to Comment I17-804:

The RDEIR adequately addresses impacts related to flooding in Section 3.6 and provides policies and implementation measures to comprehensively address the issue. Additionally, the commenter is directed to the response prepared for Comment I17-802, Comment I17-1, Comment I17-46 and Comment I17-21.

Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

As discussed on RDEIR page 3.6-5 the NPDES program is part of an existing regulatory program created by the Clean Water Act. There are existing Federal and State requirements which ensure its implementation.

The comment also raises concerns regarding development and floodplains. As discussed in Master Response #3, individual policies should not be reviewed in a vacuum; the comment is directed to the different flood related policies discussed in RDEIR Section 3.6 including Policies HS-5.1 through 5-1.11. For example, Policy HS-5.9 provides “The County shall ensure that riparian areas and drainage areas within 100-year floodplains are free from development that may adversely impact floodway capacity or characteristics of natural/riparian areas or natural groundwater recharge areas.”

Response to Comment I17-805:

The commenter is directed to the response prepared for Comment I17-802, Comment I17-1, Comment I17-46 and Comment I17-21. As discussed under Response to Comment I17-778 and Master Response #3 and #4, it is not necessary to name every potential type of construction site within this Policy.

Response to Comment I17-806:

The RDEIR adequately addresses impacts related to drainage and water supply in Sections 3.6 and 3.9 and provides policies and implementation measures to comprehensively address the issue. The commenter is directed to the responses prepared for Comment I17-802, Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-807:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-808:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-809:

Nitrates and other water quality concerns are adequately addressed in RDEIR section 3.6. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability

and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. Additionally, the commenter is also directed to the response prepared for Comment I11-22 for a description of the General Plan 2030 Update's compliance with AB 162 and available flood-related maps that have incorporated into the General Plan 2030 Update.

Response to Comment I17-810:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Response to Comment I17-137 and I17-804 for discussion of Monitoring and existing regulatory programs under the Clean Water Act.

Response to Comment I17-811:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-812:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. As discussed in Master Response #3, individual goals and policies should not be reviewed in a vacuum. For example, Policy WR-3.1 already provides “**Develop Additional Water Sources.** The County shall encourage, support and, as warranted, require the identification and development of additional water sources through the expansion of water storage reservoirs, development of groundwater banking for recharge and infiltration, and promotion of water conservation programs, and support of other projects and programs that intend to increase the water resources available to the County and reduce the individual demands of urban *and agricultural users*” (Emphasis added). Please see RDEIR Sections 3.6 and 3.9 for additional discussion of applicable policies, as well as Response to Comment I17-778.

Response to Comment I17-813:

The Background Report, Phase I Water Supply Evaluation, and RDEIR provide the necessary environmental setting and baseline information to analyze impacts to water resources. The water supply analysis provided in the RDEIR is comprehensively addressed from two perspectives. Section 3.6 “Hydrology, Water Quality, and Drainage” address the potential impacts to the County’s hydrologic resources focusing on both surface/groundwater quantity and quality. Section 3.9 “Public Services, Recreation Resources, and Utilities” focuses on the potential impacts for local infrastructure or service providers to ensure continued levels of service for a variety of public services and utilities (including water supply).

The proposed project is expected to reduce water use below existing levels (baseline), as described on RDEIR pages 3.9-11 and 3.9-47. As represented in the Water Supply Evaluation (Appendix G), the contemplated land-use changes would likely not adversely affect current water supply conditions given the policies discussed with Impact 3.6.2 (see pages 3.6-45 to 3.6-46) and Impact 3.9-1 (see pages 3.9-36 to 3.9-49). Existing groundwater overdraft and existing water quality issues are beyond the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; see also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). Nevertheless, Sections 3.6 and 3.9 both acknowledge existing conditions such as groundwater overdraft and water quality issues. The RDEIR also discusses potential solutions to existing problems on pages 3.9-37 through 3.9-39. This is consistent with the requirements of CEQA for a General Plan. As discussed in the *Watsonville* case [General Plan EIR], “The FEIR’s discussion of the overdraft situation and its analysis of the steps that the City would take to address this situation satisfy the standards set forth by the California Supreme Court in *Vineyard*. It is not necessary for an EIR for a general plan to establish a ‘likely source of water.’ Please also see Response to Comments I11-41, I11-82, and I11-86 for discussion of water supply methodology and water conservation

The commenter is directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and Master Response #6 regarding the water supply evaluation.

Response to Comment I17-814:

The commenter is directed to the response prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Response to Comments I11-41, I11-82, and I11-86 for discussion of water supply methodology and water conservation.

Response to Comment I17-815:

The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. Please also see Response to Comments I11-41, I11-82, and I11-86 for discussion of water supply methodology and water conservation. The commenter is also directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-816:

The commenter is directed to the response prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21. As discussed in Master Response #3 and #4, the purpose of the RDEIR is to address impacts of buildout of the proposed project; the purpose is not to apply the proposed General Plan policies to specific development proposals at this time.

Furthermore, as discussed under Response to Comment I11-77, it is not the job of the RDEIR to solve existing problems.

Response to Comment I17-817:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Polices and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. Please also see Response to Comments I11-41, I11-82, and I11-86 for discussion of water supply methodology and water conservation.

Response to Comment I17-818:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Polices and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-819:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Polices and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-820:

The commenter is directed to the response prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Polices and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-821:

The commenter is directed to the response prepared for Comment I17-785, I17-813, Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Polices and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-822:

The impacts of the proposed project on water resources are adequately addressed in RDEIR section 3.6. Contrary to the suggestion in the comment, Policy WR-3.3 is not limited to a specific geographic scope, such that additional clarification is needed to address impacts to adjoining or nearby areas. As also discussed in Master Response #3, individual policies should not be reviewed in a vacuum; Policy PFS-2.3 already provides “The County shall require new development that includes the use of water wells to be accompanied by evidence that the site can

produce the required volume of water *without impacting the ability of existing wells to meet their needs*” (Emphasis added).

The commenter is directed to the response prepared for Comment I17-813 and Comment I17-802. In addition, please see the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21 and Master Response #4 regarding the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-823:

The commenter is directed to the response prepared for Comment I17-802 and I17-813. Also, see the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 and Response to Comment I19-72 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-824:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-825:

Please see Response to Comment I17-329, I17-742, I11-82, and I11-86 for discussion of water conservation measures and drought tolerant landscaping.

The commenter is directed to the Master Response #3 and #4 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR..

Response to Comment I17-826:

The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21. Please also see Master Response #3 and Response to Comment I17-329, I17-742, I11-82, and I11-86 for discussion of water conservation measures and drought tolerant landscaping.

Response to Comment I17-827:

The commenter is directed to the Master Response #3 and #4 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. The commenter is also referred to the response prepared for Comment I11-86 regarding the Model Efficient Landscape Ordinance.

Response to Comment I17-828:

As discussed under Response to Comment I11-77, it is not the job of CEQA or the General Plan Update to solve existing issues. However, the County has a tiered program for reducing water consumption for all existing and new development depending upon the stage of the water conservation program (see County Ordinance code Sections 8-07-1155, 8-07-1170, 8-07-1175). However please also see Master Response #3 and Response to Comment I17-329, I17-742, I11-82, and I11-86 for discussion of water conservation measures and drought tolerant landscaping requirements. Please also see Master Response #3 and #4 for discussion of implementation of the General Plan as well as the appropriate level of detail. The suggested language may ultimately be included in specific projects and landscaping plans, however, it is not necessary to list every potential water conservation measure in the General Plan.

Response to Comment I17-829:

The General Plan already includes Policy WR-3.6 “The County shall support educational programs targeted at reducing water consumption and enhancing groundwater recharge.” It is not necessary to name every individual type of use that this policy would be applicable to. Please see Master Response #3 and #4 for discussion of the appropriate level of detail and implementation of the General Plan.

Response to Comment I17-830:

The commenter is directed to the response prepared for Comment I17-829. Please also note that “residents” is not synonymous with a specific type of land use (i.e. agricultural uses) as suggested in the comment. It is therefore, not necessary to list every potential type of land use that this policy would be applicable to. Additionally, see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-831:

Please see Master Response #3 and Response to Comment I17-329, I17-742, I17- 813, I17-815, I17-828, I11-82, and I11-86 for discussion of water conservation measures and drought tolerant landscaping requirements. Please see the responses prepared for Comments I17- 813 and I17-815.

Response to Comment I17-832

The County has included several new policies in the General Plan 2030 Update to help the County address the indicated impacts and believe they collectively provide the tools needed to protect and enhance the County’s water resources, including groundwater, as projects are contemplated under the General Plan 2030 Update. Furthermore, as detailed in Master Response #4 (Programmatic Nature of the EIR), the RDEIR is a Program EIR, serving as a first-tier document to assess the broad environmental impacts of the program. Detailed site-specific environmental review would likely be required to assess future projects implemented under the

program. As detailed in the WSE (Appendix G to the RDEIR), the contemplated actions of the General Plan 2030 Update are not anticipated to result in a demand for water that is different than under the existing land uses. However, at the project-specific level, unique impacts to water resources may be identified and appropriately mitigated using the General Plan 2030 Update policies. Please refer to Master Response #6 for further information and the nature and intent of the WSE.

Response to Comment I17-833

The commenter is referred to the response prepared for Comment I17-832.

Response to Comment I17-834

The commenter is referred to the response prepared for Comment I17-832.

Response to Comment I17-835

The commenter is referred to the response prepared for Comment I17-832.

Response to Comment I17-836

The commenter is referred to the response prepared for Comment I17-832.

Response to Comment I17-837

The commenter is referred to the response prepared for Comment I17-832.

Response to Comment I17-838:

Please see Master Response #3 and Response to Comment I17-329, I17-742, I17- 813, I17-815, I17-828, I11-82, and I11-86 for discussion of water conservation measures and drought tolerant landscaping requirements. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-839:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Please also see Master Response #3 and #4.

Response to Comment I17-840:

The commenter is directed to the response prepared for Comment I11-86, Comment I17-1, Comment I17-46 and Comment I17-21. See the response prepared for Comment I17-813 and the Phase I Water Supply Evaluation (RDEIR Appendix G) for information regarding the status of groundwater supplies in the County. Please also see Response to Comment I11-91 for discussion of permeable surfaces.

Response to Comment I17-841:

The commenter is directed to the response prepared for Comment I17-785, I17-813, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-842:

Please see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. The commenter is also directed to the response prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-843:

Please see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. The commenter is also directed to the responses prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-844:

Please see Master Response #3, #4, and #7 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. The commenter is also directed to the response prepared for Comment I11-86, Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-845:

The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. The commenter is directed to the response prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, Please see Master Response #3 and #4 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-846:

Please see Master Response #3 and #4 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and programmatic EIR. The commenter is also directed to the response prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-847:

Please see Master Response #3 and #4 regarding the enforceability and use of General Plan Policies and Implementation Measures, and the level of detail appropriate for the General Plan and

programmatic EIR. The commenter is also directed to the response prepared for Comment I17-813, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-848:

The acronyms used in the General Plan are listed in General Plan Update Appendix C. DBCP is the acronym for dibromochloropropane. It is unclear where commenter believes that acronym is used to describe a different chemical compound. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-849:

Comment noted.

Response to Comment I17-850:

The impact of the proposed project on groundwater supply was determined to be significant and unavoidable (Impact 3.6-2), despite the implementation of all feasible mitigation measures (see RDEIR section 3.6). Please see RDEIR pages 3.6-43 through 3.6-46, and 3.9-39 for discussion of existing and proposed Groundwater Management Plans. However the comment is also directed to Master Response #3 and #4 for discussion of how the General Plan will be implemented. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21.

Response to Comment I17-851:

The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 contain accurate environmental setting and baseline information to analyze impacts to water resources under CEQA. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-852:

The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. Contrary to the suggestion in the comment the RDEIR discusses the effects of Climate Change on Water Supply, as well as pending litigation. See Response to Comment I17-768 for further discussion. Furthermore, the RDEIR clearly discusses the secondary impacts associated with continued overdraft as described on RDEIR page 3.6-42. The comment is directed to RDEIR Sections 3.6 and 3.9 which address impacts associated with water supply, water quality, and groundwater overdraft and RDEIR Section 3.4 for discussion of Climate Change impacts.

Response to Comment I17-853:

As discussed in Response to Comment I11-77, while existing conditions, such as existing water quality concerns, are important issues for the County, it is not the purpose of the RDEIR to solve existing problems. Nor is it necessary to provide an economic analysis in this situation (see

CEQA Guidelines Section 15131). The commenter is directed to the response prepared for Comment I17-802.

Response to Comment I17-854:

The commenter is directed to Master Response #2.

Response to Comment I17-855:

As discussed in Master Response #4, the General Plan 2030 Update and the RDEIR address 4,840 square miles of the County. The RDEIR provides sufficient level of detail to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences” (CEQA Guidelines Section 15151). Furthermore, CEQA Guidelines Section 15125 states that “the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” The RDEIR describes existing overdraft conditions starting on page 3.6-26.

The comment also suggests providing information on overdraft conditions by community area. As discussed under Response to Comment I26-24, political borders do not necessarily represent sensible boundaries for evaluating resources, such as water supply (see *O.W.L. Foundation v. City of Rohnert Park* (2008) 168 Cal.App.4th 568). Also, see Master Response #6 for a discussion of the Water Supply Evaluation.

Response to Comment I17-856:

Commenter inquires as to the impacts associated with increasing the depth of groundwater pumping. Impacts to groundwater are discussed in RDEIR Section 3.6, Impact 3.6-2. The secondary effects for continued overdraft are clearly described on RDEIR page 3.6-42. Additionally, a variety of information and statistics pertaining to groundwater conditions are provided on pages 3.6-21 through 3.6-27 of the RDEIR. Additional historic data is also available from the California Department of Water Resources.

Specific information related to increased energy consumption associated with water pumping was not available during preparation of the greenhouse gas inventory and is therefore not included in the overall inventory for the County. However, some increased electrical consumption proportional to projected population growth was included in the business as usual inventory projections. Most rural residences in the County are on private wells that would be accounted for as part of the residential energy consumption estimates. Energy consumption is considered proportional to the work required to transfer the water to the surface. If the water table is currently at 100 feet and drops to 120 feet, it would require approximately twenty percent more energy to pump the water to the surface. However it is considered speculative to identify a change in depth to groundwater and associated energy consumption considering the uncertain conditions that could occur through climate change and the actions planned to prevent this impact from occurring as provided in the County’s General Plan 2030 Update and the Climate Action Plan.

Response to Comment I17-857:

Please see RDEIR Sections 3.6 and 3.9 for discussion of water supply and water quality. Please see Response to Comment A8-7 for discussion of new towns and Master Response #11 for discussion of the Yokohl Ranch Project.

Response to Comment I17-858:

Commenter is directed to the response prepared for Comment I17-813. Additionally, see Master Response #5 for a discussion of land use designations and build out assumptions under the proposed project and Master Response #6 for a discussion of the Water Supply Evaluation.

Response to Comment I17-859:

Please see RDEIR Sections 3.6 and 3.9 for analysis of impacts to water supply (including groundwater). The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). Please also see Master Response #4 for the appropriate level of detail for the General Plan and the RDEIR. Furthermore, it is not the purpose of the RDEIR to address impacts of the Alta Irrigation District MOU. The RDEIR addresses impacts of the proposed project (i.e. the General Plan).

Response to Comment I17-860:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the RDEIR and General Plan 2030 Update to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). The commenter is directed to the response prepared for Comment I17-802 and Comment I17-813. The commenter is directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate level of detail.

Response to Comment I17-861:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22,

2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). The commenter is directed to the response prepared for Comment I17-802 and Comment I17-813. The commenter is directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate level of detail.

Response to Comment I17-862:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). The commenter is directed to the response prepared for Comment I17-813. Please also see Master Response #4 for discussion of the appropriate level of detail for the General Plan and the RDEIR.

Response to Comment I17-863:

The Background Report, Phase I Water Supply Evaluation, and RDEIR section 3.6 contain the necessary environmental setting and baseline information to analyze impacts to water resources under CEQA. The RDEIR adequately addresses impacts related to groundwater supply in Section 3.6 and provides policies and implementation measures to comprehensively address the issue. The groundwater basin and sub-basins (i.e. “reservoirs” referenced in the comment) are shown in the Background Report in Figure 3.4. The overlying watersheds that feed into the basins and sub-basins are shown in RDEIR Figure 3.6-2. As discussed on RDEIR page 3.6-22 “Tulare County has unconfined groundwater throughout the entire County, and confined groundwater in its western portion underlying the Kings, Kaweah, and Tule Sub-basins... Tulare County is primarily underlain by three groundwater sub-basins within the San Joaquin Valley basin.”

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-864:

The Background Report was prepared using the best available data at the time of its publication. The base year for data collection varies by resource topic and depends on the availability of data by the various organizations and agencies responsible for collection and presentation of their specific data. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. The commenter is referred to the RDEIR Section 3.6 and 3.9 for discussion of existing conditions related to water supply and analysis of the impacts of the proposed project.

Response to Comment I17-865:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). See the response prepared for Comment I17-802. Economic costs are not environmental impacts under CEQA and need not be analyzed in an EIR (CEQA Guidelines §15131). The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-866:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). See the response prepared for Comment I17-802 and Comment I17-813. Additionally, commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

CEQA requires analysis of impacts to the existing physical conditions (see CEQA Guidelines Section 15125). The comment does not explain what impacts they believe have not been adequately addressed.

Response to Comment I17-867:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). See the response prepared for Comment I17-802 and Comment I17-813. Additionally, commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Please also see Master Response #3 for discussion of implementation of the General Plan. Please also see County Ordinance code Section 4-13-1740 and 1745 for discussion of well abandonment and well destruction. Please also see Master Response #4 for discussion of the appropriate level of detail for the General Plan and the RDEIR.

Response to Comment I17-868:

The data provided in the Background Report, along with the data in the Water Supply Evaluation (RDEIR Appendix G) is adequate to serve as a baseline against which impacts can be analyzed under CEQA. The commenter is directed to the response prepared for Comment I17-46 and Comment I17-21813 and Comment I17-802. In particular, note that existing groundwater overdraft and existing water quality issues are beyond the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). Nevertheless, Sections 3.6 and 3.9 both acknowledge existing conditions such as groundwater overdraft and water quality issues. The RDEIR also discusses potential solutions to existing problems on pages 3.9-37 through 3.9-39. This is consistent with the requirements of CEQA for a General Plan.

Response to Comment I17-869:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). The commenter is directed to the response prepared for Comment I17-813.

Response to Comment I17-870:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). See the response prepared for Comment I17-802 and Comment I17-813. Additionally, commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21, and Master Response #4 regarding the appropriate level of detail for the programmatic RDEIR.

Response to Comment I17-871:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See

also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). The commenter is directed to the responses prepared for Comment I17-802 and Comment I17-813. In addition, see the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-872:

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324).

Response to Comment I17-873:

The County is unable to speculate on the impacts of the recent litigation settlement on the San Joaquin River and its impact on availability of supplies. However, please see discussion of water supply uncertainty in Response to Comment I17-768 (see Appendix G of the RDEIR).

Response to Comment I17-874:

Commenter is referred to RDEIR section 3.4, which discusses the impacts of the project on energy and climate change. Please also see Response to Comment I17-768.

Response to Comment I17-875:

Please see RDEIR Sections 3.6 and 3.9 which address impacts to water supply, groundwater, and water quality. Economic impacts are not environmental impacts which must be addressed in this situation (see CEQA Guidelines Section 15131).

Response to Comment I17-876:

The commenter is directed to the response prepared for Comment I17-802 and 813. The RDEIR provides an appropriate level of detail for the environmental setting on water quality in Section 3.6. However, as discussed under Response to Comment I18-872 existing conditions are beyond the scope of the EIR to fix. The General Plan also provides policies which limit development unless there is a showing of an adequate water supply (see RDEIR Section 3.6 and 3.9 as well as Policy PFS-2.2, “The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval”).

Response to Comment I17-877:

Please see Response to Comment I17-768 which addresses uncertainty of existing water supplies.

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). The commenter is directed to the response prepared for Comment I17-802 and Comment I17-813. In addition, see the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-878:

The commenter is directed to the Master Response #4 regarding the appropriate level of detail for the programmatic RDEIR.

Response to Comment I17-879:

Please see Response to Comment I17-768 which addresses uncertainty of existing water supplies.

The information stated in the comment is information related to existing conditions in Tulare County. This information is used to form the CEQA baseline against which the impacts of the proposed project are measured. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324).

Response to Comment I17-880:

As discussed in Master Response #3, there are numerous existing Federal, State, and local regulations which will also shape existing and future development within the County. These programs, as related to water supply, are discussed in the regulatory setting in RDEIR Section 3.6. The commenter is directed to the response prepared for Comment I17-802. Additionally, please see Master Response #4 regarding the appropriate level of detail for the programmatic RDEIR.

Response to Comment I17-881:

Please see Response to Comment I17-768 which addresses uncertainty of existing water supplies. Commenter has reiterated statements contained in the Background Report. No further response is required.

Response to Comment I17-882:

The DEIR and accompanying documents from 2008 have been superseded by the 2010 General Plan 2030 Update, RDEIR, and accompanying documents. See Master Response #2. Further, the

County is unable to speculate on the impacts of the recent litigation settlement on the San Joaquin River and its impact on availability of supplies.

Response to Comment I17-883:

While the litigation is not mentioned in the text of the proposed General Plan, there is no requirement to include this language in the General Plan itself (see Government Code 65300 et seq.). Furthermore, existing uncertainties, including water related litigation, are clearly addressed in the RDEIR. See Response to Comment I17-768.

Response to Comment I17-884:

The DEIR and accompanying documents from 2008 have been superseded by the 2010 General Plan 2030 Update, RDEIR, and accompanying documents. See Master Response #2.

Response to Comment I17-885:

The commenter provides no specific data that they believe to be inaccurate in the RDEIR. The Background Report was prepared using the best available data at the time of its publication. The base year for data collection varies by resource topic and depends on the availability of data by the various organizations and agencies responsible for collection and presentation of their specific data. The CEQA Guidelines recognize that “CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.” The data provided is adequate to serve as a baseline against which impacts can be analyzed. Existing conditions are beyond the scope of the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324). Funding and other economic effects are not environmental impacts and need not be discussed in the RDEIR (CEQA Guidelines §15131). Please also see Master Response #3 and #4 for discussion of implementation and the appropriate level of detail for a General Plan and RDEIR.

Response to Comment I17-886:

The information stated in the comment is information related to existing conditions in Tulare County. The data provided is adequate to serve as a baseline against which impacts can be analyzed. Please see Master Response #4 regarding the appropriate level of detail for the programmatic RDEIR and the General Plan.

Response to Comment I17-887:

Please see the response prepared for Comment I17-1. Please also see Response to Comment I21-2 and Master Response #5 for discussion of how the General Plan focuses growth. Please see Master Response #3 and #4 for discussion of implementation of the General Plan, enforceability of General Plan policies, and the appropriate level of detail. Please see RDEIR Section 3.4 for discussion of Climate Change and Master Response #10 for discussion of the Climate Action Plan.

Response to Comment I17-888:

Every effort was made to make the RDEIR a reader-friendly document and to fulfill the informational purpose of CEQA (see CEQA Guidelines §15121). The RDEIR was prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences in light of what is reasonably feasible (CEQA Guidelines §15151). “[T]he adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (CEQA Guidelines, §15204(a)). Similarly, “the description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” The information and organization in the RDEIR represents the lead agency’s good faith effort at full disclosure without overwhelming the reader with technical and specialized analysis and data (CEQA Guidelines, § 15151, 15147, 15148). See Master Response #3 and #4 regarding the level of detail appropriate for the General Plan and programmatic EIR. Regarding patterns of growth allowed under the proposed project, see Master Response #5.

The commenter also references language on RDEIR page 3.6-36 and states that “which is absurd given the immense difference in the County’s water resources over its vast and varied geography.” The language quoted by the comment is contained in the Section labeled “Summary of Impacts.” The commenter is directed to the individual impact analysis in the ensuing pages for greater detail (RDEIR pages 3.6-37 through 3.6-57). Please also see Master Response #5 and Response to Comment A8-7 for discussion of buildout.

Response to Comment I17-889:

As discussed under Response to Comment I11-77, existing conditions are not impacts of the proposed project, and are beyond the scope of the RDEIR to fix.

Response to Comment I17-890:

The commenter is directed to the Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the general plan and programmatic EIR. The commenter is referred to Response to Comments on policies in this document (I17-1 through I17-1093.).

Response to Comment I17-891:

The commenter is directed to the Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the general plan and programmatic EIR. Commenter states that feasible mitigation is available but does not suggest any specific mitigation and therefore no further response can be provided.

Response to Comment I17-892:

Commenter is referred to Master Response #2.

Response to Comment I17-893:

Contrary to the commenter's characterization of the General Plan 2030 Update (and the RDEIR) the proposed General Plan 2030 Update focuses future growth within and around established community areas (please see Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25). Numerous policies designed to minimize and reduce VMT throughout the entire county are included. Please see response to comment I14-34 for a list of these policies. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The proposed General Plan also contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-2.2, PF-3, PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance]). Although there are limits to growth in these areas, they are better suited for development than rural (undeveloped) areas. This overall strategy is consistent with the commenter's policy preferences indicated in this comment. Public transit and other transportation modes have dedicated funding from the federal, state and local agencies that will address increased demand in public transit. Long range transit planning efforts, including the Tulare County Regional Transportation Plan, have identified additional transit, bus rapid transit and light rail passenger service that will be created when demand and or population densities are high enough.

The General Plan Framework Component of the General Plan 2030 Update sets the geographic policies that would guide future development within the County and focus growth within specified areas of the County; thereby limiting sprawl and preserving the County's open as much as possible. Boundaries for these specified areas of the County (e.g., UABs, UDBs) have previously been adopted through a General Plan Amendment, Community Plan, Area Plan or other type of plan. These existing plans were not revised or readopted in 2010 as part of the General Plan 2030 Update with two exceptions: the Urban Development Boundary for the Pixley Community Plan was modified to include the Harmon Field Airport and the County Adopted City General Plan for Dinuba was modified to reflect the recently annexed Dinuba Golf Course, residential and wastewater treatment area (Goals and Policies Report, pp. 1-4). Land use and zoning designations were applied within them at the time of their adoption.

The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-894:

The commenter is directed to the responses prepared for I17-1, Comment, Comment I17-46 and Comment I17-21. Please also see Master Response #3, #4, and #7 for discussion of implementation of the General Plan, enforceability of General Plan policy, and the appropriate level of detail.

Response to Comment 117-895:

The commenter requests additional information regarding designated scenic roads in the County.

There are two State Routes that are eligible to become scenic corridors. State scenic corridors in Tulare County include State Route 198 from State Route 99 to Sequoia National Park and State Route 190 East of Porterville. Efforts to move forward with this designation have been unsuccessful in the past due to business owner's concerns of implementing restrictions along these routes. Because no roads in the County have been formally designated as "scenic," it is not necessary to revised Figure 13-1 in the General Plan 2030 Update. However, the County would work with appropriate agencies to support the designation of scenic highways and roads in the County (Policy TC-1.12).

Response to Comment 117-896:

The creation of State Route 65, north from State Route 198, is a concept based upon Caltrans long range planning effort that date back to 1933. The State Route 65 corridor is ultimately planned to relieve congestion on State Route 99 after it is widened to 8 lanes. The proposed alignment will potentially affect future land uses and will go through detailed planning and engineering studies in the future, which is beyond the horizon of the proposed project. No funding sources have been identified for this project. This information was included in the General Plan because Government Code Section 65302(b) requires information on the general location of "proposed major thoroughfares..." Please see Master Response #3 and #4 for discussion of the appropriate level of detail for the General Plan. As discussed by the California Supreme Court "it is proper for a lead agency to use its discretion to focus a first-tier EIR on only the general plan or program, leaving project-level details to subsequent EIR's when specific projects are being considered" (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143).

Similar to the discussion of future roadway projects referenced in the comment, the Port of Long Beach in the *Al Larson Boat Shop* case, included discussion in their planning document of proposed/anticipated projects pursuant to Pub. Res. Section 30711(a)(4), however the Port did not include detailed analysis of these future projects (*Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners of the City of Long Beach* (1993) 18 Cal.App.4th 729,737). The court concluded that the "project" did not include the approval of any of the "anticipated projects" (*Id.* at 743). The "deferral of more detailed analysis to a project EIR is legitimate" even though some of those project level EIRs were certified concurrently with the PMP first-tier EIR (*Id.* at 746-747). The court reasoned that this approach is consistent with allowing the Port to consider "a broad range of policy alternatives for the overall development of the port to permit the Board to consider alternative directions for the Port independent of particular projects" (*Id.* at 744).

Response to Comment 117-897:

Goal TC-3 on page 13-9 (Part I) has been revised to include the correction identified by the commenter.

TC-3. ~~To improve and enhance current rail services that stimulate economic growth and meet the needs of freight and human transportation [New Goal].~~ To enhance airports in the County to meet the County's changing needs and demands while minimizing adverse airport-related environmental impacts and safety hazards [New Goal].

This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I17-898:

Considerations for effects on existing land uses are appropriately addressed in relevant policies for New Towns (see PF-5.1, PF-5.2) and private airfields (see, e.g., TC-3.4, TC-3.5). The commenter is directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-899:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-900:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-901:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Please also see Master Response #3, #4, and #7.

Response to Comment I17-902:

The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-903:

The bicycle routes shown in Figure 5-9 (Background Report) are planned bikeways. As the commenter indicates, the bicycle route in Three Rivers should be identified as a Class II facility in the Tulare County Regional Bicycle Plan. Existing bikeways are located in Three Rivers on State Route 198, Caldwell Avenue from Visalia to Exeter and on Avenue 416 from Dinuba to Orosi. Additionally, the commenter is referred to Figure 13-2 on page 13-12 (Part I) of the General Plan 2030 Update to see the proposed Regional Bicycle Transportation Plan. The General Plan 2030 Update Background Report and RDEIR were prepared using the best available information at the time of their preparation. The commenter's suggestion is noted; however, the proposed suggestion would not affect the environmental analysis provided in the RDEIR and the proposed change, while noted, is not made in the Background Report. The commenter is also referred to Master Response #4.

Response to Comment I17-904:

See Response to Comment I17-903. The commenter asks for additional information regarding existing bikeways, and whether Measure R funds were allocated to bikeways. Existing bikeways are located in Three Rivers on State Route 198, Caldwell Avenue from Visalia to Exeter and on Avenue 416 from Dinuba to Oroshi. The Santa Fe Bike path from Visalia to Tulare (along the Santa Fe rail corridor) has been approved and will link the two cities. Funds from Measure R funds are allocated to non-vehicular travel (14% for environmental mitigation, non-motorized and transit projects). As bicycle demand increases, facilities will be developed to meet the user's needs. In the mean time, local agency bicycle plans are developed based upon public outreach and identified need of the cyclists.

Response to Comment I17-905:

Please see Master Response #3 and #4 regarding the appropriate level of detail. The RDEIR provides sufficient information to provide "an understanding of the significant effects of the proposed project and its alternatives" (CEQA Guidelines Section 15125(a)). During the Tulare County Project Review process developers and county staff determine the specific infrastructure improvements based on the specific needs of the area and specific project at the time they are proposed. The RDEIR is not intended to provide site specific impact analysis, given that it addressed over 4,840 square miles. It would be infeasible to provide this level of detail in the RDEIR. Furthermore, existing conditions are not impacts of the proposed project as discussed in greater detail in Response to Comment I11-77. The commenter is directed to RDEIR page 3.2-37 for discussion of pedestrian and bicycle impacts.

The commenter is also directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-906:

As the commenter indicates, the Safe Routes to School programs are a great way to supplement local funding for infrastructure projects. Many local agencies have approved SR2S grants; please review the following website:

<http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm>.

Response to Comment I17-907:

Tulare County transit services are offered to a majority of communities and surrounding cities (Traver, Delft Colony, London, Dinuba, Sultana, Oroshi, Cutler, East Oroshi, Yettem, Seville, Justice Complex, Ivanhoe, Woodlake, Lemon Cove, Three Rivers, Lindsay, Strathmore, Plainview, Woodville, Poplar, Porterville, Springville, Terra Bella, Tipton, Pixley, Earlimart, Delano and Richgrove). There are minimum requirements (10% fare box ratio) to continue to provide service for individual routes as well as overall fare box ratio goals. Based on information provided on the Caltrans website (http://www.dot.ca.gov/hq/traffops/systemops/hov/Park_and_Ride/pdfs/d6_prkride.pdf) there are no existing park and ride lots within Tulare County. However, commuters have unmarked

locations where ride-share opportunities exist, i.e., shopping centers, hotels, etc. Please note that, over the life of the General Plan 2030 Update, routes and schedules would be expected to adjust to changing conditions.

Response to Comment I17-908:

The commenter requests inclusion of additional information in the Background Report regarding jobs and housing ratios and balance, including the types and wages of jobs available in various communities, and additional detail regarding the current workforce.

The Background Report was prepared using the best available data at the time of its publication. The base year for data collection varies by resource topic and depends on the availability of data by the various organizations and agencies responsible for collection and presentation of their specific data. The level of detail regarding the jobs to housing balance in Tulare County (see 2010 Background Report, p. 5-80) is adequate for a general plan and the general plan's EIR. The commenter is directed to the responses prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-909:

TCAG did adopt the 2007 and 2010 Tulare County Regional Bicycle Plan that included a dedicated Tulare County section. Implementation of the Transportation and Circulation Element policies and the objectives of the Tulare County Regional Bicycle Plan are discussed in the RDEIR. Policy TC-5.1 (Bicycle/Pedestrian Trail System) would require the County to coordinate with TCAG on the development of a Countywide multi-purpose trail system. TC-5.6 (Regional Bicycle Transportation Plan) requires the County to identify County-wide recreational and commuter bicycle routes and update the Tulare County Regional Bicycle Transportation Plan as appropriate (see RDEIR, p. 3.2-37). TC Implementation Measure #23 would require the County to evaluate the objectives of the Tulare County Regional Bicycle Plan every five years in coordination the five year General Plan review (RDEIR, p. 3.2-37 – 3.2-38). Tulare County is planning to provide for bicycle use on Road 108, Avenue 280 in the future, and already approved the Santa Fe corridor trail (see Figure 13-2 on page 13-12 (Part 1) of the General Plan 2030 Update to see future bikeways). Most Tulare County communities have sidewalks for pedestrian uses. The RDEIR accurately discloses that the Mill Creek Trail and St. John's Trail are located in the City of Visalia and the Tule River Trail is located in the City of Porterville. In addition, various Land Use, Scenic Landscape, and Air Quality Element Policies would provide for or encourage improved conditions for pedestrian use (see, e.g., LU-7.3 (Friendly Streets), LU-7.4 (Streetscape Continuity), LU-7.5 I (Crime Prevention Through Design), SL-3.1 (Community Centers and Neighborhoods), AQ-2.2 (Indirect Source Review), AQ-2.3 (Transportation and Air Quality)).

The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21

Response to Comment I17-910:

As discussed in the RDEIR, under Impact 3.2-4, impacts to public transit are assessed qualitatively. There are, however, minimum fiscal requirements to operate a transit system. A fare box ratio of 10% is required system-wide for Tulare County. Each year, as required by law, TCAG conducts unmet transit needs hearings to determine the merit of adding or modifying transit service. Dedicated Measure R funding (14%) is available for environmental mitigation and non-motorized travel. Please note that the proposed General Plan 2030 Update focuses future growth within and around established community areas, such as in UDBs and UABs, consistent with the commenter's implicit endorsement of compact, efficient growth patterns. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Please also see the responses to Comment A8-8 and Comment A8-10, Master Response #6 and RDEIR pages 2-17, 2-24, and 2-25.

The commenter is also directed to the responses prepared for Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-911:

Analysis in the RDEIR takes into account the close relationship between transportation and circulation needs, and the location and distribution of land uses. As required under Government Code Section 65302(b)(1), the General Plan 2030 update includes a circulation element which includes the general location and extent of existing and proposed major thoroughfares and transportation routes, correlated with the land use element of the plan. Also, consistent with new requirements in the Government Code Section 65302(b)(2) and 2009 revisions to the CEQA Guidelines the County will also continue to address vehicular and non-vehicular modes of transit (mass transit, pedestrians, bicyclists). The commenter is also directed to the responses prepared for Comment I17-893, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-912:

Estimating relative costs for various forms of transportation is beyond the scope of analysis required in the RDEIR. While economic considerations are important to the County, such economic analysis is beyond the scope of CEQA and this RDEIR (see CEQA Guidelines Section 15131). The commenter is also directed to the responses prepared for Comment I17-893, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-913:

The commenter is referred to the RDEIR for analysis of impacts to resource areas mentioned in this comment, for the proposed project and alternatives. Analysis in the RDEIR is adequate. The commenter is also referred to the responses above, addressing the commenter's specific concerns. Please also see the responses prepared for Comment I17-755, Comment I17-1, Comment, I17-46 and Comment I17-21.

Response to Comment I17-914:

The commenter is directed to the responses prepared for Comment I17-755, Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-915:

The impacts of the proposed project on transportation and circulation are adequately addressed in RDEIR section 3.2. Impacts have been mitigated to the extent feasible.

Response to Comment I17-916:

The proposed project and RDEIR recognizes that air quality is poor in the San Joaquin Valley and in Tulare County. Current efforts are made to improve air quality through local, state and federal requirements. All county residents, regardless of their economic status, have available access to public transit, bicycle routes, sidewalks, etc. Note that while policy makers may take economic and social effects into consideration, they are not environmental impacts and need not be addressed in the RDEIR (CEQA Guidelines §15131).

Response to Comment I17-917:

The commenter is directed to RDEIR Section 3.2 regarding impacts of the project on traffic and circulation. Additionally, see the response prepared for A8-11 for a discussion of transportation measures designed to reduce climate change impacts, and Master Response #10 regarding the County's Climate Action Plan.

Response to Comment I17-918:

The commenter is directed to RDEIR Section 3.2 regarding impacts of the project on traffic and circulation and the measures designed to reduce those impacts. Traffic calming policies and implementation measures are provided in the Transportation & Circulation Element of the General Plan 2030 Update (Part 1, page 13-1).

Response to Comment I17-919:

The commenter is directed to RDEIR Section 3.2 regarding impacts of the project on traffic and circulation and the measures designed to reduce those impacts. Pedestrian and bicycle safety policies (TC-5.1, 5.2, and 5.3) are provided under goal TC-5 in the Transportation & Circulation Element of the General Plan 2030 Update (Part 1, page 13-11). Multiple transit-oriented and mixed-use development policies are included under goal TC-4 and TC-5 in the General Plan 2030 Update (Part 1, pages 13-10 and 13-11).

Response to Comment I17-920:

Commenter's opinion is noted. The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21.

Response to Comment I17-921:

Comment noted. Every effort was made to make the RDEIR a reader-friendly document and to fulfill the informational purpose of CEQA (see CEQA Guidelines §15121).

Response to Comment I17-922:

Comment noted. Every effort was made to make the RDEIR a reader-friendly document and to fulfill the informational purpose of CEQA (see CEQA Guidelines §15121). The RDEIR was prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences in light of what is reasonably feasible (CEQA Guidelines §15151). “[T]he adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (CEQA Guidelines §15204(a)). The information and organization in the RDEIR represents the lead agency’s good faith effort at full disclosure without overwhelming the reader with technical and specialized analysis and data (CEQA Guidelines, § 15151, 15147, 15148). See Master Response #3 and #4 regarding the level of detail appropriate for the General Plan and the programmatic nature of the EIR.

Response to Comment I17-923:

The commenter is directed to the response prepared for Comment I17-922. Additionally, see Master Response #5 regarding the land use diagram, land use designations, and build out assumptions.

Response to Comment I17-924:

The commenter is directed to Master Response #11 regarding Yokohl Ranch.

Response to Comment I17-925:

The commenter is directed to Master Response #11 regarding Yokohl Ranch.

Response to Comment I17-926:

The commenter is directed to the response prepared for Comment I17-922. Additionally, see Master Response #5 regarding the land use diagram, land use designations, and build out assumptions.

Response to Comment I17-927:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-928:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-929:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-930:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-931:

Comment noted. The comment does not address the adequacy of the RDEIR and no further response is required.

Response to Comment I17-932:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-933:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-934:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-935:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-936:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-937:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-938:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-939:

A proper baseline and adequate analysis of impacts to public services and other public facilities is provided in RDEIR section 3.9. The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-940:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-941:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-942:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-943:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-944:

The commenter is directed to the response prepared for Comment I17-922.

Response to Comment I17-945:

Comment noted. The commenter is directed to the response prepared for Comment I17-1.

Response to Comment I17-946:

The commenter is directed to the responses prepared for Comment I17-1 and Comment I17-922.

Response to Comment I17-947:

The commenter is directed to the response prepared for Comment I17-1 and I17-922. Additionally, see Master Response #3 and #4 regarding the level of detail appropriate for the General Plan and programmatic EIR. Commenter is also directed to Master Response #5 regarding the land use diagram, land use designations and build out assumptions under the General Plan 2030 Update. Lastly, commenter is directed to Master Response #11 regarding Yokohl Ranch.

Response to Comment I17-948:

Financial and economic issues are not environmental impacts under CEQA and need not be analyzed in an EIR (CEQA Guidelines §15131). The commenter is directed to the response prepared for Comment I17-1 and I17-922.

Response to Comment I17-949:

The commenter is directed to the response prepared for Comment I17-1 and Comment I17-922.

Response to Comment I17-950:

Please see Master Response #2 and Response to Comment I17-922.

Response to Comment I17-951:

Please see Master Response #2 and Response to Comment I17-922.

Response to Comment I17-952:

The commenter is directed to the response prepared for Comment I17-922 and Master Response #2.

Response to Comment I17-953:

Responses to comments on documents other than the RDEIR and its supporting materials are not provided (CEQA Guidelines §15204). The commenter is directed to Master Response #9 for a discussion of project alternatives analyzed by the RDEIR.

Response to Comment I17-954:

The impacts each of the Alternatives would have on public services and utilities is provided in RDEIR section 4.3.

Response to Comment I17-955:

Financial and economic issues are not environmental impacts under CEQA and need not be analyzed in an EIR (CEQA Guidelines §15131). The commenter is directed to the response prepared for Comment I17-1 and I17-922.

Response to Comment I17-956:

The commenter is directed to the response prepared for Comment I17-1 and Comment I17-922.

Response to Comment I17-957:

The commenter is directed to the Master Response #5 regarding land use designations and build out assumptions.

Response to Comment I17-958:

The commenter is directed to RDEIR section 3.9.

Response to Comment I17-959:

The commenter is directed to the response prepared for I17-922.

Response to Comment I17-960:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-961:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-962:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-963:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-964:

Comment noted.

Response to Comment I17-965:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-966:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-967:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR. To the extent that commenter references the previous Draft EIR, General Plan Update, and/or comments submitted on those documents in 2008, please see Master Response #2.

Response to Comment I17-968:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR. To the extent that commenter references the previous Draft EIR, General Plan Update, and/or comments submitted on those documents in 2008, please see Master Response #2.

Response to Comment I17-969:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-970:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-971:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-972:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-973:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-974:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-975:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-976:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-6, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-977:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-6, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-978:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-6, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-979:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-6, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Lastly, see Master Response #8, which addresses the Foothill Growth Management Plan in more detail.

Response to Comment I17-980:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-6, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Lastly, see Master Response #8, which addresses the Foothill Growth Management Plan in more detail.

Response to Comment I17-981:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-6, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan

and programmatic EIR. Lastly, see Master Response #8, which addresses the Foothill Growth Management Plan in more detail.

Response to Comment I17-982:

The commenter is directed to the response prepared for Comment I17-1, Comment I17-6, Comment I17-46 and Comment I17-21. Additionally, see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Lastly, see Master Response #8, which addresses the Foothill Growth Management Plan in more detail.

Response to Comment I17-983:

The RDEIR had a 60-day public review period, which exceeds the minimum requirements of CEQA (Pub. Res. Code §21091). Comments on the 2008 DEIR were accepted during the public review period for the 2008 Draft EIR which included an extended review period. Please see Master Response #2 and Comment I17-6 for further details.

Response to Comment I17-984:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-985:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

The RDEIR provides sufficient level of detail to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences” (CEQA Guidelines Section 15151). Furthermore, CEQA Guidelines Section 15125 states that “the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” Please also see Response to Comment I17-20.

Response to Comment I17-986:

Comment I17-983 states that Response to Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believe to be applicable.

The RDEIR provides sufficient level of detail to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences” (CEQA Guidelines Section 15151). Furthermore, CEQA Guidelines Section 15125 states that “the environmental setting shall be no longer than is necessary to an

understanding of the significant effects of the proposed project and its alternatives.” Furthermore, impacts are made in comparison to existing conditions; therefore information about existing zoning is not necessary for an understanding of the existing conditions (see CEQA Guidelines Sections 15125 and 15126.2). Please also see Master Response #5 for discussion of buildout.

Response to Comment I17-987:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. As noted on page 1-3 (Part I) of the General Plan 2030 Update, the FGMP was adopted in revised form in 2010.

The proposed project as currently proposed is included in RDEIR Appendix C, including the FGMP.

Response to Comment I17-988:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Please see Response to Comment I17-987.

Response to Comment I17-989:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. The comment does not address the content or adequacy of the RDEIR, no further response is required (see CEQA Guidelines Section 15204).

Response to Comment I17-990:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please see Master Response #11 and Response to Comment A8-10 for discussion of the Yokohl Ranch Project.

Response to Comment I17-991:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please see Master Response #11 and Response to Comment A8-10 for discussion of the Yokohl Ranch Project.

Response to Comment I17-992:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please see Master Response #11 and Response to Comment A8-10 for discussion of the Yokohl Ranch Project.

Response to Comment I17-993:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please see Master Response #11 and Response to Comment A8-10 for discussion of the Yokohl Ranch Project.

Response to Comment I17-994:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please see Master Response #5 and Response to Comment A8-7 for discussion of buildout and land use designations.

Response to Comment I17-995:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. This is a restatement of a comment on the 2008 General Plan, and was previously submitted. The quoted language is not included in the current draft of the General Plan. No further response is required.

Response to Comment I17-996:

This is a restatement of a comment on the 2008 General Plan, and was previously submitted. No response is required. The quoted language is not included in the current draft of the General Plan. The commenter is referred to Figure 3.1-1 on page 3.1-3 of the RDEIR for the Land Use Diagram. Also, see Master Response #5.

Please note that language on General Plan Part II, page 3-1 reads as follows:

“Development Corridors. Areas in the foothills where development may occur provided it meets or demonstrates that it will meet the development standards of the FGMP. Lands identified as development corridors are designated on the Land Use Diagram as Foothill Mixed Use or are located within a Planned Community Area pursuant to Policy FGMP-1.13: Identity of Foothill Places.”

Please also see Response to Comment A8-7 for further discussion of development corridors.

Response to Comment I17-997:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-998:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-999:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,000:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,001:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,002:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,003:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,004:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,005:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,006:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,007:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,008:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,009:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1 and FGMP Development Standards on page 3-29 (Part II) of the RDEIR.

Response to Comment I17-1,010:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,011:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,012:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,013:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,014:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,015:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #4.

Response to Comment I17-1,016:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,017:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,018:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. The Badger Corridor exists as a prior General Plan Amendment from 1983 (see GPA 83-03).

Response to Comment I17-1,019:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,020:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,021:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,022:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1 and Response to Comment I17-1018.

Response to Comment I17-1,023:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,024:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,025:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,026:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,027:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,028:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,029:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,030:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,031:

Comment I17-983 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1. .

Response to Comment I17-1,032:

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please also see Master Response #1.

Response to Comment I17-1,033

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,034

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,035

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable. Please see Master Response #3.

Response to Comment I17-1,036

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,037

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,038

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,039

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,040

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,041

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,042

Comment I17-984 states that Comments I17-984 through I17-1042 address the 2008 EIR and General Plan. As discussed in Master Response #2, the County does not have a duty to determine what issues the commenter still believes to be applicable.

Response to Comment I17-1,043:

Commenter requests that the Ahwahnee Principles be incorporated. As acknowledged by the commenter in Comment I17-41, the draft General Plan contains Goals and Policies similar to the cited “Ahwahnee Principles.” The commenter also cites a “Specific Plan” as evidence that these principles can be implemented in more concrete form. A specific plan is more specific and designed to implement a General Plan (see Government Code Section 65450 et seq). The General Plan does not preclude preparation of Specific Plans. However, as discussed in Master Response #4, the proposed project in this RDEIR is for a General Plan. Please also see the response prepared for Comment I17-1.

The commenter provides only General principles but does not provide actually suggested policy language. Many of these general Principles are already incorporated into the General Plan. Please see Response to Comments I17-329, I17-742, I17- 813, I17-815, I17-828, I11-82, and I11-86 for discussion of water conservation measures, drought tolerant landscaping requirements, and existing County Ordinance code requirements in the event of water shortages. Please see Response to Comment I21-2 and Master Response #4 for discussion of focused development.

Response to Comment I17-1,044:

The commenter is directed to the response prepared for Comment I17-1,043.

Response to Comment I17-1,045:

Commenter has submitted additional comments on the Alternatives Chapter of the RDEIR. Responses to specific comments are provided below in responses to comments I17-1,046 through I17-1,093.

Response to Comment I17-1,046:

Commenter's opinions and suggestion to change the language of the RDEIR is noted. The comment does not point to an inadequacy in the environmental analysis of the RDEIR and no further response is necessary.

Response to Comment I17-1,047:

Commenter is referred to the response prepared for Comment I17-922 and Master Response #5.

Response to Comment I17-1,048:

The information in the RDEIR provides a description of the Alternatives that were evaluated and uses the most current data available. To the extent the previous documents referenced by commenter conflict with the information in the RDEIR, those documents do not apply. Please see RDEIR section 4.3, pages 4-23 through 4-27 for a description of the Rural Communities Alternative (Alternative 3).

Response to Comment I17-1,049:

Commenter is referred to Master Response #9 regarding the RDEIR alternatives analysis. Additionally, see Master Response #4 regarding the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-1,050:

The RDEIR analyzes the impact each alternative would have on each environmental resource area under CEQA. See RDEIR Chapter 4.0, Master Response #9, and Master Response #4.

Response to Comment I17-1,051:

Commenter is referred to the response prepared for Comment I17-1,048. Additionally, see Master Response #9 and Master Response #4.

Response to Comment I17-1,052:

Commenter is referred to Master Response #9 regarding the RDEIR alternatives analysis. Please see RDEIR Section 4.4 for discussion of the environmentally superior alternative.

Response to Comment I17-1,053:

Commenter is referred to the response prepared for Comment I17-1,048.

Response to Comment I17-1,054:

Commenter is referred to the response prepared for Comment I17-1,048. See RDEIR page 4-6 for a description of the No-Project Alternative and page 4-32 for a description of the Confined Growth Alternative. The No-Project Alternative assumes no updated general plan. The lack of legal, comprehensive, and updated general plan would severely limit the ability of the County to grow in an orderly manner. Consequently, it is assumed that development and population levels would be likely lower for the County's unincorporated areas under the No Project Alternative.

As more fully described on pages 4-2 and 4-3 of the RDEIR, the proposed project and the alternatives addressed in RDEIR are based on several ideas and concepts developed with the public during several community workshops held in Visalia, Lindsay, Goshen, Pixley, Orosi, and Springville along with input from the Technical Advisory Committee (TAC) and County staff during the spring of 2004. As part of the process, several alternative land use scenarios were also considered which formed the basis for the alternatives identified in the RDEIR.

Background information regarding the community workshops and the alternative development/selection process was originally provided as a standalone "Policy Alternatives" report that was available for public review and presented to the County Board of Supervisors in August of 2005. The report is available on the County's website at <http://generalplan.co.tulare.ca.us/documents.html>. The report is extensive and provides the following details regarding the proposed land use alternatives for the general plan: capacity to grow, implications of agricultural land loss, development of alternatives, selecting focus communities, alternatives considered and provides a comparison of the proposed alternatives.

Response to Comment I17-1,055:

See RDEIR page 4-13 for a discussion of the No-Project Alternative's ability to meet project objectives. Additionally, see Master Response #9 and Master Response #4.

Response to Comment I17-1,056:

See RDEIR page 4-28 for a discussion of Alternative 4's ability to meet each of the project objectives. Additionally, see Master Response #9 and Master Response #4.

Response to Comment I17-1,057:

Table 4-2 of the RDEIR states that Alternatives 1, 3, and 4 would not avoid rural residential sprawl.

Response to Comment I17-1,058:

RDEIR Table 4-3 provides a comparison of the impacts of the proposed project with those of each alternative. It includes all of the less than significant and significant and unavoidable impacts of the proposed project. Minus (-) signs indicate when an alternative has a lesser impact than the proposed project. Plus (+) signs indicate when an alternative has a greater impact than the proposed project. There are numerous instances where the alternatives have either greater or lesser impacts as compared to the proposed project, as clearly indicated in the Table. Based on an overall comparison of impacts, Alternative 5, the Confined Growth Alternative, was determined to be the environmentally superior alternative. Please see Master Response #9 regarding the range of alternatives analyzed in the RDEIR.

Response to Comment I17-1,059:

Commenter is referred to Master Response #9 regarding the range of alternatives analyzed in the RDEIR and the “Healthy Growth Alternative” proposed by Tulare County Citizens for Responsible Growth. Please see Response to Comment A8-7 for discussion of new towns and growth corridors.

Response to Comment I17-1,060:

Please see the response prepared for Comment I17-922. The RDEIR analyzes the impacts of the proposed project on climate change in section 3.4 and compares these impacts with those of the alternatives in section 4.3. See Master Response #10 regarding the Climate Action Plan and GHG mitigation measures. Additionally, see Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR.

Response to Comment I17-1,061:

Commenter is referred to Master Response #9 regarding the range of alternatives analyzed in the RDEIR and the “Healthy Growth Alternative” proposed by Tulare County Citizens for Responsible Growth. Please see Response to Comment I21-2 and Master Response #5 for discussion of focused development. Please see response to comment A8-7 for discussion of new towns and corridors.

Response to Comment I17-1,062:

Commenter’s opinion is noted. Commenter is referred to Master Response #9 regarding the range of alternatives analyzed in the RDEIR. Please see Response to Comment I21-2 and Master Response #5 for discussion of focused development. Please see response to comment A8-7 for discussion of new towns and corridors. Please also see Master Response #11 for discussion of the Yokohl Ranch Project.

Response to Comment I17-1,063:

The RDEIR qualitatively analyzes the impacts of the alternatives, which is an acceptable method of analysis under CEQA. As discussed under CEQA Guidelines Section 15126.6(d) “...the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR.

Response to Comment I17-1,064:

Please see the response prepared for comment I17-147, I17-205, I17-663, and I17-778.

Response to Comment I17-1,065:

Commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I17-1,066:

It is unclear what the commenter means by “Impact Statements.” To the extent the commenter is referencing the significance criteria/thresholds; the commenter is directed to Response to Comment I11-14.

Response to Comment I17-1,067:

Commenter asks why certain words have been omitted from the impact statements in RDEIR Table 4-3. Please see Response to Comment I11-14.

Response to Comment I17-1,068:

See the response prepared for Comment I11-14.

Response to Comment I17-1,069:

See the response prepared for Comment I11-14.

Response to Comment I17-1,070:

See the response prepared for Comment I11-14.

Response to Comment I17-1,071:

See the response prepared for Comment I11-14.

Response to Comment I17-1,072:

In accordance with CEQA Guidelines Appendices F and G, the energy impacts of the proposed project are analyzed in its own section and are not grouped under the category of impacts to

public services. The energy impacts of the proposed project are adequately analyzed in RDEIR Section 3.4. Impacts to public services and facilities are adequately analyzed in RDEIR Section 3.9.

To the extent the commenter is referring to secondary impacts from the construction of energy facilities, the commenter is referred to Master Response #4 and Response to Comment I21-144 regarding the appropriate level of detail for the General Plan and Programmatic EIR. While population growth and the associated development under the horizon year (2030) of the General Plan are reasonably foreseeable, specific types of development on any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). The County cannot predict precisely where development will occur up to the year 2030 such that it could specifically identify the impacts of that site specific development. Furthermore, the impacts of County wide development addressed in the individual resource chapters of the RDEIR include all types of development including residential, commercial, and industrial, as well as infrastructure projects. It would not be feasible to provide the level of detail requested for energy facilities, for every type of facility in the County. Please see Master Response #5 for greater detail regarding the build-out assumptions of the General Plan 2030 Update.

Response to Comment I17-1,073:

Commenter is referred to Master Response #9.

Response to Comment I17-1,074:

Please see RDEIR page 4-18, Alternative would be accomplished through the following changes:

However, unlike the proposed project, the focus of growth under Alternative 2 is within existing urban areas (cities). New development (i.e., residential/commercial growth) would be concentrated in areas already committed to a degree of urban development and have provisions for some utility/road infrastructure or adequate levels of public services. This alternative assumes that incorporated cities would increase the density of development within the city and develop contiguous land adjacent to the city to accommodate growth.

In order to accomplish this land use goal, several revisions to the Goals and Policies Report (Part I of the General Plan 2030 Update) would be required, in particular those included in the Planning Framework Element that are designed to manage growth near existing city boundaries (see Table 4- 4). Revised policies would incorporate land use strategies that would require greater land use efficiency standards for development on important farmlands within the CACUDBs (20 year boundary) for unincorporated communities and hamlets. Additional strategies that could be integrated into the policies and implementation measures of the Goals and Policies Report (Part I of the General Plan 2030 Update) to direct growth within existing CACUDBs for the incorporated cities in the County include:

- Cities accept significant growth and accommodate it through infill development, higher densities, and transportation infrastructure.

- County limits rural residential development.
- County continues to improve quality of life and services in unincorporated communities but does not make growth inducing infrastructure improvements.
- County limits commercial development to local serving in unincorporated communities.
- County continues to focus on facilitating/managing agricultural development.
- County and cities need to evaluate revenue-sharing agreement.
- Under this alternative, slower development patterns are assumed to continue through the entire 2030 planning horizon, with the unincorporated population being slightly lower (206,880 individuals by 2030 versus 222,580) than that anticipated under the proposed project (see Table 4-1).

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922 and I23-70.

Response to Comment I17-1,075:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR (see also CEQA Guidelines Section 15125.6(d)). Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,076:

The impacts each of the alternatives would have on energy and global climate change are discussed in RDEIR section 4.3. Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,077:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,078:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,079:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,080:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,081:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,082:

Commenter's opinion is noted. Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,083:

Economic and financial analyses are not part of an EIR analysis. Please note that a cost/benefit analysis is not required under CEQA or the CEQA Guidelines. "Neither CEQA nor the State CEQA Guidelines require that an EIR include studies comparing the project's environmental costs with its benefits...the only direct comparison required in an EIR is the comparison of the project alternatives..., and a cost benefit analysis is not required in making that comparison" (Kostka & Zischke, Practice Under the California Environmental Quality Act (2d ed Cal CEB, 2008), p. 643-644, § 13.34).

Response to Comment I17-1,084:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,085:

The intended meaning of the comment is unclear. Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,086:

Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922.

Response to Comment I17-1,087:

The comment states that “all of the alternatives except #1-No Project assume that all of the proposed policies and implementation measures contained in the GPU GPR w/b included as part of each alternative...” Contrary to the comment, the alternatives would include revised policies. Please see Response to Comment I17-1,074 and I23-70.

Response to Comment I17-1,088:

Please see Response to Comment A8-7 for discussion of new towns and growth corridors. Please also see Master Response #9.

Response to Comment I17-1,089:

Commenter’s opinion is noted. Commenter is referred to Master Response #9 and Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic EIR. Additionally, commenter is referred to the response prepared for comment I17-922. Please see Master Response #2 for discussion of comments on the 2008 DEIR.

Response to Comment I17-1,090:

Please see Master Response #2 for discussion of comments on the 2008 DEIR.

Response to Comment I17-1,091:

Comment noted. Please see master Response #3, #4, and #9.

Response to Comment I17-1,092:

The commenter’s support for the “Healthy Growth Alternative” submitted by Tulare County Citizens for Responsible Growth is noted. Please see Master Response #1 and #9.

Response to Comment I17-1,093:

The commenter’s concluding statement is noted.

Letter I18. James Seligman***Response to Comment I18-1:***

Comment noted. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. This comment does not address the content or adequacy of the RDEIR; no further response required. However, the commenter’s concerns be forwarded to County decision makers for additional consideration.

Response to Comment I18-2:

CEQA requires an EIR to analyze a reasonable range of alternatives that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects of the proposed project (CEQA Guidelines §15126.6 (c)). CEQA does not require an alternative to be superior to the proposed project in every respect (*Sierra Club v. City of Orange* (2008) 163 Cal. App. 4th 523, 547). The RDEIR analyzes a reasonable range of alternatives that reduce one or more of the significant effects of the proposed project. There are some environmental impacts that cannot feasibly be avoided or reduced to a level of less than significant, and which therefore remain “significant and unavoidable.” See Master Response #9 for further discussion of project alternatives.

Response to Comment I18-3:

Comment noted. Economic considerations in this context are not environmental impacts which need to be addressed in the RDEIR (see CEQA Guidelines Section 15131). This comment does not address the content or adequacy of the RDEIR and no further response is required.

Response to Comment I18-4:

The commenter does not define the “healthy growth alternative.” Furthermore, please note that the RDEIR analyzes a confined growth alternative, Alternative 4 (see RDEIR, section 4.3). As discussed under CEQA case law, CEQA does not require the lead agency to analyze variations of alternatives already included in the RDEIR (see *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal. App. 3d 1022 [an EIR need not analyze multiple variations on the alternatives selected for analysis]). Please also, see Master Response #9 for a discussion of project alternatives. Please also see response to comment I23-77.

Response to Comment I18-5:

The RDEIR analyzes a reasonable range of alternatives under CEQA. Please see Responses to Comments I18-2, I18-4, A8-13, and Master Response #9 for a discussion of project alternatives.

Response to Comment I18-6:

The purpose of an EIR is to inform decision makers and the public about a project’s significant environmental effects and ways to reduce them; it is not the purpose of an EIR to identify various benefits of a proposed project. The benefits of the project will be identified in the Statement of Overriding Considerations, if one is prepared. A Statement of Overriding Considerations will be prepared if the Tulare County Board of Supervisors determines that, on balance, the economic, legal, social, technological, or other benefits of the project outweigh its unavoidable environmental risks, and decides to approve the project (CEQA Guidelines §15093). The Statement of Overriding Considerations will state in writing the specific reasons (i.e. project benefits) to support its action based on the final EIR and/or other information in the record. Please also see response to comment I18-1 for discussion of “sprawl.”

Letter I19. Karen Bodner and Michael Olecki

Response to Comment I19-1:

The commenter's introductory statement is noted. Please see Master Response #8.

Response to Comment I19-2:

The commenter's opinion regarding the General Plan 2030 Update is noted. The proposed General Plan focuses future growth within established community areas, as discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. See Response to Comments A8 for responses to the Attorney General's 2010 comment letter.

The comment also states that the RDEIR relies upon "market forces"; please see Response to Comment A8-10 which addresses this issue. Please also see Master Response #3 and #4 regarding General Plan implementation and the level of detail in the RDEIR. As discussed in the Governor's Office of Planning and Research (OPR) General Plan Guidelines, "given the long-term nature of a general plan, its diagrams and text should be general enough to allow a degree of flexibility in decision-making as times change" (Office of Planning and Research 2003 General Plan Guidelines, page 14). Similarly, flexibility is needed to address the peculiarities of specific parcels and specific projects as they are proposed. The County will need to balance numerous planning, environmental, and policy considerations in the General Plan based upon the specific parcels of land and projects.

Response to Comment I19-3:

The commenter is referred to page 3-5 of Chapter 3.0 (Reader's Guide to the Environmental Analysis) for a description of the baseline year analyzed in the RDEIR. Please see Master Response #9 for additional information regarding the methodology and analysis provided in the RDEIR to address the evaluation of alternatives. The commenter is also directed to the individual resource chapters in Section 3 labeled "Environmental Setting." Also, please see Response to Comment I14-7 for a discussion of CEQA existing setting requirements and adequacy of the RDEIR baseline. As discussed therein, "The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives" (CEQA Guidelines §15125). The commenter provides no details on why they believe the description of the existing conditions/baseline is inadequate. Therefore no further response is possible on this issue.

Response to Comment I19-4:

Please see Master Response #9 for additional information regarding the methodology and analysis provided in the RDEIR to address the evaluation of alternatives. The comment also states "by continuing to incorporate all the proposed General Plan 2030 Update's goals and policies into each 'alternative' the RDEIR not only skewed the analyses but failed to comply with the requirements of [CEQA]." Contrary to this comment, the alternatives have policies which differ from those of the proposed project. Please see Response to Comment I23-70 which addresses this issue.

The level of detail provided in the RDEIR for the discussion of alternatives is consistent with CEQA (see CEQA Guidelines §15126.6(d) [“...the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.”]). In addition, the level of detail for the analysis of the alternatives corresponds to the level of specificity involved in the activity considered in the EIR. For example, the discussion of alternatives in an EIR for a planning level action, like this one, need not be as precise as the discussion for a specific development project (CEQA Guidelines §15146).

Response to Comment I19-5:

The commenter’s closing remarks are noted.

Response to Comment I19-6:

The commenter’s introductory statement is noted.

Response to Comment I19-7:

The commenter’s general statements regarding CEQA are noted.

Response to Comment I19-8:

The commenter’s opinion regarding the County’s general plan update process is noted.

Response to Comment I19-9:

The commenter is referred to Master Response #3 and #4 regarding implementation of the General Plan, the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Please see Response to Comment A8-7 for discussion of Planned Community Areas and New Towns.

Response to Comment I19-10:

The commenter is referred to Response to Comment A8-7 and Master Response #5 regarding the Land Use Diagram, Land Use Designations, Project Buildout, and Corridors. Please also see Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I19-11:

The commenter is referred to page 2-19 of the RDEIR and to Part II of the Goals and Policies Report (Chapter 2: Corridors Framework Plan) which identifies the corridor areas under the General Plan 2030 Update. Please also see Response to Comment A8-7 for discussion of Corridors.

Response to Comment I19-12:

In the context of the RDEIR, the term Important Farmland is based on the definition provided by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). The commenter is referred to page 3.10-4 of the RDEIR which provides the definition of Important Farmland. As identified in the text (first paragraph on page 3.10-4), Important Farmland consists of lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. The commenter is also referred to Figure 3.10-1 on page 3.10-7 of the RDEIR and to Part I, Chapter 3, Page 31 of the Goals and Policies Report.

Response to Comment I19-13:

The population projections used in the General Plan 2030 Update Background Report and the RDEIR are based on population numbers initially developed by the California Department of Finance. TCAG reviews and incorporates these population estimates as part of their transportation and regional planning activities. Please see RDEIR page 2-24 and Master Response #5 for population projections and buildout.

Response to Comment I19-14:

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for the Executive Summary which summarizes the Alternatives, which were addressed in Chapter 4.0 of the RDEIR, areas of controversy, and issues to be resolved.

Response to Comment I19-15:

The referenced impacts (Impact 3.1-1 and 3.1-2) were not omitted from Table 4-3 (Summary of Alternatives); they were included below under "Land Use and Planning (Section 3.1)." Table ES-4 summarizes the various impacts and mitigation measures from the environmental analysis of the proposed project provided in Chapter 3 of the RDEIR. Chapter 3 is organized by resource topic with each topic provided its own section. In some cases related topics are combined in a single section (i.e. Section 3.1 "Land Use and Aesthetics"). Chapter 4 (Alternatives to the Proposed Project) includes analysis of each environmental resource topic area (for each alternative) in alphabetical order (consistent with Appendix G "CEQA Checklist" of the CEQA Guidelines). Table 4-3 begins with aesthetic-related issues (Impacts 3.1-3, 3.1-4, and 3.1-5), with land use-related issues (Impacts 3.1-1 and 3.1-2) included further in the table.

Response to Comment I19-16:

The language referenced by the commenter simply refers to the significance thresholds being addressed in the analysis and is not intended to represent the significance conclusion. The significance conclusion is summarized in the immediate Section labeled "Impact Summary" and clearly states that the impact would be "Less than Significant".

Response to Comment I19-17:

The criteria referenced in the objective on page 2-5 of the RDEIR relates back to the guidance provided in the County's general plan, specifically through the following implementation measure:

- Land Use Implementation Measure #16. The County shall adopt an ordinance to facilitate reuse of existing abandoned agricultural support facilities, considering the following factors:
 - The use of site plan review, discretionary, or administrative use permit to change from one agricultural use to another;
 - A requirement for a Special Use Permit to change from an agricultural use to a nonagricultural use;
 - Upgrading of the site for consistency with all County standards;
 - The timing of how long a property owner needs to wait before conversion of an agricultural-oriented business into a new business should be permitted in order to prevent abuse;
 - Consideration of restrictions on re-use such as auto showcases or boat sales; and
 - Provision of reclamation plans and financial assurances for future site restoration. Such a reclamation plan may include removal of the buildings [New Program].

Additional guidance is provided through the Tulare County Ordinance #352 commonly referred as the Tulare County Zoning Ordinance.

Response to Comment I19-18:

The County understands the State Planning and Zoning law requirements for development of a general plan and the General Plan 2030 Update has been developed to ensure consistency with these regulations. The commenter is directed to Chapter 1 of the Goals and Policies Report which highlights the plans relationship, structure and organization consistent with the requirements for State Planning law. The commenter's suggestion to modify the referenced Guiding Principle of the General Plan 2030 Update is noted. However, the commenter is reminded that the guiding principal is intended to reflect a very broad idea to help clarify the objectives of the general plan and is not intended to support the development of very specific land uses (i.e., party barns, etc.). The commenter is also reminded of the programmatic nature of this RDEIR. Future implementation of projects consistent with the General Plan 2030 Update would be subject to compliance with the criteria provided in the Rural Valley Land Plan, the General Plan 2030 Update (specifically Land Use Implementation #16, which calls for the adoption of an ordinance to facilitate the reuse of existing abandoned agricultural support facilities) and would likely require future project-specific environmental analysis.

Response to Comment I19-19:

The commenter's general opinion regarding the General Plan 2030 Update and RDEIR's reliance on unenforceable policies is incorrect. While the County continues to have independent power under its General Plan and manage growth within its jurisdictional boundaries, the County did not

intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described throughout the General Plan 2030 Update and RDEIR is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. It should also be noted that General Plan policies are statements of general principles to guide future actions. They are not regulatory programs or project-specific mitigation measures. The commenter is also referred to Master Response #3 and #4 regarding implementation of the General Plan and the appropriate level of detail for the General Plan, the programmatic nature of the RDEIR. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR.

Not every policy identified in the General Plan 2030 Update is intended or required to have its own specific implementation measure in order to take effect. As described in the Goals and Policies Report (see pages 1-8 through 1-9), policies serve as the basis for which consistency findings will be made as future projects are considered by County decision makers. Implementation measures are those specific programs, procedures, or techniques that have been identified to carry out a specific policy. Additionally, a specific implementation measures can be used to implement one or more policies. The commenter is referred to Master Response #7. As explained in that Master Response #7 and in Part I Goals and Policies Report (page 1-13), policies fall into four categories depending on the purpose they serve and how they are implemented. Policy PF 1.3 and PF 2.8 are considered framing policies and do not require implementation measures in order to take effect. The policies are also enforceable. If adopted by the County, the policies would become part of the General Plan and the County would have a duty to implement them (see Government Code Section 65400). Please also see Master Response #3 and #4. Finally, the policies PF 1.3, PF 2.8, and PF 2.1 are consistent with each other and with the rest of the General Plan 2030 Update. These policies, along with the rest of the General Plan 2030 Update set a framework for growth that concentrates development into specific and limited areas of the County to minimize sprawl and preserve the vast majority of the County's open space resources. See Master Response #5 for further explanation regarding development patterns allowed under the proposed project.

The proposed General Plan already contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-2.2, PF-3, PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance]).

Response to Comment I19-20:

The commenter is referred to the response to Comment I19-19.

Response to Comment I19-21:

Both policies PF-2.1 and PF-2.2 have been developed to complement their intended functions in addressing the future organization and growth of community urban development boundaries. The commenter's suggestion to increase the developed acreage thresholds for non-Williamson Act

lands is noted. This is not a comment on the adequacy of the RDEIR and no further response is required. The commenter is referred to Master Response #1. Commenter is also referred to the response to Comment I19-19 regarding development patterns allowed under the proposed project. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I19-22:

The commenter's suggestion is noted. This is not a comment on the adequacy of the RDEIR and no further response is required. However, to clarify, while Policy PF-2.7 is included as part of the General Plan 2030 Update, future communities will have the option to develop in a fashion consistent with the vision and design requirements that are developed through the individual planning processes for each specific community plan area. As discussed in Master Response #3, individual policies should not be reviewed in a vacuum but as a part of the whole of the General Plan 2030 Update. Also, see Planning Framework Implementation Measure #16 on page 2-75 (Part I) of the General Plan 2030 Update.

Response to Comment I19-23:

Community plan updates include a public outreach component or visioning process that is used to develop community consensus on a variety of issue including land use and design considerations. Please see the Planning Framework Implementation Table on page 2-71 (Part I) of the General Plan 2030 Update. The statement regarding the consideration of new town requirements is included to ensure that community plan updates consider the full range of issues (including land use placement, public services, utility infrastructure requirements) to ensure their ability to provide the necessary services required for public health and safety concerns. This is not a comment on the adequacy of the RDEIR and no further response is required. The commenter is referred to Master Response #1.

Response to Comment I19-24:

The commenter's concern that Policy PF-3.2 and PF-2.2 are too flexible is noted. This is not a comment on the adequacy of the RDEIR and no further response is required. The commenter is referred to Master Response #1. In the event Hamlet boundaries are expanded such proposals will receive separate environmental review.

Response to Comment I19-25:

As part of the approval process for all future projects envisioned under the General Plan 2030 Update, the County will review the projects consistency with the General Plan 2030 Update and the specific environmental impacts (including water supply, agricultural land conversion, etc.) resulting from each individual project. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR (see Policy PF-5.2, criteria #4 and #9 starting on Page 2-67 of the General Plan 2030 Update).

The need to balance the land use mix of individual community plan areas is necessary to ensure that communities include a range of land uses developed in a compatible manner and to ensure that communities include the range of services (both public and private) necessary for their sustainability. This is not a comment on the adequacy of the RDEIR and no further response is required. The commenter is referred to Master Response #1.

Response to Comment I19-26:

The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please see Response to Comment A8-7 and I19-9 for discussion of new towns, growth corridors, and planned community areas, and Master Response #5 for discussion of projected buildout.

Response to Comment I19-27:

As previously described, future corridor or community plan updates typically include a public outreach component or visioning process that is used to develop community consensus on a variety of issue including land use and design considerations. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please see Response to Comment A8-7 and I19-9 for discussion of new towns, growth corridors, and planned community areas.

Response to Comment I19-28:

The General Plan 2030 Update does not currently propose any new town or community plan areas. However, the policies outlined in the plan provide guidance on how these new areas could be developed in a fashion that ensures consistency with existing land uses; the provision of adequate infrastructure and public services; and provides guidance on the range of environmental issues that must be considered prior to development of these new areas (see Planning Framework-5.2, criteria #12 and #13 on Page 2-68 of the General Plan 2030 Update). The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please see Response to Comment A8-7 for discussion of new towns and growth corridors.

Response to Comment I19-29:

The commenter's suggestion to eliminate all new town or growth areas is noted. The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration. Please see Response to Comment A8-7 for discussion of new towns and growth corridors. Please also see Response to Comment I19-28.

Response to Comment I19-30:

The County's circulation system is adequately described in the various figures included in Section 3.2 "Traffic and Circulation" of the RDEIR. These circulation diagrams are intended to compliment the County's land use diagram.

Response to Comment I19-31:

This comment is regarding the adequacy of the project description and land use map. The commenter is referred to the response prepared for Comment I14-4 and to Master Response #5, which provides additional information regarding the land use designations and Land Use Diagram that describe the project. Commenter is also referred to Master Response #4 regarding the level of detail appropriate for the General Plan and the programmatic nature of the RDEIR.

Please also note that more detailed information on the UDB boundaries is provided in General Plan, Part I, Figures 2.2-1 through 2.2-22, HDBs are shown in Figures 2.3-1 through 2.3-12, and UABs are shown in General Plan Figures 2.4-1 through 2.4-11 (see RDEIR Appendix C)...

Response to Comment I19-32:

The scenic roadway section referenced by the commenter is part of the larger discussion regarding the California Department of Transportation's (Caltrans) Scenic Highway Program in the RDEIR (see pages 3.1-2 through 3.1-5). While Figure 3.1-2 includes a variety of information regarding known (or mapped) historic/scenic resources, the information regarding scenic roadways is limited to that provided by the Caltrans's Scenic Highway Program (as indicated in the figure). The RDEIR is amended to read as follows in the fourth paragraph on page 3.1-5:

Designated candidate scenic highways ~~and County scenic roads~~ are shown on **Figure 3.1-2**. ~~The minimum requirements for scenic corridor protection include:~~

The revision does not change the analysis or conclusions in the RDEIR. The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes all revisions to the RDEIR.

Response to Comment I19-33:

The General Plan 2030 Update includes Policy ERM-5.18 Night Sky Protection. In addition to the policy and measure identified by the commenter, the General Plan 2030 Update includes several additional policies that would limit the use of billboards, advertising, or development that introduces forms of nuisance lighting along scenic roadways or County locations with limited amounts of development. A comprehensive list of these policies and measures is provided on page 3.1-32 of the RDEIR. In addition to these policies and implementation measures, the environmental analysis recommended the following additional two policies to address the issues of nuisance lighting:

- **LU-7.18 Lighting.** The County shall continue to improve and maintain lighting in park and recreation facilities to prevent nuisance light and glare spillage on adjoining residential areas. *[New Policy – Draft EIR Analysis]*.
- **LU-7.19 Minimize Lighting Impacts.** The County shall ensure that lighting in residential areas and along County roadways shall be designed to prevent artificial lighting from reflecting into adjacent natural or open space areas unless required for public safety. *[New Policy – Draft EIR Analysis]*.

Please also see Master Response #3 for discussion of General Plan implementation and Master Response #4 for discussion of the appropriate level of detail in a General Plan.

Response to Comment I19-34:

The General Plan 2030 Update assumes that a majority of future projected population growth will occur within the incorporated cities and established their Urban Development Boundaries; with a lesser amount (up to 78,490 people) occurring within the County's unincorporated areas. Additionally, as part of the general plan, the County is providing policy guidance to help focus future growth within the unincorporated community, hamlets, and mountain service areas (areas in which public services and infrastructure can best accommodate new growth). Consequently, the RDEIR assumptions regarding future population growth are considered consistent with the County's expectations.

As described by the commenter, the RDEIR concludes that a number of impacts (including those related to aesthetic issues) remain significant and unavoidable (even with the implementation of all feasible mitigating policies and implementation measures). The terminology used to describe the various impact conclusions provided in Chapter 3 "Environmental Analysis" are described on page 3-3 of the RDEIR. Significant and unavoidable impacts occur when (even with the adoption of all feasible mitigation measures) a significant adverse impact cannot be avoided or mitigated to a less-than-significant level. In addition, the significance thresholds, or criteria for each environmental resource are set out at the beginning of the impact analysis in each section of RDEIR Chapter 3. The significance thresholds for section 3.1, Land Use and Aesthetics, are found on page 3.1-17 of the RDEIR. The threshold for Impact 3.1-3 (pages 3.1-25 through 3.1-28 of the RDEIR), is "whether the proposed project would substantially degrade the existing visual character or quality of scenic resources or vistas." Even with implementation of the various mitigating policies and implementation measures (shown on page 3.1-27), the impact concludes that some new development along the periphery of the County's existing unincorporated communities would affect the scenic quality of the area. The impact remains significant and unavoidable because no additional technologically or economically feasible mitigation measures existing to restore or replace the aesthetic views affected by new development proposed under the General Plan 2030 Update.

Response to Comment I19-35:

The commenter is referred to the response prepared for Comment I19-33. The General Plan 2030 Update includes a number of policies which would use light shielding, including the two policies indicated by the commenter.

Response to Comment I19-36:

The RDEIR provides an adequate analysis of the environmental effects of the proposed project under CEQA. Only significant environmental effects of the project require mitigation under CEQA (CEQA Guidelines, §15126.4). Accordingly, mitigation measures are not required for Impact 3.1-2, which was determined to be a less than significant impact. The RDEIR analyzed the consistency of the General Plan 2030 Update with numerous other applicable adopted land use

plans in the vicinity of the County. See RDEIR section 3.1, Impact 3.1-2 for a list of all the city, County, and regional agencies included in the analysis. For example, the County considered guidance by a number of agencies (including the San Joaquin Valley Air Pollution Control District and the Tulare County Airport Land Use Commission) to ensure consistency and compatibility with the objectives of these agencies and to ensure that existing and future land uses function without imposing a nuisance, hazard, or unhealthy condition between their uses.

Response to Comment I19-37:

Additionally, it should be noted that not every policy identified in the General Plan 2030 Update is intended to have its own specific implementation measure. As described in the Goals and Policies Report (see pages 1-8 through 1-9), policies serve as the basis for which consistency findings will be made as future projects are considered by County decision makers. Implementation measures are those specific programs, procedures, or techniques that have been identified to carry out a specific policy. Additionally, a specific implementation measures can be used to implement one or more policies. The commenter is referred to Master Response #7. The commenter is referred to response to Comment I19-19 and Master Response #3 on General Plan implementation. Not every policy identified in the General Plan 2030 Update is intended or required to have its own specific implementation measure in order to take effect. The fact that a policy does not have an associated Implementation Measure does not mean that it is not enforceable or will not take effect. FGMP policy 6.2 is both enforceable and would help mitigate the project's impact on the existing visual character and quality of scenic resources as part of a suite of policies and implementation measures designed to reduce this impact to less than significant (see RDEIR pp. 3.1-27). Further, these policies and implementation measures, if adopted by the County, would become part of the General Plan and the County would have a duty to implement them (see Government Code Section 65400). For additional discussion regarding the implementation and enforceability of the General Plan 2030 Update policies, see Master Response #3 and #4.

Response to Comment I19-38:

It is unclear why commenter believes that development in the Planned Community Areas would be exempt from the policies and four level planning strategy contained in the Foothill Growth Management Plan (FGMP). Such development would not be exempt, and would be done consistent with the FGMP. See Policy PF-5.2, criteria #13 on page 2-68 (Part I) of the General Plan 2030 Update. The commenter is also referred to Master Response #8 which describes the intent of the Foothill Growth Management Plan.

Response to Comment I19-39:

While the Foothill Growth Management Plan provides specific guidance to the referenced portion of the County, it should be noted that policy guidance contained in the other elements of the general plan pertain to all areas of the County and provide baseline policy guidance while the additional area plans provide supplemental policy guidance to their respective planning area. Consequently, the various policies from the Land Use, Scenic Landscapes, and Environmental

Resources Management Elements designed to address aesthetic or visual resource impacts would also apply to the Foothill Growth Management Plan area. The policies and implementation measures listed in the comment are part of a suite of measures that, together, are designed to reduce the impact to the extent feasible. As noted in Master Response #3, individual policies should not be reviewed in a vacuum, but rather part of the entire General Plan. The commenter is referred to the summary of policies and implementation measures provided on page 3.1-27 of the RDEIR.

Response to Comment I19-40:

The commenter is referred to response to Comment I19-39. The commenter is also referred to Master Response #8 which provides additional background regarding the County's Foothill Growth Management Plan area. The commenter's suggestion regarding the FGMP Site Plan Review is noted. Please also note that future subdivisions would be subject to separate environmental review under CEQA as well as Government Code Section 66474. The commenter is referred to Section 16.2 and 18.7 of the Tulare County zoning ordinance.

Response to Comment I19-41:

The commenter is referred to response to Comment I19-39. Please see Master Response #3 regarding General Plan implementation. Please also note that outright bans would provide insufficient flexibility, have the potential to result in takings, and can have unintended consequences. As discussed in the Governor's Office of Planning and Research (OPR) General Plan Guidelines, "given the long-term nature of a general plan, its diagrams and text should be general enough to allow a degree of flexibility in decision-making as times change." Furthermore, numerous comments have suggested outright bans based upon numerous environmental considerations. The County will need to balance numerous planning, environmental, and policy considerations in the General Plan based upon the specific parcels of land and projects. The commenter is referred to Master Response #1.

Response to Comment I19-42:

The commenter is referred to the response prepared for Comment I19-39 and I19-40. FGMP Implementation Measure 7 is revised to read as follows on page 3-22 (Part II) of the General Plan 2030 Update:

The planning commission ~~Site Plan Review Committee~~ shall review the consistency of the project with the location, type of design criteria of the County's policies for projects that only require Site Plan Review.

Response to Comment I19-43:

The policy listed in the comment is part of a suite of measures that, together, are designed to reduce the impact to the extent feasible. Any one policy should not be read in a vacuum, such as FGMP-1.5, but together with the other general plan policies and implementation measures.

Additionally, the commenter is referred to Master Response #3 and #4 regarding the enforceability and level of detail appropriate for the General Plan.

Response to Comment I19-44:

The commenter is referred to the response to Comments I19-33, I19-37, I19-38, I19-39, and I19-43 regarding the implementation, enforceability, and effectiveness of the policies in reducing aesthetic impacts of the project. FGMP Implementation Measure 14 is adequate to fulfill its intended role. Please see Master Response #7 regarding the use of implementation measures and Master Response #3 regarding the flexibility required in general plan policies and implementation measures. As discussed in Master Response #3 and #4 ordinances will be adopted to implement the General Plan in the future. The level of detail requested is not appropriate for the General Plan.

Response to Comment I19-45:

The comment is noted. Please see Master Response #9 and Response to Comment I23-8 regarding the reasonable evaluation of alternatives analyzed in the RDEIR.

Please also note that Alternative 2 acknowledged that aesthetic impacts would be reduced, “Development of less County open space would result in less impacts to existing County scenic landscapes” (RDEIR page 4-20; see similar language for Alternative 5 on RDEIR page 4-33).

Response to Comment I19-46:

The commenter is referred to the response to Comments I19-33, I19-37, I19-38, I19-39, and I19-43 regarding the implementation, enforceability, and effectiveness of the policies in reducing aesthetic impacts of the project. The commenter is also referencing Policy LU-7.18 (shown below) which was identified through the environmental analysis as an additional policy that is required to address the issue of nuisance light and glare associated with development under the proposed project. Policy LU-7.18 and LU-7.19 (also identified as a required policy to address nuisance light and glare from other types of development) were not initially part of the Draft General Plan 2030 Update. However, they have been identified through the environmental review process as additional policies that will be incorporated into the Final General Plan 2030 Update prior to its adoption.

- **LU-7.18 Lighting.** The County shall continue to improve and maintain lighting in park and recreation facilities to prevent nuisance light and glare spillage on adjoining residential areas. *[New Policy – Draft EIR Analysis]*.
- **LU-7.19 Minimize Lighting Impacts.** The County shall ensure that lighting in residential areas and along County roadways shall be designed to prevent artificial lighting from reflecting into adjacent natural or open space areas unless required for public safety. *[New Policy – Draft EIR Analysis]*.

Response to Comment I19-47:

The commenter is referred to the response prepared for Comment I19-46. General Plan 2030 Update policies LU-7.18 and 7.19 would minimize lighting impacts by reducing light and glare spillage from recreational facilities and roadways. These policies are part of a suite of measures that, together, are designed to reduce the impact to the extent feasible. The project level of detail requested by the comment will be addressed at the time individual park and recreational projects are proposed. Please see Master Response #4 for discussion of the appropriate level of detail for the General Plan's RDEIR which addresses approximately 4,840 square miles.

Response to Comment I19-48:

The commenter is referred to the response prepared for Comment I19-46 and I19-47. Policy LU-7.19 is not included in the proposed General Plan because it was included as a mitigation measure in the RDEIR (see RDEIR page 3.1-33).

Response to Comment I19-49:

Alternative 5, the Confined Growth Alternative, was identified as the environmentally superior alternative. Alternative 2, the City-Centered Alternative, was determined to have a lesser impact than the proposed project for some impacts (though it would not reduce any of the significant and unavoidable impacts of the proposed project to less than significant). See RDEIR, Executive Summary Table 4-3. Please also note that there would be more traffic within existing urban areas under Alternative 2 in comparison to the proposed project (see RDEIR page 4-22). Please see Master Response #9 for additional information regarding the methodology and analysis provided in the RDEIR to address the evaluation of alternatives.

Response to Comment I19-50:

The comment is noted. Impact 3.2-4 analyzed whether the proposed project would cause a substantial increase in the use of public transport facilities beyond its capacity. The impact was concerned with whether an adequate supply of transit services would be available as demand increased, not with reducing the amount of public transit use. The General Plan Policies and Implementation Measures referred to in the impact analysis are designed to support the development and maintenance of the County's public transit system (see RDEIR Section 3.2, Impact 3.2-5). The policies and implementation measures described on RDEIR page 3.2-36 would ensure the impact on public transit facilities is less than significant, meaning that future supply will correspond to future demand. It should be noted that existing travel times for the Tulare County Transit System range from 31 minutes to over an hour (1 hour and 12 minutes). These travel times are indicative of a rural county that experiences less population density than that experienced by a more urban area or city.

Contrary to this comment, the alternatives also offer policy concepts that in some cases differ from those of the proposed project. Please see Response to Comment I19-4 and I23-70 which addresses this issue.

Additionally, please see Master Response #9 for additional information regarding the methodology and analysis provided in the RDEIR to address the evaluation of alternatives.

Response to Comment I19-51:

As indicated on pages 3.2-35 through 3.2-37, anticipated population growth and development resulting from the proposed project would increase the demand for additional transit use. The RDEIR concludes that through the implementation of various policies and measures designed to promote transit usage and support the operations of regional service providers, the overall impact is considered less-than-significant. Please also see Response to Comment I19-50.

Response to Comment I19-52:

The commenter is incorrect. FGMP Policy 8.16 is fully enforceable and would be implemented even though it is not associated with a specific Implementation Measure. If adopted by the County, the policies would become part of the General Plan and the County would have a duty to implement them (see Government Code Section 65400). In other instances, such as the adoption of subdivisions, the projects are reviewed by the Board of Supervisors, Planning Commission, and various other County agencies and staff, for consistency with the General Plan. The commenter is referred to the Master Response #3 and response to Comments I19-19 and I19-37 for additional information regarding enforceable policies.

Response to Comment I19-53:

The proposed project analyzed in the RDEIR is the County of Tulare's General Plan 2030 Update. Therefore, as required by CEQA, the analysis focuses on development resulting from implementation of the County's general plan not that of the City of Visalia, the City of Tulare, or any other incorporated city with Tulare County. The appropriate place for analyzing the impact of the project together with the related impacts of other projects is in the cumulative analysis. However, consistent with requirements of CEQA, the cumulative analysis provided in Chapter 5 of the RDEIR does address the entire County's air quality impacts along with those for the larger San Joaquin Valley Air Basin. See RDEIR Chapter 5.0 for a description of the geographic scope for the cumulative analysis.

Response to Comment I19-54:

The analysis provided on pages 3.3-18 through 3.3-19 of the RDEIR address construction-related air quality emissions. As indicated in the analysis, the RDEIR provides a programmatic assessment of the construction activity that would occur over the next several years in accordance with the proposed project. As the County is not proposing a specific project at this time, information regarding specific development projects, soil conditions, and the location of sensitive receptors in relation to the various projects is unavailable to quantify the level of impact associated with construction activity that would be expected under the timeframe of the general plan (also see Master Response #4) and Response to Comment I19-53).

Pages 3.3-18 and 3.3-19 indicate that some future large-scale construction activity could exceed SJVAPCD adopted thresholds for some criteria pollutant exposure, with actual significance to be determined for individual projects on a project-by-project basis as future development applications are submitted. It should also be noted that the impact analysis goes on to describe the various County policies and SJVAPCD regulations that would be implemented to ensure that construction-related impacts are kept at less than significant levels consistent with construction-related impacts for current projects. These policies with measures are described below.

The General Plan 2030 Update includes a variety of policies designed to address construction-related air quality impacts including requiring contractors to implement appropriate dust suppression measures (see Policy AQ-4.2 “Dust Suppression Measures”), and would also be controlled by existing regulations. Other policies include policies AQ-2.2 “Indirect Source Review”, AQ-4.1 “Air Pollution Control Technology” and AQ-4.3 “Paving or Treatment of Roadways for Reduced Air Emissions.” CARB and SJVAPCD regulations also reduce this impact. The CARB has adopted regulations for New Off-Road Diesel Engines and Equipment that result in cleaner equipment being placed in service as older, higher emitting equipment is retired. CARB also adopted the In-Use Off-Road Diesel Vehicle Regulation requiring NOx and PM10 emission reductions from equipment and vehicles currently in operation. SJVAPCD Regulation VIII includes requirements to control fugitive dust emissions during construction activities and requires commercial projects over 5 acres and residential projects over 10 acres to file a Dust Control Plan. With this policy commitment and regulatory oversight, the impact is considered less-than-significant.

Response to Comment I19-55:

The commenter is referred to the response prepared for Comment I19-53, I19-54, and Master Response #4 for discussion of the appropriate level of detail for the RDEIR, and Master Response #5 for discussion of buildout.

Response to Comment I19-56:

The commenter is referred to the response prepared for Comment I19-54. The commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I19-57:

The commenter is referred to the response prepared for Comment I19-54. The footnote to this comment asks what the RDEIR means when it states that the impact statements have been tailored to fit the General Plan 2030 Update. This simply means that the CEQA thresholds of significance – also referred to as the significance criteria, or impact statements – were drafted specifically for the General Plan 2030 Update, considering the type of project and types of impacts likely to occur as a result of the project. These specifically-tailored thresholds were used rather than the thresholds of significance provided in CEQA Guidelines Appendix G in order to make the analysis more meaningful and appropriate for this particular project. This is perfectly

appropriate under CEQA; the thresholds provided in Appendix G are suggestions and not requirements. Please see Response to Comment I11-14 for further discussion.

Response to Comment I19-58:

The comment discusses Impact 3.3-2 which addresses operational emissions. The commenter summarizes the conclusion to Impact 3.3-2; this comment doesn't point to a specific inadequacy within the RDEIR nor does it provide a mitigation measure. The RDEIR has also sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). The RDEIR is intended to analyze impacts of the proposed General Plan and must identify measures to minimize any significant impacts (State Guidelines Section 15121[a]). Although the General Plan is intended to be a self-mitigating document, many of the impacts remain significant and unavoidable despite the implementation of mitigating policies and implementation measures found in the existing General Plan and those modified through the environmental analysis. Please see Response to Comment I11-73 for additional discussion of dairies.

Response to Comment I19-59:

The commenter's summary of Impact 3.4-1 is noted. This comment does not address the adequacy of the RDEIR; no further response required.

Response to Comment I19-60:

See response to Comment I19-52.

Response to Comment I19-61:

The comment is also incorrect that "there are no existing land use or zoning restrictions." All parts of the County have had land use designations assigned with population densities and building intensities (see Response to Comment A8-7 for further details, including discussion of new towns). Additionally, the Tulare County Zoning Ordinance also provides applicable zoning within the County. The commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please also see Master Response #5 for discussion of buildout within the County.

Response to Comment I19-62:

The comment also states that the RDEIR relies upon "the market" to direct development; please see Response to Comment A8-10 which addresses this issue in greater detail. This statement is incorrect. The General Plan provides standards of population density and building intensity, consistent with Government Code requirements, starting on page 4-3 of General Plan, Part I and provides additional policies to locate development. In particular Tables 4.1 and 4.2 provide minimum lot sizes, dwelling units per acre (DU/Acre), and maximum floor area ratios (FAR) for the General Plan land use designations throughout the County (see similar discussion starting on RDEIR on page 2-17). However, as discussed in the RDEIR, total growth is only partially controlled by the General Plan, much of this growth is controlled by other factors such as the market, population

growth, and dependent upon the intent of the property owners, environmental constraints, policies and regulations, and infrastructure constraints. The County has only limited control over growth and cannot control external factors such as population growth (i.e. birth rates) or the intent of individual property owners, businesses, and citizens.

The commenter is referred to Master Response #11 and Response to Comment A8-10 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. As discussed therein, the Yokohl Ranch Project is not part of the proposed project and has not been approved or been given “the green light” as suggested in the comment. See Master Response #6 regarding the water supply evaluation.

Consistent with the CEQA Guidelines, the topic of energy is adequately addressed in Section 3.4 of the RDEIR (“Energy and Global Climate Change”). Impact 3.4-1 (page 3.4-26) and Impact 3.4-2 (page 3.4-29) address the energy implications of the proposed project. A summary of key energy policies from all applicable elements of the General Plan 2030 Update is provided below. The commenter is also referred to the response to Comment A2-1.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Land Use, Air Quality, Health and Safety, and Foothill Growth Management Plan Elements		Transportation and Circulation Element	
Policies designed to minimize vehicle miles traveled through the support of future development patterns that increase the use of alternative forms of transportation and non-motorized transportation.			
LU-6.3	Schools in Neighborhoods	TC-1.6	Intermodal Connectivity
LU-7.3	Friendly Streets	TC-1.18	Balanced System
AQ-2.2	Indirect Source Review	TC-2.1	Rail Service
AQ-2.3	Transportation and Air Quality	TC-2.4	High Speed Rail (HSR)
AQ-2.4	Transportation Management Associations	TC-3.7	Multi-modal Development
AQ-2.5	Ridesharing	TC-4.2	Determine Transit Needs
AQ-3.3	Street Design	TC-4.3	Support Tulare County Area Transit
AQ Implementation Measure #1		TC-4.4	Nodal Land Use Patterns that Support Public Transit
AQ Implementation Measure #8			
HS-9.1	Healthy Communities	TC-4.7	Transit Ready Development
HS-9.2	Walkable Communities		
HS Implementation Measure #24		TC Implementation Measure #8	
FGMP-8.16 Proximity to Transportation		TC Implementation Measure #18	
FGMP-8.17 Reduce Vehicle Emissions		TC Implementation Measure #19	
FGMP Implementation Measure #1			
Transportation and Circulation Element			
Policies designed to promote the continued use and expansion of bicycle and pedestrian facilities.			
TC-2.6	Rail Abandonment	TC Implementation Measure #16	
TC-5.1	Bicycle/Pedestrian Trail System	TC Implementation Measure #21	
TC-5.2	Consider Non-Motorized Modes in Planning and Development	TC Implementation Measure #22	
		TC Implementation Measure #23	
TC-5.3	Provisions for Bicycle Use	TC Implementation Measure #24	
TC-5.4	Design Standards for Bicycle Routes	TC Implementation Measure #25	
TC-5.6	Regional Bicycle Plan	TC Implementation Measure #26	
TC-5.7	Designated Bike Paths	TC Implementation Measure #27	
TC-5.9	Existing Facilities	TC Implementation Measure #28	

Land Use Element		Planning Framework, Air Quality, Public Facilities and Services, and Foothill Growth Management Plan Elements	
Policies designed to minimize vehicle miles traveled through mixed use, infill, redevelopment, and higher density development.			
LU-1.1	Smart Growth and Healthy Communities	LU Implementation Measure #14	
LU-1.2	Innovative Development	PF-1.2	Location of Urban Development
LU-1.4	Compact Development	PF-1.3	Land Uses in UDBs/HDBs
LU-1.8	Encourage Infill Development	PF-3.4	Mixed Use Opportunities
LU-3.1	Residential Developments	PF	Implementation Measure #21
LU-3.2	Cluster Development	AQ-3.1	Location of Support Services
LU-3.3	High Density Residential Locations	AQ-3.2	Infill Near Employment
LU-4.1	Neighborhood Commercial Uses	AQ-3.6	Mixed Land Uses
LU Implementation Measure #3		AQ Implementation Measure #11	
LU Implementation Measure #7		PFS-8.3	Location of School Sites
LU Implementation Measure #8		FGMP-3.1	Innovative Residential Design
LU Implementation Measure #9			
LU Implementation Measure #10			
Planning Framework and Land Use Elements		Public Facilities and Services Element	
Policies designed to direct development to existing urban areas and encourage efficient use of existing public services and utilities.			
PF-1.4	Available Infrastructure	PFS-1.8	Funding for Service Providers
PF-2.1	Urban Development Boundaries – Communities	PFS-1.15	Efficient Expansion
PF-2.2	Modification of Community UDB	PFS-1.16	Joint Planning Efforts
PF-3.1	Hamlet Development Boundaries – Hamlets	PFS-2.4	Water Connections
PF-3.2	Modification of HDB – Hamlet	PFS-3.3	New Development Requirements
PF-3.3	Hamlet Plans		
PF-4.1	CACUABs for Cities		
PF-4.2	CACUDBs for Cities – Twenty Year Planning Area		
PF-4.3	Modification of CACUABs and CACUDBs		
PF-4.6	Orderly Expansion of City Boundaries		
LU-2.1	Agricultural Lands		
Air Quality, Land Use, and Public Facilities and Services Elements		Environmental Resource Management Element	
Policies designed to minimize this impact through the conservation of existing energy supplies include the following:			
LU-7.15	Energy Conservation	ERM-4.1	Energy Conservation and Efficiency Measures
LU Implementation Measure #24		ERM-4.2	Streetscape and Parking Area Improvements for Energy Conservation
AQ-3.5	Alternative Energy Design	ERM-4.3	Local and State Programs
AQ Implementation Measure #12		ERM-4.4	Promote Energy Conservation Awareness
PFS-5.9	Agricultural Waste	ERM-4.6	Renewable Energy

Response to Comment I19-63:

The commenter is directed to Response to Comment I19-62 and Master Response #4, which provides information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. Please also see Master Response #5 for discussion of buildout of the proposed project and Master Response #3 for discussion of implementation of the General Plan.

Response to Comment I19-64:

The policies and implementation measures described and listed in RDEIR Impact 3.4-1 work together, as a suite of measures, to mitigate the impact. Please see the analysis of Impact 3.4-1 in the RDEIR on pages 3.4-26 through 2.4-29. See response to Comments I19-19 and I19-37 and Master Response #3 regarding the enforcement and implementation of general plan policies with, and without specific Implementation Measures. The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update.

Response to Comment I19-65:

Commented noted. The commenter is referred to the response prepared for Comment A8-11 for additional information regarding the greenhouse gas emission analysis provided in the RDEIR.

Response to Comment I19-66:

As discussed in Master Response #3, individual policies should not be reviewed in a vacuum. The commenter is directed to RDEIR Section 3.4 for discussion of the numerous General Plan policies and implementation measures which address this impact. Furthermore, Policy FGMP-3.1 is fully enforceable and will work together as part of a suite of measures to mitigate Impact 3.4-3 to the extent feasible. As correctly pointed out by commenter, even with the suite of implementation measures listed on RDEIR pages 3.4-33 through 3.4-39, the impact would remain significant and unavoidable. The commenter is referred to the response prepared for Comments I19-19 and I19-37. The commenter is also referred to Master Response #8 which describes the intent of the Foothill Growth Management Plan.

Response to Comment I19-67:

The commenter is referred to Master Responses #3 and #4 regarding the enforceability of the general plan policies. Please also see the response to Comments I19-19, I19-37, I19-50, and I19-51. The commenter's opinion regarding the effectiveness of policies and the City-Centered Alternative are noted.

Response to Comment I19-68:

The commenter is referred to the response prepared for Comment I19-52 regarding FGMP-8.16. The commenter is also referred to the response prepared for Comments I19-19 and I19-37.

Response to Comment I19-69:

The proposed General Plan focuses future growth within established community areas, as discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

The commenter is referred to Master Response #4 regarding the level of detail appropriate for the general plan and programmatic EIR. The commenter is also referred to the response prepared for Comment I19-19 and I19-37.

Response to Comment I19-70:

The commenter is referred to the response prepared for Comments I19-19 and I19-37. Additionally, see Master Response #4 regarding the level of detail appropriate for the general plan and programmatic EIR. Please also see RDEIR Section 3.11 for discussion of additional General Plan policies and regulations which address biological habitats.

Response to Comment I19-71:

The commenter is referred to Master Responses #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the general plan and programmatic EIR. As discussed therein, the proposed project is for the creation of a General Plan which is governed by the content requirements of Government Code Section 65302. Implementation of the General Plan will include adoption of future ordinances and resolutions which are partially outlined in the implementation measures. However it is not feasible to adopt every potential ordinance (i.e. revise the entire County Ordinance code) within a reasonable period of time to complete the General Plan. Government Code Section 65400 recognizes that implementation of the General Plan will be an ongoing process. The commenter is also referred to Master Response #8 which describes the intent of the Foothill Growth Management Plan.

The General Plan 2030 Updates does include several implementation measures designed to address the protection of native trees. These measures include the following:

- **Environmental Resources Management Implementation Measure #14.** The County shall ensure that the provisions of Public Resources Code §21083.4 are followed when evaluating projects in areas containing oak woodlands [*New Program*].
- **Environmental Resources Management Implementation Measure #15.** The County shall work with stakeholders to determine the feasibility of adopting an oak woodlands management plan pursuant to the Oak Woodlands Conservation Act of 2001. The purpose will be to qualify for grant funding to support and encourage voluntary long term private stewardship and conservation of California's oak woodlands [*New Program*].
- **Environmental Resources Management Implementation Measure #16.** The County shall establish a program to require the replacement planting of native oaks where oak woodlands are proposed for alteration by development projects [*New Program*].

Response to Comment I19-72:

The commenter is referred to the response prepared for Comments I19-19 and I19-37. Additionally, see Master Response #3 and #7 on the use of implementation measures. The State of California General Plan Guidelines published by the Governor's Office of Planning and Research (OPR General Plan Guidelines) are advisory and not mandatory ["The *General Plan Guidelines* is advisory, not mandatory"] (OPR 2003 General Plan Guidelines page 8). State law does not require each general plan policy to have a corresponding implementation measure. As

discussed in Master Response #3, while the County has listed numerous implementation measures in the General Plan, and noted in the RDEIR, it is simply not feasible to list every potential implementation measure which will be adopted over the 20 year horizon of the General Plan, nor to provide the text of every potential ordinance that will be adopted as a result of General Plan implementation. Government Code Section 65400 recognizes that implementation will take time. Furthermore, in other instances, such as the adoption of subdivisions, the projects are reviewed by the Board of Supervisors, Planning Commission, and various other County agencies and staff, for consistency with the General Plan, which also ensures implementation of the General Plan's Goals, Policies, and Land Use Designations.

Response to Comment I19-73:

The commenter is referred to the response prepared for Comment I19-39. While the Foothill Growth Management Plan provides specific guidance to the referenced portion of the County, it should be noted that policy guidance contained in the other elements of the general plan pertain to all areas of the County and provide baseline policy guidance while the additional area plans provide supplemental policy guidance to their respective planning area. The policies, implementation measures, and existing regulations discussed in Impact 3.6-1 (RDEIR pages 3.6-38 through 3.6-39) function together as a suite of policies to reduce the impact to less than significant.

Response to Comment I19-74:

The commenter is referred to the response prepared for Comments I19-19 and I19-37. Additionally, see Master Response #7 regarding the use of implementation measures and Response to Comment A8-7 for discussion of new towns

Response to Comment I19-75:

The commenter is incorrect about the significance conclusion for groundwater. Impact 3.6-2 describes impacts to groundwater supply and provides an assumption of the number of agricultural acres that could be converted to a developed use. Impact 3.6-2 does not conclude or support a significance conclusion of "less-than-significant." For impacts to agricultural resources, the commenter is referred to Section 3.10 "Agricultural Resources" of the RDEIR. While the County did consider a number of measures and developed a comprehensive set of policies and implementation measures designed to address impacts to agricultural resources, the conversion of important farmland acres to a developed use was ultimately considered significant and unavoidable. See Master Response #9 regarding the evaluation of project Alternatives in the RDEIR

Please see Response to Comment I19-62 and Master Response #11 for discussion of the Yokohl Ranch Project. As discussed therein, this project has not been approved contrary to the comment

Response to Comment I19-76:

The commenter's opinion regarding FGMP IM-33 is noted. The intent of the implementation measure is to ensure that future development and infrastructure plans that address water quality issues (through improved drainage infrastructure, wastewater treatment, etc.) can be adequately financed to help ensure their feasibility and successful implementation and sustainability.

Response to Comment I19-77:

Please see Master Response #5 for discussion of buildout of the General Plan and Master Response #11 for discussion of development in the foothills. The commenter is referred to Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the general plan and programmatic EIR.

Response to Comment I19-78:

The intent of the various policies and implementation measures referenced by the commenter is to provide guidance on ways to minimize site disturbance to ensure that future projects consider the natural contours and drainage patterns of a specific area to avoid creating impaired drainage courses or flood prone areas. The policies and implementation measures listed in RDEIR pages 3.6-48 through 3.6-50 would mitigate Impact 3.6-3 for the reasons stated therein.

Response to Comment I19-79:

The commenter is referred to the response prepared for Comment I19-78. Policy 8.8 functions together with the suite of measures listed in Impact 3.6-3 to reduce the impact to less than significant for the reasons stated in the analysis. The commenter is also referred to Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the general plan and programmatic EIR.

Response to Comment I19-80:

Commenter's opinion is noted. Policy 8.12 functions together with the suite of measures listed in Impact 3.6-3 to reduce the impact to less than significant for the reasons explained in the analysis. The commenter is referred to Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the general plan and programmatic EIR.

Response to Comment I19-81:

Commenter's opinion is noted. The RDEIR adequately analyzed the impact the proposed project would have on soil erosion and loss of topsoil (Impact 3.7-1) and concluded that with the implementation of the general plan policies and implementation measures discussed therein, the impact would be less than significant. The adequacy of the policies and implementation measures in ensuring the impact would be less than significant is explained in the RDEIR (pages 3.7-17 through 3.7-18). Please see Master Response #3 and #7 regarding the use of implementation measures. Additionally, see Master Responses #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the general plan and programmatic EIR.

Response to Comment I19-82:

Policies FGMP 10.2 and 10.3 are enforceable and will be implemented. The commenter is referred to the response prepared for Comments I19-19 and I19-37. The commenter is also referred to the response prepared for Comment I11-20, which describes the analysis conducted to address wildland fires.

Response to Comment I19-83:

Policy FGMP-9.2 is enforceable and will be implemented. The commenter is referred to the response prepared for Comments I19-19 and I19-37 and Master Responses #3 and #7. The commenter is referred to the response prepared for Comment I19-37. A reasonable range of alternatives to the proposed project was considered in Chapter 5 of the RDEIR. See Master Response #9 for a discussion of the “Healthy Growth” Alternative proposed by the Tulare County Citizens for Responsible Growth.

Response to Comment I19-84:

See Policies FGMP 10.2 and 10.3. Policies are enforceable and will be implemented regardless of whether they are associated with a particular implementation measure. Commenter is referred to response to Comment I19-19 and I19-37 and Master Responses #3 and #7 for additional information regarding the enforceability of the general plan and implementation measures.

To address the commenter’s concerns, the first paragraph on page 3.9-60 of the RDEIR is amended to read as follows:

To address their own unique fire protection issues within the County’s specific planning areas (i.e., Mountain, Foothill, etc.); additional policies (see PFS-7.6, FGMP-104.2, and FGMP-104.3) are also included.

Additionally, the second paragraph on page 3.9-62 of the RDEIR is amended to read as follows:

To address their own unique fire protection issues within the County’s specific planning areas (i.e., Mountain, Foothill, etc.), additional policies (see FGMP-104.2, and FGMP-104.3) are also included.

The revision does not change the analysis or conclusions in the RDEIR. The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes all revisions to the RDEIR.

Response to Comment I19-85:

The commenter is referred to the response prepared for Comment I19-84 and Master Response #3 and #7.

Response to Comment I19-86:

The commenter's opinion on the General Plan is noted. This comment does not address the adequacy or content of the RDEIR and no further response is required. Comments will be forwarded to the County decision makers for consideration. Please see Master Response #8.

Response to Comment I19-87:

The commenter is referred to the response prepared for Comment I19-39. Policy FGMP-1.10 is part of a suite of measures designed to reduce the impact to agriculture the extent feasible. As discussed in Master Response #3, individual policies such as FGMP-1.10, should not be reviewed in a vacuum, but together with the rest of the general plan policies and implementation measures. The commenter is referred to the summary of policies and implementation measures discussed on pages 3.10-13 through 3.10-15 of the RDEIR. In particular, policies contained in the Foothill Growth Management Plan are intended to provide specific guidance for that area of the County only, and are not intended to have County-Wide application. While the Foothill Growth Management Plan provides specific guidance to the referenced portion of the County, it should be noted that policy guidance contained in the other elements of the general plan pertain to all areas of the County and provide baseline policy guidance while the additional area plans provide supplemental policy guidance to their respective planning area.

Response to Comment I19-88:

The commenter is referred Master Responses #3 and #4 regarding the enforceability of the General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Additionally, commenter is referred to Master Response #7 and #8 regarding the use of implementation measures.

Response to Comment I19-89:

The commenter is referred to Master Responses #3 and #4 regarding the enforceability of the General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Additionally, commenter is referred to Master Response #7 regarding the use of implementation measures. For impacts to agricultural resources, the commenter is referred to Section 3.10 "Agricultural Resources" of the RDEIR. While the County considered a number of measures and developed a comprehensive set of policies and implementation measures designed to address impacts to agricultural resources, the conversion of important farmland acres to a developed use was ultimately considered significant and unavoidable. The comprehensive set of policies identified in the RDEIR designed to address important farmlands is summarized below.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Agriculture, Land Use and Economic Development Elements

Policies designed to conserve agricultural resources within the County include the following:

AG-1.1	Primary Land Use	AG-1.9	Agricultural Preserves Outside Urban Boundaries
AG-1.2	Coordination	AG-1.10	Extension of Infrastructure Into Agricultural Areas
AG-1.3	Williamson Act	AG-1.11	Agricultural Buffers
AG-1.4	Williamson Act in UDBs and HDBs	AG-1.12	Ranchettes
AG-1.5	Substandard Williamson Act Parcels	AG-1.13	Agricultural Related Uses
AG-1.6	Conservation Easements	AG-1.14	Right-to-Farm Noticing
AG-1.7	Preservation of Agricultural Lands	LU-2.1	Agricultural Lands
AG-1.8	Agriculture Within Urban Boundaries	LU-2.4	Residential Agriculture Uses

Policies designed to promote the continued productivity and employment of agricultural resources within the County include the following:

AG-2.1	Diversified Agriculture	AG-2.8	Agricultural Education Programs
AG-2.2	Market Research	AG-2.9	Global Marketing
AG-2.3	Technical Assistance	AG-2.10	Regional Transportation
AG-2.4	Crop Care Education	AG-2.11	Energy Production
AG-2.5	High-Value-Added Food Processing	ED-2.10	Supporting Agricultural Industry
AG-2.6	Biotechnology and Biofuels	LU-2.2	Agricultural Parcel Splits

Implementation measures designed to protect and conserve agricultural resources within the County include the following:

Agriculture Implementation Measure #1	Agriculture Implementation Measure #7
Agriculture Implementation Measure #2	Agriculture Implementation Measure #8
Agriculture Implementation Measure #3	Agriculture Implementation Measure #9
Agriculture Implementation Measure #4	ED Implementation Measure #4
Agriculture Implementation Measure #5	ED Implementation Measures #5
Agriculture Implementation Measure #6	

Planning Framework and Land Use Elements

Policies designed to promote future development patterns that focus growth within established community areas include the following:

LU-1.8	Encourage Infill Development	LU-2.6	Industrial Development
LU-2.1	Agricultural Lands	PF-1.1	Maintain Urban Edges
LU-2.2	Agricultural Parcel Splits	PF-1.2	Location of Urban Development
LU-2.4	Residential Agriculture Uses	PF-1.3	Land Uses in UDBs/HDBs
LU-2.5	Agricultural Support Facilities	PF-1.4	Available Infrastructure

Rural Valley Lands Plan, Foothill Growth Management Plan, and Mountain Framework Plan

Similar policies designed to conserve and encourage the continued economic value of agricultural resources within the various planning areas include the following:

RVLP-1.1	Development Intensity	FGMP-1.10	Development in Success Valley
RVLP-1.2	Existing Parcels and Approvals	FGMP-5.1	Protect Agricultural Lands
RVLP-1.3	Tulare County Agricultural Zones	M-1.9	Agricultural Preserves
RVLP-1.4	Determination of Agriculture Land		

In addition to the above mentioned policies, the following revisions to Policy AG-1.6 “Conservation Easements”, the new Policy AG-1.18 “Farmland Trust and Funding Sources”, and the new Agricultural Implementation Measure #15 were identified in the RDEIR to address important farmland impacts.

- AG-1.6 Conversion Easements.** The County may develop an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including “Important Farmlands”), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for

~~conservation~~ conversion of important agricultural land to nonagricultural use. If available, the ACEP may shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation. *[New Policy – Draft EIR Analysis]*

- **AG-1.18 Farmland Trust and Funding Sources.** The in-lieu fees collected by the County may be transferred to the Central Valley Farmland Trust or other qualifying entity, which will arrange the purchase of conservation easements. The County shall encourage the Trust or other qualifying entity to pursue a variety of funding sources (grants, donations, taxes, or other funds) to fund implementation of the ACEP. *[New Policy – Draft EIR Analysis]*
- **Agricultural Element Implementation Measure #15.** The County shall consider the implementation of an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including “Important Farmlands”), as defined in Policy AG-1.6. *[New Implementation Program – Draft EIR Analysis]*

Response to Comment I19-90:

Commenter is referred to Master Responses #3 and #4 regarding the enforceability of the General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. As indicated in Policy AG-1.18 (see the response to Comment I19-89 and RDEIR page 3.10-15), the conservation easement fees may be transferred to a number of qualifying entities that can accommodate and implement agricultural conservation programs (including the Central Valley Farmland Trust). Policy AG-1.18 is part of the suite of measures that would be adopted to mitigate impact AG 3.10-1 (see RDEIR page 3.10-13 – 3.10-15). However, as explained in the RDEIR, the impact would remain significant and unavoidable (RDEIR page 3.10-16).

Response to Comment I19-91:

The RDEIR provides an adequate analysis of the environmental effects of the proposed project under CEQA. Only significant environmental effects of the project require mitigation under CEQA (CEQA Guidelines §15126.4). Accordingly, mitigation measures are not required for Impact 3.10-2, which was determined to be a less than significant impact. Please see Criteria #12 and #13 of P.F. 5.2.

Additionally, as indicated in the response to Comment A8-7, the General Plan contains a hierarchy of planning documents. The referenced policies for New Towns (planned communities) and Corridor Plans are procedures for the creation of more area specific plans which would be included in Part III of the General Plan. This type of planning methodology is similar to that provided in the Government Code for the creation of a Specific Plans (Government Code Section 65450 et seq.). However creation of procedures to evaluate future proposals does not necessitate environmental review because no New Towns (planned communities) or Corridor Plans are currently proposed as part of this General Plan Update. Any such future proposals will have separate environmental review under CEQA. As an example, the commenter is directed to Master Response #11, which provides background on the Yokohl Ranch Project. While this project is considered a “New Town”, the entitlements for the Yokohl Ranch Project are not included and

will not be considered for approval as part of the General Plan 2030 Update. The Yokohl Ranch Company has filed an individual general plan application (GPA 07-002) with the County that will be considered on a separate timing track independent of the General Plan 2030 Update. The Yokohl Ranch project will be subject to a program and project level EIR which will be circulated in the future on a separate timing track.

The referenced New Town (planned community) procedures are discussed in General Plan, Part I, Section 2.5, page 2-67. Similarly, Corridor Framework Plans establish policies that will guide the potential adoption of Corridor Plan areas within the County (See General Plan, Part I, pages 1-7; Part II, Sections 2.1 and 2.2). Further analysis of impacts of a new town (planned community) or corridor plan are not proposed at this time and would be inappropriate for analysis at this planning level. Please see Master Response #3. Such analysis should be conducted at an area specific level.

Response to Comment I19-92:

Commenter is referred to Master Responses #3 and #4 regarding the enforceability of the General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Additionally, commenter is referred to Master Response #7 regarding the use of implementation measures. As noted above, individual Policies in the General Plan should not be reviewed in a vacuum, please see RDEIR Section 3.11 for discussion of all the applicable General Plan Policies and Implementation Measures. Please see Criteria #12 and #13 of P.F. 5.2.

Response to Comment I19-93:

The General Plan policies and measures work together as a suite of measures along with RDEIR mitigation measures that are designed to reduce environmental impacts to the extent feasible. Additionally, the General Plan 2030 Update provides a holistic view of the issues surrounding the County, with policies throughout the various elements addressing specific issues that also interact to address shared concerns. Since the General Plan is a holistic planning document, which addresses competing interests (see, e.g., the response prepared for Comment I14-13), the policies of the General Plan must be viewed comprehensively. Policy FGMP 5.1 is designed to protect agricultural lands within the Foothill Growth Management Plan area. Please see Criteria #12 and #13 of P.F. 5.2.

While the Foothill Growth Management Plan provides specific guidance to the referenced portion of the County, it should be noted that policy guidance contained in the other elements of the general plan pertain to all areas of the County and provide baseline policy guidance while the additional area plans provide supplemental policy guidance to their respective planning area.

A summary of General Plan 2030 Update policies identified in the RDEIR (see page 3.11-34) to address biological resource issues is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Environmental Resources Management Element

Policies designed to protect sensitive habitats from the impacts of future development in Tulare County include the following:

ERM-1.1	Protection of Rare and Endangered Species	ERM-1.12	Management of Oak Woodland Communities
ERM-1.2	Development in Environmentally Sensitive Areas	ERM-1.13	Pesticides
ERM-1.3	Encourage Cluster Development	ERM-1.14	Mitigation and Conservation Banking Program
ERM-1.4	Protect Riparian Areas	ERM-5.8	Watercourse Development
ERM-1.5	Riparian Management Plans and Mining Reclamation Plans	ERM-5.15	Open Space Preservation
ERM-1.6	Management of Wetlands	ERM Implementation Measures #2, #5, #7, #8, #9, #10, #11, #13, #14, and #54	
ERM-1.7	Planting of Native Vegetation		
ERM-1.8	Open Space Buffers		
ERM-1.9	Coordination of Management on Adjacent Lands		

Implementation Measures designed to identify and mitigate the impact of development on key biological resources include the following:

ERM Implementation Measure #3
ERM Implementation Measure #4
ERM Implementation Measure #6

Foothill Growth Management Plan

Policies designed to preserve and maintain biological resources within the Foothill Growth Management Plan include the following:

FGMP-4.1	Identification of Environmentally Sensitive Areas	FGMP-8.12	Vegetation Removal
FGMP-5.1	Protect Agricultural Lands	FGMP-8.13	Use of Native Landscaping
FGMP-8.1	Riparian Area Development	FGMP-8.14	Identification of Wildlife
FGMP-8.5	Protection of Lakes	FGMP-8.19	Preservation of Unique Features
FGMP-8.9	Removal of Natural Vegetation	FGMP Implementation Measures #15, #23, and #26	

Response to Comment I19-94:

The commenter is referred to the response prepared for Comment I19-19 and I19-37. The commenter is also referred to Master Response #8 which describes the intent of the Foothill Growth Management Plan. Additionally, the commenter is referred to Foothill Growth Management Plan Implementation Measure #7:

- Foothill Growth Management Plan Implementation Measure #7.** The Site Plan Review Committee shall review the consistency of the project with the location, type of design criteria of the County's policies for projects that only require Site Plan Review. Should the project not meet the County's policies, findings to that effect shall be forwarded to the appropriate decision-making body [*FGMP (1981), Existing Implementation Measure. Pg.25*].

Response to Comment I19-95:

The commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Please also see RDEIR Section 3.11 for discussion of all the regulations and General Plan policies which address impacts to biological resources.

Response to Comment I19-96:

The commenter is referred to the response to Comment I19-93 which identifies the various policies included in the General Plan 2030 Update to address biological resource impacts. Additionally, the commenter is referred to Master Response #11 for information regarding the Yokohl Ranch Project and Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. The Yokohl Ranch Project represents only a small part of the larger geographical area of the Yokohl Valley.

Response to Comment I19-97:

The commenter is referred to the response prepared for Comment I19-19 and I19-37. The commenter is also referred to Master Response #8 which describes the intent of the Foothill Growth Management Plan. In addition, planned community areas must be consistent with the provisions of Policy PF-5.2 (page 2-67, Part I) of the General Plan 2030 Update.

FGMP Implementation Measure #15 is a new implementation measure identified as part of the RDEIR analysis. FGMP Implementation Measure #23 and #26 are included as part of the Foothill Growth Management Plan (see pages 3-25 and 3-26 [Part II] of the Goals and Policies Report). Please see Response to Comment I19-91.

Response to Comment I19-98:

The restatement of the impact conclusions is noted. The comment does not address the adequacy of the RDEIR and no further response is required.

Response to Comment I19-99:

The commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. Impacts 3.11-5 and 3.11-6 address whether the proposed project would conflict with local policies or ordinances protecting biological resources...and an adopted habitat conservation plan, natural community conservation plan which differs from the issue posed in the comment of whether the project would have impacts on “wildlife” which are addressed under different significance thresholds. The comment provides no evidence that the proposed project would conflict any of the plans discussed in the RDEIR. Please also see Master Response #7.

Response to Comment I19-100:

Policy FGMP-7.1 should not be reviewed in a vacuum as it is part of a suite of measures designed to reduce the impact to historical resources the extent feasible. In particular, policies contained in the Foothill Growth Management Plan are intended to provide specific guidance for that area of the County only, and are not intended to have County-Wide application. While the Foothill Growth Management Plan provides specific guidance to the referenced portion of the County, it should be noted that policy guidance contained in the other elements of the general plan pertain to all areas of the County and provide baseline policy guidance while the additional area plans provide supplemental policy guidance to their respective planning area.

The comment also suggests that Implementation Measure 22 should apply “no matter where the site is located.” As discussed in Master Response #3 a policy as suggested in the comment would be infeasible as it would provide insufficient flexibility for the County. While some areas may require archaeological review, other areas that are known to contain only disturbed soil, imported soil, or other fill material would not contain significant archaeological resources. Additionally, projects will be subject to the regulatory requirements discussed in Section 3.12 (including review under the National Historic Preservation Act) and impacts to archaeological resources will also be reviewed at the time at the time specific projects are proposed and will be subject to project specific environmental review.

A summary of General Plan 2030 Update policies identified in the RDEIR (see page 3.12-18 and 3.12-19) to address cultural resource issues is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Land Use, Scenic Landscape, and Environmental Resources Management Elements			
Policies and implementation measures designed to preserve and maintain historic resources in Tulare County include the following:			
LU-7.11	Adaptive Reuse	ERM-6.2	Protection of Resources with Potential State or Federal Designations
LU-7.12	Historic Buildings and Areas		
LU-7.13	Preservation of Historic Buildings	ERM-6.3	Alteration of Sites with Identified Cultural Resources
SL-2.3	Historic and Cultural Landscapes		
SL-3.1	Community Centers and Neighborhoods	ERM-6.4	Mitigation
SL-3.2	Urban Expansion–Edges	ERM-6.5	Cultural Resources Education Programs
SL-3.4	Planned Communities	ERM-6.6	Historic Structures and Sites
SL-4.1	Design of Highways	ERM-6.7	Cooperation of Property Owners
SL-4.2	Design of County Roads	ERM-6.8	Solicit Input from Local Native Americans
SL Implementation Measure #8B		ERM-6.10	Grading Cultural Resources Sites
ERM-6.1	Evaluation of Cultural and Archaeological Resources	ERM Implementation Measure #50	
Foothill Growth Management Plan			
Policies designed to preserve and maintain Foothill Growth Management Plan historical and archaeological sites include the following:			
FGMP-7.1	Information on Historical Sites	FGMP Implementation Measure #22	
FGMP-7.3	Protection of Historical or Archaeological Sites		

In addition to the above mentioned policies and implementation measures, the following revisions to ERM-6.2 “Protection of Resources with Potential State or Federal Designations”, ERM-6.3 “Alteration of Sites with Identified Cultural Resources”, and ERM-6.6 “Historic Structures and Sites” were identified in the RDEIR as required to address this impact:

- ERM-6.2 Protection of Resources with Potential State or Federal Designations.** The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation’s California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional. *[New Policy – Draft EIR Analysis]*.

- **ERM-6.3 Alteration of Sites with Identified Cultural Resources.** When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource. *[New Policy- Draft EIR Analysis]*.
- **ERM-6.6 Historic Structures and Sites.** The County shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and parks. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. *[Revised Draft EIR Analysis]*.

Response to Comment I19-101:

The commenter is referred to the response prepared for Comment I19-19 and I19-37.

Response to Comment I19-102:

The commenter is referred to the response prepared for Comment I19-19 and I19-37. The commenter is also referred to the response prepared to Comment I19-100 for a description of the various policies developed to address cultural resources. As indicated in Policy ERM-6.1, the evaluation of cultural and archaeological resources will be conducted in accordance with State and federal regulations which require the evaluations to be conducted by qualified professionals. Other policies in the General Plan 2030 update require input from a variety of other qualified parties including Native American Groups (See Policy ERM-6.8).

Response to Comment I19-103:

The commenter is referred to the response prepared for Comment I19-102.

Response to Comment I19-104:

The commenter is referred to Master Response #4 regarding the level of detail appropriate for the General Plan policies and programmatic EIR. The commenter is correct; the historic Kaweah Post Office should be listed on Table 3.12-1 of the RDEIR. Table 3.12-1 of the RDEIR will be updated.

The revision does not change the analysis or conclusions in the RDEIR. The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes all revisions to the RDEIR.

Response to Comment I19-105:

Policy WR-1.1 on page 11.6 of the Goals and Policies Report will be updated to address the typographical error indicated by the commenter. Policy WR-1.1 is amended to read as follows on page 11-6 (Part I) of the General Plan 2030 Update:

These actions shall be intended to help the County ~~migrate~~ mitigate the potential impact on ground water resources identified during planning and approval processes.

The revision does not change the analysis or conclusions in the RDEIR. The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes all revisions to the RDEIR.

Response to Comment I19-106:

The commenter's suggestion to revise Policy WR-1.3 to prohibit the permanent transfer of water rights outside the County is noted. Such a ban at County lines would be arbitrary and could actually result in worsening of impacts in the *groundwater basin* if such transfers are needed within the basin but outside the County; County lines are not tied to the groundwater basin (see *O.W.L. Foundation v. City of Rohnert Park* (2008) 168 Cal.App.4th 568). Furthermore, such inflexibility could result in a taking and is therefore considered legally infeasible. The commenter is referred to Master Response #1. The commenter is also referred to the response for Comment I14-58 which describes the County's policy related to an Integrated Regional Water Management Plan.

Response to Comment I19-107:

The commenter's suggestion to revise Policy WR-1.4 is noted. In response to the suggested comment, the following revision to Policy WR-1.4 is proposed:

- **WR-1.4 Conversion of Agricultural Water Resources.** For new urban development, the County shall discourage the transfer of water used for agricultural purposes (within the prior ten years) for domestic consumption except in the ~~including but not limited to the following circumstance:~~
 - The water remaining for the agricultural operation is sufficient to maintain the land as an economically viable agricultural use,
 - The reduction in infiltration from agricultural activities as a source of groundwater recharge will not significantly impact the groundwater basin [*New Policy – Draft EIR Analysis*].

Response to Comment I19-108:

The list provided on page 3.11-20 is based on a current review of the California Department of Fish and Game's CNDDDB- documented occurrences list of sensitive habitats. The identified special-status plan species identified by the commenter (*Kaweah brodiaea*) is identified in Table 3.11-2 (see page 3.11-24) of the RDEIR.

Response to Comment I19-109:

The commenter is directed to the response prepared for Comment I19-104.

Response to Comment I19-110:

Comment noted. The RDEIR has sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). The RDEIR is intended to analyze impacts of the proposed General Plan and must identify measures to minimize any significant impacts (State Guidelines Section 15121[a]). Although the General Plan is intended to be a self-mitigating document, many of the impacts remain significant and unavoidable despite the implementation of mitigating policies and implementation measures found in the existing General Plan and those modified through the environmental analysis. Additionally, the RDEIR analyzes a reasonable range of alternatives to the proposed project. See Master Response #9 for further discussion of the RDEIR alternatives.

Response to Comment I19-111:

The commenter is also referred to Master Response #9 for further response regarding Alternatives development and analysis. The comment also states “the County improperly incorporated all of the proposed General Plan 2030 Update’s policies and implementation measures into each alternative. Contrary to this comment, the alternatives have policies which differ from those of the proposed project. A fact noted by the commenter in comment I19-120. Please see Response to Comment I23-70 which addresses this issue. The commenter is also directed to the introductory section for each alternative which not only includes a description of the population distribution assumptions for each alternative but also includes a policy scenario for each alternative at the level of detail consistent with the CEQA Guidelines. For example, the following description is from page 4-18 of the RDEIR and describes the policy differences for Alternative 2: City-Centered Alternative:

In order to accomplish this land use goal, several revisions to the Goals and Policies Report (Part I of the General Plan 2030 Update) would be required, in particular those included in the Planning Framework Element that are designed to manage growth near existing city boundaries (see Table 4-4). Revised policies would incorporate land use strategies that would require greater land use efficiency standards for development on important farmlands within the CACUDBs (20 year boundary) for unincorporated communities and hamlets. Additional strategies that could be integrated into the policies and implementation measures of the Goals and Policies Report (Part I of the General Plan 2030 Update) to direct growth within existing CACUDBs for the incorporated cities in the County include:

- *Cities accept significant growth and accommodate it through infill development, higher densities, and transportation infrastructure.*
- *County limits rural residential development.*
- *County continues to improve quality of life and services in unincorporated communities but does not make growth inducing infrastructure improvements.*
- *County limits commercial development to local serving in unincorporated communities.*
- *County continues to focus on facilitating/managing agricultural development.*
- *County and cities need to evaluate revenue-sharing agreement.*

- *Under this alternative, slower development patterns are assumed to continue through the entire 2030 planning horizon, with the unincorporated population being slightly lower (206,880 individuals by 2030 versus 222,580) than that anticipated under the proposed project (see Table 4-1).*

Contrary to the statements made by commenter, there are no ironclad rules relating to the range of alternatives to be discussed in the EIR. The selection of alternatives is governed by the rule of reason (CEQA Guidelines §15126.6). This means that “an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible” (CEQA Guidelines §15126.6(a)). The lead agency has the discretion to determine the number of alternatives necessary to constitute a legally adequate range, which will vary from case to case depending on the nature of the project (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553). In addition, an alternative need be environmentally superior to the project in only some respects (Sierra Club v. City of Orange (2008) 163 Cal. App. 4th 523, 547).

Response to Comment I19-112:

The commenter is referred to Master Response #9 for further response regarding Alternatives development and analysis.

Response to Comment I19-113:

The intent of Table 4-1 is to summarize what is considered the key points of each alternative. The commenter is directed to the introductory text of each alternative to truly understand the variability of each alternative, in particular to understand the differences in policy direction identified for each alternative. Please refer to Response to Comment I19-111.

Response to Comment I19-114:

The key differences of the No-Project Alternative are described on page 4-6 of the RDEIR. As indicated in the text, the key differences include continuation of the existing general plan as the guiding policy document for the County and slightly larger population projections for the unincorporated portions of the County associated with minimized policy guidance in the existing general plan that manages growth within the unincorporated areas of the County. Please see Response to Comment I19-111.

Response to Comment I19-115:

The commenter’s opinion is noted. The CEQA Guidelines require evaluation of the No-Project Alternative regardless of the ability to meet the project objectives (General Plan 2030 Update); (see CEQA Guidelines §15126.6).

Response to Comment I19-116:

The proposed project has been updated to provide modern planning and environmental regulatory guidance. Given the age of the existing general plan originally adopted in 1964, the No-Project has limited ability to meet the various objectives associated with the proposed project. Please see Response to Comment I19-111.

Response to Comment I19-117:

Alternative 4: Transportation Corridors Alternatives includes an alternative policy scenario (or project description) as described on pages 4-27 through 4-28 of the RDEIR which enables the alternative to be considered a feasible alternative for evaluation in the RDEIR. Alternative 4 is intended to focus growth in the designated transportation corridors as opposed to a balanced growth approach which would all growth to occur both in the corridor areas and in more urban areas.

Response to Comment I19-118:

The typographical error identified by the commenter regarding the appropriate cite to the CEQA Guidelines is corrected as follows in the second paragraph on page 4-1 of the RDEIR:

“One finding that is permissible, if supported by substantial evidence, is that “specific economic, legal, social, technological, or other considerations . . . make infeasible the . . . alternatives identified” in the EIR (Pub. Resources Code, §21081, subd. [a]; see also CEQA Guidelines, §159091, subd. [a]).”

The revision does not change the analysis or conclusions in the RDEIR. The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes all revisions to the RDEIR.

Response to Comment I19-119:

Table 4-3 is a summary chart providing the conclusions for quick comparison. An explanation and analysis supporting the RDEIR’s conclusions regarding the alternatives is provided in RDEIR Chapter 4.0, pages 4.13 through 4-36. Commenter’s opinion regarding the impact of urban infill on historic resources is noted. As indicated by the commenter, the assumption is that greater amounts of development within urbanized areas could affect the individual historic qualities of existing structures or districts within those urbanized areas. Affected structures could experience structural modifications, retrofits, or require demolition which could affect their individual consideration as a historic resource as more infill development is proposed within these urbanized areas. The commenter is referred to Master Response #9 for further response regarding Alternatives development and analysis.

Response to Comment I19-120:

The analysis provided on page 4-19 concludes that Alternative 2 would meet some of the project objectives. However, the lower levels of anticipated growth and development (associated with Alternative 2) may make it more difficult to achieve the desired level of reinvestment within

existing communities and hamlets. Consequently, Alternative 2 would not meet this objective and may not fully meet project objectives that encourage additional opportunities for small unincorporated communities to grow, address public health and safety concerns, and improve their quality of life (compared to the proposed project), with more growth being focused in CACUDBs. As with all the alternatives, it is assumed that the County would still continue to coordinate and cooperate with other local agencies and organizations on a variety of relevant land management issues regardless of whether the General Plan is updated or not.

Response to Comment 119-121:

The commenter notes that the alternatives analysis rates the project and the City Centered and Confined Growth alternatives the same with respect to air quality impacts. The analysis indicates that the alternatives are similar because each would produce similar amounts of mobile and stationary sources of emissions. The commenter asks for the County percentage of mobile and stationary emissions and the basis for the conclusion.

CEQA only requires consideration of alternatives that reduce one or more significant impacts to less than significant levels. The difference in emissions between the project and the alternatives is not sufficient to reduce air quality impacts to less than significant. Table 5 of the Climate Action Plan provides the percentage of the major development related source categories for Tulare County's 2007 greenhouse gas inventory. Stationary sources comprised 45 percent of the inventory, mobile sources comprised 43 percent, and solid waste disposal and management comprised 12 percent. Stationary emissions consist of natural gas consumption primarily for cooking and space, heating, and electricity use. These emissions will continue at similar rates regardless of where the development occurs. Mobile emission sources are directly related to vehicle trips and miles traveled. Development under the City Centered and Confined Growth alternatives would have shorter average trip lengths and increased opportunities for using alternative modes for some trips. However, people in cities tend to make more trips than those living in rural areas. People in rural areas tend to combine trips for multiple purposes due to the distance and time required for the trip. This tendency to make less trips reduces some of the potential emission reductions of the alternatives.

Table 10 of the CAP provides trip reduction estimates recommended by the SJVAPCD for land use and transportation measures that can be achieved at the project level. The measure effectiveness is dependent on many factors applicable to the project site such as density, design, diversity, and distance. The alternatives would incrementally improve these factors, but not on a sufficient scale to reduce the air quality impacts to less than significant. Based on experience using the URBEMIS 2007 mitigation component, mobile source reductions for projects in suburban communities can range from 4 to 12 percent depending on the individual circumstances. The CAP estimates that reductions averaging 6 percent would be achieved with implementation of the General Plan 2030 Update. If one assumes that the high end of reductions could be achieved with the alternatives, it would provide an additional 6 percent, an amount that is insufficient to reduce emissions to less than the SJVAPCD threshold of significance.

Response to Comment I19-122:

The commenter is referred to RDEIR Section 4.3, pages 4-32 through 4-36 for an analysis of the environmental impacts associated with Alternative 5: Confined Growth Alternative.

Response to Comment I19-123:

The alternatives used the same significance thresholds as those used in the individual resource sections in Chapter 3 of the RDEIR. This is demonstrated in the summary tables at the beginning of each alternative (see Table 4-3 for an example) which provides these significance thresholds. The comment is also directed to RDEIR page 4-33 for discussion of agricultural resources. The level of detail provided in this discussion is consistent with CEQA Guidelines Section 15126.6(d) which states that “the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” In addition, the level of detail for the analysis of the alternatives corresponds to the level of specificity involved in the activity considered in the EIR. For example, the discussion of alternatives in an EIR for a planning level action, like this one, need not be as precise as the discussion for a specific development project (CEQA Guidelines, §15146).

Response to Comment I19-124:

It is unclear what section the comment is referring to in stating “see above.” No response can be provided. Please see Response to Comment I19-121.

Response to Comment I19-125:

The analysis for Alternative 5 recognizes that the confined growth alternative would reduce the overall number of vehicle miles driven (see RDEIR page 4-34). However, energy consumption is not dependent upon the location of the dwelling unit (i.e. unincorporated County versus incorporated City). Rather, this is dependent upon building materials. All new development will have to comply with modern energy efficiency requirements and California Building Code Requirements (Title 24, California Code of Regulations). In addition, Policy AQ-3.5 and AQ Implementation Measure 12 encourage energy efficient design. Please also see Response to Comment I19-123 and Master Response #9 for discussion of the appropriate level of detail in the Alternatives analysis.

Response to Comment I19-126:

The alternatives analysis is meant to be comparative only. As discussed in Response to Comment I19-123, CEQA does not require each alternative to be analyzed with the same level of detail as the proposed project. It is not necessary to provide a calculation of total daily vehicle trips for each alternative in order to assess the relative merits of each alternative with that of the proposed project. The commenter is referred to Master Response #9 for further response regarding Alternatives development and analysis. As described in Master Response #9, these alternatives have been analyzed at the appropriate level of detail for a General Plan under CEQA. The alternatives analysis requires less detail than the analysis of the project’s impacts and it need not be exhaustive (CEQA Guidelines, § 15126.6(d); *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523).

Response to Comment I19-127:

The commenter's opinion regarding the content and feasibility of Alternative 2 is noted. The commenter is referred to Master Response #1 and #9. This suggestion will be forwarded to County decision makers for their consideration. Appendix B in the General Plan 2030 Update (page B-3) includes several policies that promote sustainable/smart growth principles consistent with the Tulare County Regional Blueprint.

Response to Comment I19-128:

The commenter is referred to the response prepared for Comment A8-16 from the Attorney General regarding the inclusion of an alternative that would limit growth. The Attorney General's comment quoted by commenter was submitted in 2008 on the originally published draft EIR. Please see Master Response #2 regarding the treatment given to comments submitted on the previous document. The commenter is referred to Master Response #9 for further response regarding Alternatives development and analysis, and the "healthy growth alternative." The commenter is referred to the description of Alternative 2 which meets the commenter's objectives of having the County focus greater amounts of growth within existing urban areas.

Response to Comment I19-129:

The commenter is referred to Master Response #9 for further response regarding Alternatives development and analysis.

Response to Comment I19-130:

The commenter is also referred to Master Response #8 which describes the intent of the Foothill Growth Management Plan. As described in Master Response #8, the FGMP provides for allowed uses and development standards in the foothill development corridors. The General Plan 2030 Update does not propose any changes to the location or the size of the areas currently designated as foothill development corridors. The Foothill Growth Management Plan (FGMP) is part of the proposed project and was discussed through the RDEIR including discussion on page 2-12 of the RDEIR Project Description. The full contents of the plan were also included in Appendix C of the RDEIR. Accordingly, environmental impacts associated with the FGMP are analyzed in the RDEIR as part of the project. New policies are identified by a notation in italics text at the end of the policy. For example, new policies identified as a result of the CEQA analysis are identified as *[New Policy – Draft EIR Analysis]* and/or *[New Policy – Final EIR]*. Also, see Response to Comment I27-4.

Response to Comment I19-131:

The intent and purpose of the Foothill Growth Management Plan have not changed. The commenter is referred to Master Response #8 which describes the intent of the Foothill Growth Management Plan. Please see Master Response #11 for discussion of development in the foothills. As discussed therein, Yokohl Ranch has not been "green-light[ed]." Also, the commenter is referred to Response to Comment I19-75.

Response to Comment I19-132:

Please see Master Response #4 for discussion of the level of detail required in the RDEIR and the General Plan. As discussed therein, the RDEIR environmental setting/baseline “shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” Similarly, the General Plan complies with the Content requirements of Government Code Section 65302. The cited data from 1981 is over 30 years old therefore the RDEIR provides more recent information, including additional information in the Background report. The comment provides no evidence that this more recent information is not accurate. The commenter is also referred to Master Response #8.

Response to Comment I19-133:

Please see Response to Comment I19-132.

In the footnote, the commenter also asks what the status of the FGMP is, since that would be the “baseline.” The CEQA baseline is the description of the “physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published” (CEQA Guidelines, §15125). This description is provided in the Environmental Setting section of each resource area in RDEIR Chapter 3, the Environmental Analysis chapter.

Response to Comment I19-134:

As discussed in Response to Comment I19-130 the text of the proposed project was made available for review. The commenter is also referred to Master Response #8.

Response to Comment I19-135:

The Commenter’s opinion is noted. The commenter is also referred to Master Response #8. Additionally, this comment addresses the FGMP as a standalone document, however as noted in Master Response #3, individual policies should not be reviewed in a vacuum, but rather part of the entire General Plan. The commenter is referred to the summary of policies and implementation measures provided in the individual resource chapters in Section 3.0 of the RDEIR as well as the other Elements in the General Plan, which provide policy guidance on the issues (i.e. smart growth, conservation, etc.) identified by the commenter. Please also see Response to Comment I19-140 below.

Response to Comment I19-136:

Commenter is referred to Master Response #7 on the use of implementation measures. The State of California General Plan Guidelines published by the Governor’s Office of Planning and Research (OPR General Plan Guidelines) are advisory and not mandatory. State law does not require each general plan policy to have a corresponding implementation measure. Additionally, see the responses prepared for Comments I19-19 and I19-37 and Master Response #3 and #4 regarding the enforceability of General Plan 2030 Update policies.

Response to Comment I19-137:

The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Because the comment indicates commenter's general opinion that the RDEIR does not meet CEQA standards without a specific example, no further response can be provided. Comments will be forwarded to the County decision makers for their consideration.

Response to Comment I19-138:

Once adopted, a general plan is required to be implemented under Government Code §65400. The commenter is referred to Master Response #3 and #4 regarding the enforceability and appropriate level of detail for the General Plan and programmatic RDEIR.

Response to Comment I19-139:

Commenter is referred to Master Response #8 regarding the Foothill Growth Management Plan and to the response prepared for Comment I19-132 and I19-133 for discussion of baseline. Additionally, see Master Response #3 and #4 regarding the enforceability and appropriate level of detail for the General Plan and programmatic RDEIR.

Response to Comment I19-140:

The commenter's introductory statement regarding the remaining portions of their comment letter is noted. The comments address the FGMP as a standalone document, however as noted in Master Response #3, individual policies should not be reviewed in a vacuum, but rather part of the entire General Plan. The commenter is referred to the summary of policies and implementation measures provided in the individual resource chapters in Section 3.0 of the RDEIR as well as the other Elements in the General Plan.

In subsequent comments, this letter also requests analysis of impacts associated with individual policy changes in comparison to the 1981 FGMP policies. However, impacts under CEQA are made in comparison to existing conditions (see CEQA Guidelines Section 15125 and 15126.2) not in comparison to an existing plan. Furthermore, development would not occur exclusively under the FGMP policies. Development and its associated impacts are based upon projected buildout of the proposed project as a whole as it would be shaped by all of the policies in the General Plan, not just those in the FGMP, as well as other existing federal, state, and local plans and regulations.

Response to Comment I19-141:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please see Master Response #1.

Response to Comment I19-142:

Please see Response to Comment I19-140. The comment is also directed to RDEIR Section 3.7 for discussion of grading related policies, Section 3.6 for discussion of natural watercourse related policies, and Section 3.11 for discussion of policies related to biological resources. The commenter is referred to Master Response #3 and #4 regarding the appropriate level of detail for the General Plan and programmatic RDEIR.

Response to Comment I19-143:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please see Master Response #1.

Response to Comment I19-144:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please see Master Response #1.

Response to Comment I19-145:

Please see Response to Comment I19-140. The comment is also reminded that in addition to the other Elements of the General Plan, there are existing federal, state, and local regulations which will shape the way development occurs within the County. In particular, Land Use Implementation Measure #4 provides for Site Plan Review, similarly the County Ordinance code provides for review by the Site Plan Review Committee depending upon the nature of individual projects (see County Ordinance code Sections 7-03-1010, 7-01-1010, 7-07-1005, 7-15--1040). Please also see Master Response #3 and #7 for discussion of General Plan implementation, and Master Response #4 for discussion of the appropriate level of detail for the General Plan and RDEIR. Please see Master Response #1.

Response to Comment I19-146:

Please see Response to Comment I19-140 and Master Responses #3, #4, and #7.

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please see Master Response #1.

Response to Comment I19-147:

As noted under CEQA Guidelines Section 15126.2 and 15125, impacts of the project are made in comparison to existing conditions, not the existing General Plan. Furthermore, impacts are based upon the entire General Plan, not individual policies. The comment is directed to RDEIR Section 3 which addresses impacts of the proposed project and mitigation measures for each of the

resource areas discussed in the comment. Please also see Response to Comment I19-145 for discussion of site plan review. Please also see Master Response #1.

Response to Comment I19-148:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. Please also see Response to Comment I19-147 for evaluation of the proposed project's impacts. Please also see Master Response #1.

Response to Comment I19-149:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. Please also see Response to Comment I19-147 for evaluation of the proposed project's impacts. Please also see Master Response #1.

Response to Comment I19-150:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-151:

The commenter is referred to Master Response #3 and #4 regarding the enforceability and appropriate level of detail for the General Plan and programmatic RDEIR. Please see RDEIR Section 3.1 for discussion of all of the policies in the General Plan related to Aesthetics. Please also see Master Response #1.

Response to Comment I19-152:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-153:

The commenter is referred to the response prepared for Comment I19-37. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-154:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. The remainder of the comment does not concern the adequacy of the

RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-155:

Please see Master Response #7 regarding the use of implementation measures. The State of California General Plan Guidelines published by the Governor's Office of Planning and Research (OPR General Plan Guidelines) are advisory and not mandatory. State law does not require each general plan policy to have a corresponding implementation measure. Please also see Master Response #1.

Contrary to the comment, the proposed General Plan focuses future growth within established community areas, as discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Please also see Master Response #1.

The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-156:

Please see Master Response #3, #4, and #7 regarding General Plan Implementation and the appropriate level of detail. Please also see Master Response #1.

Response to Comment I19-157:

Please see Response to Comment I19-147 regarding the impacts of the proposed project. Please also see Master Response #3, #4, and #7 for discussion of General Plan Implementation and the appropriate level of detail. Please see Response to Comment A8-7 for discussion of new towns. Furthermore, the County has not delegated its decision making authority. Please also see Master Response #1.

Response to Comment I19-158:

The commenter is referred to the response prepared for Comment I19-37. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please see Response to Comment A8-7 for discussion of land use designations, population densities, and building intensities. Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. Please see Response to Comment I19-147 regarding the impacts of the proposed project.

The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-159:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-160:

Please see Master Response #3, #4, and #7 regarding the use of implementation measures and the appropriate level of detail for the proposed project. Please see Response to Comment I14-38 and I19-145 for discussion of Site Plan Review. In addition, Policies AQ-3.4 and AQ-3.5, AQ Implementation Measure 12, and LU Implementation Measure 25 encourage energy efficient design.

The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-161:

Please see Master Response #3, #4, #7, and Response to Comment I19-72 regarding the use of implementation measures and the appropriate level of detail for the proposed project. Please also see Response to Comment I19-145 for discussion of impacts of the proposed project. This policy is consistent with mining requiring discretionary approval. Please see Impact 3.7-5 and 3.7-6 beginning on page 3.7-24 of the RDEIR for a discussion of mining related impacts. The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-162:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-163:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. The comment also suggests that use of the language “special wildlife species” in Policy FGMP-4.1 is environmentally superior to the policy as currently proposed. Contrary to the commenter’s belief, the language as proposed in the RDEIR would encompass more species than the suggested language and is consistent with CEQA Guidelines Section 15380. Please also see Master Response #1.

Response to Comment I19-164:

Please see Master Response #3, #7, and Response to Comment I19-72 regarding the use of implementation measures. The remainder of the comment does not concern the adequacy of the

RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-165:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration. Please also see Master Response #1.

Response to Comment I19-166:

The comment suggests that the RDEIR “fails to disclose” the text of the FGMP. Please see Response to Comment I19-130 which addresses this issue. The comment also questions the changes of individual policies in comparison to the previous plan. Please see Response to Comment I19-140 and I19-145 which address this issue.

Please see Master Response #4 regarding the appropriate level of detail in the General Plan. Please also see Master Response #1.

Response to Comment I19-167:

The comment questions the changes of individual policies in comparison to the previous plan. Please see Response to Comment I19-140 and I19-145 which address this issue. Please see Master Response #3 and #7 regarding the use of implementation measures. Please also see Master Response #1.

Response to Comment I19-168:

Please see Master Response #4 regarding the appropriate level of detail for the General Plan and the RDEIR. Please see Response to Comment I19-145 for discussion of Site Plan Review and Response to Comment I19-140 for discussion of the impacts of the proposed project as a whole (rather than individual policies). Please also see Master Response #1.

Response to Comment I19-169:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. Please also see Response to Comment I19-140 for discussion of the impacts of the proposed project as a whole (rather than individual policies). The commenter is also directed to the General Plan Transportation and Circulation Element (Part I, Section 13) for discussion of highways and roadways and to the General Plan policies discussed in the RDEIR Aesthetics Chapter in Section 3.1. Please also see Master Response #1.

Response to Comment I19-170:

Please see Response to Comment I19-140, as discussed therein, many policies outside of the FGMP apply Countywide and it is not necessary to restate these policies. Please see Master

Response #3, #4, #7, and Response to Comment I19-72 for discussion of implementation of the General Plan and the appropriate level of detail. Please also see Master Response #1.

Response to Comment I19-171:

Please see Master Response #3 and #7, and Response to Comment I19-72 regarding the use of implementation measures. Please see Master Response #4 for discussion of the appropriate level of detail for the General Plan. Please also see Master Response #1.

Response to Comment I19-172:

Please see Response to Comment #3, #4, and #7 for discussion of General Plan implementation and the appropriate level of detail. Please see Response to Comment I19-145 for discussion of Site Plan Review. Please also see Master Response #1.

Response to Comment I19-173:

Please see Response to Comment I19-140. The commenter is also referred to General Plan 2030 Update Policies ERM 6.2, 6.3, and 6.6. This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-174:

Please see Master Response #3, #4, and #7 for discussion of the appropriate level of detail for the General Plan and implementation of the General Plan. The commenter is also referred to the responses prepared for Comments I19-100 and I19-102.

Response to Comment I19-175:

Please see Master Response #3, #4, and #7 for discussion of the appropriate level of detail for the General Plan and implementation of the General Plan. The commenter is also referred to the responses prepared for Comments I19-100 and I19-102.

Response to Comment I19-176:

Please see Master Response #3 and #7 and Response to Comment I19-72 regarding the use of implementation measures. Contrary to the commenter's interpretation, the Policy does not permit development by right on adjacent property; the policy simply states that "this does not preclude development on adjacent property..." Please see Response to Comment I19-140.

Response to Comment I19-177:

The comment suggests that development, improvements, and encroachments should be prohibited in proximity to watercourse and riparian areas. This is considered infeasible because it provides insufficient flexibility as discussed in Master Response #3. Flexibility is needed to address the peculiarities of specific parcels and specific projects as they are proposed. The County will need to balance numerous planning, environmental, and policy considerations in the General Plan

based upon the specific parcels of land and projects. The comment is also directed RDEIR Section 3.11 which discusses all the existing regulations and General Plan policies which address riparian areas. Please see Response to Comment I19-140.

Response to Comment I19-178:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-179:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. The State of California General Plan Guidelines published by the Governor's Office of Planning and Research (OPR General Plan Guidelines) are advisory and not mandatory. State law does not require each general plan policy to have a corresponding implementation measure. The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-180:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-181:

The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic RDEIR. Please see Response to Comment I19-145 for discussion of Site Plan Review. FGMP Implementation Measure 30 is amended to read as follows on page 3-27 (Part II) of the General Plan 2030 Update:

The County shall require a properly designed wastewater disposal system to prevent surface or groundwater contamination and a drainage plan which minimizes sedimentation and/or contamination of the lake environment by ~~are~~ engineering measures capable of meeting the intent of this policy.

Response to Comment I19-182:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-183:

Policies FGMP-8.7 and PF-2.3 are not inconsistent. Please see Master Response #3, #4, and #7 for discussion of General Plan implementation and the appropriate level of detail. Please also see Response to Comment I19-140 and I19-145.

Response to Comment I19-184:

The comment is directed to RDEIR Sections 3.6 and 3.7 which address soil erosion.

Response to Comment I19-185:

The commenter is referred to the response prepared for Comment I19-37. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. Please see Response to Comment I19-71 for discussion of oak woodlands. The RDEIR does not list FGMP Implementation Measures #15, #23, and #26 as implementing Policy FGMP-8.5. The Table on page 3.11-34, simply references all the General Plan policies and Implementation Measures related to Impact 3.11-1.

The comment also suggests that Development Standards 20 and 21 are inconsistent. This is incorrect; Standard 20 applies to removal of trees in general within the FGMP area, whereas Standard 21 applies to “areas restricted to open space.” See Part II, Section 3.1 of the General Plan 2030 Update for Foothill Growth Management Plan Policies.

Response to Comment I19-186:

Please see Master Response #3 and #7 and Response to Comment I19-72 regarding the use of implementation measures. The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-187:

Please see Response to Comment I19-140 and Master Response #3, #4, and #7.

Response to Comment I19-188:

Please see Response to Comment I19-140 and RDEIR Section 3.11 which discusses all General Plan policies related to special status species and other biological resources. Please also see Master Response #3, #4, and #7 for discussion of General Plan implementation and the appropriate level of detail. Please see Response to Comment I19-71 for discussion of oak woodlands.

Response to Comment I19-189:

Please see Master Response #3, #4, and #7, and Response to Comment I19-72.

Response to Comment I19-190:

The commenter is referred to the response prepared for Comment I19-37. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR. Please see Response to Comment I19-140 and RDEIR

The commenter is also referred to Section 3.11 of the RDEIR where impacts and General Plan policies related to special status species and other biological resources are discussed. Please also see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. Please see Response to Comment I19-163 for suggestions on the terminology “special status species.”

The comment also references “the current IM for this policy (page 34)...” The quoted language is not contained on FGMP page 3-34 nor is it included on RDEIR page 3.11-34. It is unclear what language the comment is referencing, therefore, no further response is possible.

The remainder of the comment does not concern the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-191:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures.

Response to Comment I19-192:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures.

Response to Comment I19-193:

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The proposed General Plan also contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-2.2, PF-3, PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance]). Please see Response to Comment A8-7 for discussion of Planned Community Areas and Master Response #11 on the Yokohl Ranch project. The commenter is referred to the response prepared for Comment I19-37. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR.

Response to Comment I19-194:

The comment suggests prohibiting all hilltop and hillside development. Please see Response to Comment I19-140. This is considered infeasible because it provides insufficient flexibility as discussed in Master Response #3. Flexibility is needed to address the peculiarities of specific parcels and specific projects as they are proposed. The County will need to balance numerous planning, environmental, and policy considerations in the General Plan based upon the specific

parcels of land and projects. The comment is also directed RDEIR Section 3.1 which discusses all the existing regulations and General Plan policies which address aesthetic impacts. Please also see Master Response #4 for discussion of the appropriate level of detail. Please see Response to Comment I19-145 for discussion of Site Plan Review.

Response to Comment I19-195:

Please see Master Response #3 and #7 and Response to Comment I19-72 for discussion of General Plan implementation.

Response to Comment I19-196:

Please see Response to Comment I19-140 and RDEIR 3.11 for discussion of impacts to biological resources.

Response to Comment I19-197:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures.

Response to Comment I19-198:

Please see Master Response #3, #4, and #7 and Response to Comment I19-72 regarding the use of implementation measures and the appropriate level of detail.

Response to Comment I19-199:

Please see Response to Comment I19-140 and RDEIR 3.11 for discussion of impacts to biological resources.

Response to Comment I19-200:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-201:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-202:

Please see Master Response #7 and Response to Comment I19-72 regarding the use of implementation measures. Furthermore, the contents of the General Plan and the FGMP were discussed in the Project Description of the RDEIR and made available in their entirety in Appendix C of the RDEIR.

The comment also states “the modification to permit development if new facilities ‘are proposed or required’ without also requiring those proposed or required facilities to be provided and financed by the developer puts the public at risk.” As discussed under Response to Comment I19-140, individual policies should not be reviewed in a vacuum. As discussed in RDEIR Section 3.9, the General Plan contains policies related to funding of infrastructure.

Response to Comment I19-203:

Please see Master Response #4 for discussion of the appropriate level of detail for the General Plan and the RDEIR. Please also see Master Response #3, #7 and Response to Comment I19-72 regarding the use of implementation measures.

Response to Comment I19-204:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-205:

The commenter is referred to the response prepared for Comment I19-37. The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and programmatic RDEIR, and Response to Comment I19-140. The commenter is also referred to Master Response #8 on the Foothill Growth Management Plan. Furthermore, the contents of the General Plan and the FGMP were discussed in the Project Description of the RDEIR and made available in their entirety in Appendix C of the RDEIR.

Response to Comment I19-206:

Please see Master Response #3 and Response to Comment I19-140. Please also note that FGMP development standards are incorrectly quoted; the language should read as follows: “...if it is deemed *inappropriate* because of existing development patterns.” As discussed in Master Response #3 some flexibility is needed to balance numerous environmental and planning considerations. Furthermore, future project specific proposals will be subject to separate environmental review.

Response to Comment I19-207:

This is not a comment on the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I19-208:

The commenter is referred to the response prepared for Comment I19-33 which addresses aesthetic, lighting, and night sky issues. The commenter is also referred to RDEIR Section 3.4, Master Response #10, and Response to Comment I19-160 which identifies several policies designed to address energy efficiency and climate change issues which discusses the County’s Climate Action Plan, including its energy efficiency policies.

Response to Comment I19-209:

The 1981 FGMP element required that the County adopt, by ordinance, the Foothill Development Standards. The County completed this on May 28, 1981, via Ordinance #2417, Section 18.7 “F” Foothill Combing Zone (TC Zoning Ordinance). Section 18.7-E3. Special Findings, states:

“that the proposed site plan conforms to all policies and development standards as set forth in this Section and the Foothill Growth Management Plan”

The information provided in this section documents the FGMP as an element of the County’s general plan and the TC Zoning Ordinance. Additionally, the County’s Foothill Development Standards are available on line:

<http://www.co.tulare.ca.us/civica/filebank/blobdload.asp?BlobID=3785>.

Response to Comment I19-210:

The commenter’s suggestion to revise Development Standard 5 is noted. The commenter is referred to Master Response #1. FGMP Development Standard 5 on page 3-29 (Part II) of the General Plan 2030 Update is amended to read as follows:

Those portions of the site which are adjacent to a watercourse area, contain undeveloped slopes 30 percent or greater or encompass environmental, archaeological, or historically sensitive areas shall remain in common open space.

The revision does not change the analysis or conclusions in the RDEIR.

Response to Comment I19-211:

The commenter’s suggestions for Development Standards 8 and 17 are noted. The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I19-212:

The commenter’s suggestion for Development Standard 32 is noted. The commenter is referred to Master Response #1 and #4. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I19-213:

The commenter’s statement is noted.

Response to Comment I19-214:

The commenter’s statement regarding previously submitted comments on the RDEIR is noted. The commenter is referred to Master Response #2.

Response to Comment I19-215:

The commenter is referred to Master Response #3, #4, and #7, and Response to Comment I19-72 regarding the implementation of the General Plan and the appropriate level of detail.

Letter I20. Sarah Campe**Response to Comment I20-1:**

See Master Response #9 for further response regarding Alternatives development and analysis. Please also see Master Response #4 for discussion of General Plan implementation and enforceability.

Response to Comment I20-2:

In regards to the range of alternatives presented, see response to comment I20-1, above. In regards to additional strategies that could be integrated into the policies and implementation measures to direct growth within existing CACUDBs for Alternative 2, the County has provided a list of possibilities. These strategies would be in addition to the revisions to the Goals and Policies Report (Part I of the General Plan 2030 Update) that would be required for Alternative 2, in particular those included in the Planning Framework Element that are designed to manage growth near existing city boundaries (see Table 4-4 on page 4-19 of the RDEIR). Revised policies would incorporate land use strategies that would require greater land use efficiency standards for development on important farmlands within the CACUDBs (20 year boundary) for unincorporated communities and hamlets. Please see Master Response #10 for further discussion of the project alternatives, and Master Response #3.

Response to Comment I20-3:

See Master Response #9 for a discussion of the breadth of variation between the alternatives. Please also see Response to Comment I11-73 for discussion of increased population growth in the Cities.

Response to Comment I20-4:

The commenter is incorrect in stating that the Confined Growth Alternative has been dismissed. While the analysis noted the alternatives' ability to meet the project objectives (RDEIR page 4-19); this however did not constitute a rejection of this alternative. As noted in CEQA Guidelines Section 15126.6, potential alternatives are only required to meet most of the project objectives.

The Confined Growth Alternative (Alternative 5) is analyzed in Chapter 4 of the RDEIR and is identified as the Environmentally Superior Alternative because it would convert less open space and prime agricultural farmland than the proposed project. This alternative also has the potential to result in fewer impacts to scenic resources. However, as shown in Table 4-3 (page 4-36 of the RDEIR), implementation of Alternative 5 would still result in significant and unavoidable impacts to biological, agricultural, air quality, greenhouse gas emissions, and traffic resources. The RDEIR is an environmental analysis document only, and does not promote or encourage the selection of one or another of the alternatives or proposed project. The County has not yet selected whether the proposed

project or one of the project alternatives, if any, will be approved and carried out. This decision will be made by the Board of Supervisors after considering the final EIR and making the required findings (Pub. Res. Code §21081; CEQA Guidelines §§ 15092, 15091). The comment also states that the proposed General Plan will “simply contribute to the unplanned, inefficient sprawl...” As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

Response to Comment I20-5:

See Master Response #9 for a discussion of the commenter-proposed “Healthy Growth Alternative.” Additionally, please see the responses prepared for Comments I11-59, I18-4, I18-5, and I23-77.

Response to Comment I20-6:

This comment does not address the content or adequacy of the RDEIR; no further response required.

Response to Comment I20-7:

Comment noted. In response to a summary of the comment letter, see responses I20-1 through I20-6, above. Comments and principles for smart growth and healthy growth alternatives will be forwarded to the County decision makers for their consideration.

Letter I21. Shute, Mihaly, and Weinberger LLP (for the Tulare Council of Cities)

Response to Comment I21-1:

The commenter’s introductory remarks present the commenter’s general opinion that the General Plan and RDEIR are legally inadequate are noted. The commenter’s specific comments are addressed in the following responses.

Response to Comment I21-2:

The commenter criticizes the proposed General Plan 2030 Update and the RDEIR because the commenter believes that its view of what constitutes “city-centered” growth is not reflected in these documents. One of the primary purposes of a general plan is to plan for a particular jurisdiction’s growth. Therefore, it should be no surprise, that the County is anticipating some level of growth over the next twenty years. Consequently, the County is taking this opportunity to update its’ existing general plan and to plan for this anticipated growth by accommodate future development within the areas of the County best suited for growth (i.e., hamlets, community plan areas, etc.) as opposed to allowing the growth to occur in a haphazard manner.

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

The proposed General Plan already contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-2.2, PF-3, PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, and PFS Implementation 4).

While the General Plan does incorporate some existing planning documents, this approach is consistent with Government Code 65301(a) [“The General Plan may be adopted in any format deemed appropriate or convenient by the legislative body, including the combining of elements. The legislative body may adopt all or part of a plan of another public agency in satisfaction of all or part of the requirements of Section 65302...”]. The General Plan (also provided in the RDEIR) provides a number of figures to demonstrate the boundaries for most growth within the County (see Figure 4-1 which shows the UDBs, UABs, and Hamlet Boundaries; see also Figure 2.2-1, Figure 2.3-1, and Figure 2.4-1). See Master Response #5 for greater details. While the General Plan contains a number of more specific planning documents, this is appropriate given the expansive nature of the County, which covers approximately 4,840 square miles and 3 distinct geographical areas.

Please see Response to Comments A8-7 and I21-59 for discussion of planned community areas, corridors, and new towns.

Response to Comment I21-3:

The commenter provides a general opinion or criticism on the General Plan Update (i.e. on policies, implementation measures, etc.) and reiterates the general theme from its introductory comments that the General Plan 2030 update fails to achieve “city centered growth” as the commenter understands that concept. The comment indicates that the RDEIR does not propose mitigation measures or policies to reduce growth related impacts but does not provide suggestions for additional mitigation or ways to improve the plan or the RDEIR. No further response provided.

The County has comprehensively analyzed and addressed the environmental challenges associated with long-term planning for population growth, and has developed detailed policies and implementation measures intended to reduce environmental effects to less than significant levels where feasible. The seemingly large number of “significant, unavoidable, and adverse” environmental impacts is a function of (i) the County’s conservative approach in characterizing the significance of impacts (i.e., calling effects significant in close situations); (ii) the long-term time horizon of the General Plan 2030 Update and RDEIR; (iii) the size of the County’s jurisdictional boundaries (4,840 square miles) and development of a realistic long-range planning scenario, given projected population growth; (iv) the specificity used in the RDEIR in formulating categories of environmental impacts; (v) the magnitude of development pressures in the region, regardless of the actions of the County; and (vi) the nature of the existing environmental conditions within the region. Please also see Response to Comment I21-2.

Response to Comment I21-4:

The commenter asserts that General Plan 2030 Update fails to meet a “key objective,” i.e., to enhance planning coordination and cooperation with entities with land management responsibilities in and adjacent to the County.

This comment appears to refer to one of six project objectives (RDEIR, p. 2-5). These six project objectives are also the guiding principles of the General Plan 2030 Update. Response to Comment A10-1 is relevant to this response, and the commenter is also directed to the Planning Framework Element of the General Plan 2030 Update (specifically pages 2-49 through 2-66), which describes the various goals and policies that have been designed to foster a cooperative planning environment between the County and each city with respect to development within the fringe areas of the cities. A summary of the key policies that have been developed to foster “city-centered growth” are also described on pages 2-9 and 2-10 of the RDEIR, with the summary table provided below:

**TABLE 2-7
SUMMARY OF POLICIES (SECTION 2.4 – CITIES) FROM PLANNING FRAMEWORK ELEMENT**

PF-4.1	CACUABs for Cities	PF-4.15	Urban Improvement Areas for Cities
PF-4.2	CACUDBs for Cities – Twenty Year Planning Area	PF-4.16	Coordination with Cities in Adjacent Counties
PF-4.3	Modification of CACUABs and CACUDBs	PF-4.17	Cooperation with Individual Cities
PF-4.4	Planning in CACUDBs	PF-4.18	Future Land Use Entitlements in a CACUDB
PF-4.5	Spheres of Influence	PF-4.19	Future Land Use Entitlements in a CACUAB
PF-4.6	Orderly Expansion of City Boundaries	PF-4.20	Application of a Checklist to control Development in a CACUDB
PF-4.7	Avoiding Isolating Unincorporated Areas	PF-4.21	Application of the RVLP Checklist to Control Development in a CACUAB
PF-4.8	General Plan Designations Within City UDBs	PF-4.22	Reuse of Abandoned Improvements in a CACUDB
PF-4.9	Updating Land Use Diagram in CACUDBs	PF-4.23	Reuse of Abandoned Improvements in a CACUAB
PF-4.10	City Design Standards	PF-4.24	Annexations to a City within the CACUDB
PF-4.11	Transition to Agricultural Use	PF-4.25	Sphere of Influence Criteria
PF-4.12	Compatible Project Design	PF-4.26	City 50 Year Growth Boundaries
PF-4.13	Coordination with Cities on Development Proposals	PF-4.27	Impacts of Development within the County on City Facilities
PF-4.14	Revenue Sharing		

The additional set of city-focused policies provided in the Planning Framework Element is representative of the County sincere desire to work cooperatively with the various cities within the County and is reflective of the coordination activities that have occurred over the past two years.

The commenter also criticizes policy language stating that the County “may” work with Cities when approving development within the Cities’ planning boundaries. Please see Master Response 3 for discussion of enforceable policy language.

Response to Comment I21-5:

The commenter's opinion regarding the definition of city centered growth and the intent of the general plan is noted. This comment does not address the content or adequacy of the RDEIR. No further response provided.

Response to Comment I21-6:

The commenter's opinion regarding the adequacy of the General Plan 2030 Update and RDEIR is noted. The commenter's criticism regarding the Land Use Element of the General Plan 2030 Update is noted. The updated Land Use Element is consistent with State planning law. The Government code requires standards of population density and building intensity which were provided in the General Plan, Part I, starting on page 4-3. Please also see Response to Comment A8-7 and I21-2 for discussion of land use designations and the appropriate form for a General Plan. The commenter is also referred to Figure 4-1 "Tulare County Planning Areas" found on page 4-5 of the Land Use Element (Goals and Policies Report). Figure 4-1 identifies the County's regional planning framework and includes land use designations and boundaries. The commenter is further directed to Tables 4.1 "Land Use Designations" and 4.2 "Countywide Land Use Designation Matrix" which describe the various land use designations and their proposed locations within the various planning boundaries of the County. This information is also provided in Chapter 2 "Project Description" of the RDEIR.

The commenter is also referred to Master Response #4 and to Master Response #5, which discusses the appropriate level of detail for a general plan and the various policies and land use diagrams that comprise the plan.

Response to Comment I21-7:

The commenter asserts that the Project Description in the RDEIR is inadequate because the commenter believes that the types and intensity of land uses within proposed planning areas are not described. The commenter is directed to the responses prepared for Comment I21-2 and A8-7 and A8-10. Contrary to the comment the RDEIR addresses impact of buildout of the General Plan and does not "rely upon a different project description" and includes a complete copy of the proposed General Plan in Appendix C (see RDEIR Project Description page 2-24 and Master Response #5).

Response to Comment I21-8:

The commenter provides a general opinion that the RDEIR impact analysis is inadequate with respect to various resource areas. Please see Master Response #4. This comment is noted. Specific comments in this letter with specific points are addressed individually.

Response to Comment I21-9:

The commenter's assertion that the proposed project represents an unlawful exercise of the County's police power because it does not take into consideration the welfare of the region, and

that the General Plan 2030 Update and RDEIR must both be revised and recirculated is noted. The commenter does not identify specific deficiencies that can be addressed.

Response to Comment I21-10:

The commenter described the commenter's perspective on general plans, and asserts that the General Plan 2030 Update fails to provide clear guidance regarding future development. The commenter also reiterates the commenter's view that the General Plan 2030 Update would fail to achieve city-centered growth as envisioned by the commenter. The General Plan was drafted to comply with the content requirements of Government Code Section 65302 and the form of the General Plan is consistent with Government Code 65301(a). Please see the response prepared for Comment I21-2 and Master Response #5 for additional discussion of land use and buildout assumptions. Please also see Master Response #1.

Response to Comment I21-11:

The commenter asserts that the land use element is inadequate as a blueprint for growth because the commenter finds it confusing and convoluted, and believes that required land use designations, population densities and building intensities are missing. The Land Use Element complies with the requirements of the Planning and Zoning Code (Gov. Code §§65000 et seq.). The commenter is directed to the response prepared for Comment I21-2, I21-6 and Comment A8-7. Please also see Master Response #5 for a discussion of land use designations, the Land Use Diagram, and Project Build out, including a discussion of how much growth will occur and where. The comment is also directed to General Plan, Part I, pages 1-2 through 1-16 which describes the relationship and format of the General Plan. Please also see Master Response #1.

Response to Comment I21-12:

This comment reiterates the commenter's belief that the General Plan 2030 Update is too confusing, and would thus be inadequate. As indicated on pages 1-1 and 1-2 of the Goals and Policies Report, the County has some flexibility in how it develops and organizes the General Plan 2030 Update. While the commenter's opinion regarding the structure of the document is noted, a City or County may adopt a General Plan in any format deemed appropriate or convenient by the Legislative Body that best fits its unique circumstances. Furthermore, the General Plan may be adopted for all or part of the territory of the County, and may be adopted as a single document or as a group of documents relating to subjects or geographic segments of the planning area (Government Code §65301). In doing so, the jurisdiction must ensure that the General Plan and its component parts comprise an integrated, internally consistent, and compatible statement of development policies (Government Code §65300.5).

The updated Land Use Element is consistent with State planning law. The commenter is further directed to the responses prepared for Comment I21-6 and Comment A8-7. Please also see Master Response #5 for a discussion of land use designations, the Land Use Diagram, and Project Build out, including a discussion of how much growth will occur and where. Please note that the General Plan 2030 Update includes a Corridor Framework Plan which was proposed for adoption as part of this General Plan 2030 Update; the Corridor Framework Plan establishes policies to

guide the potential adoption and location of Corridor Plans within the County. Please see Master Response #1.

The General Plan 2030 Update anticipates adopting additional plans, including Sub-Area Plans, County Adopted City General Plans, and Community Plans, Mountain Service Center Plans, Hamlet Plans, and Corridor Plans. Here, the various plans in Part III of the General Plan 2030 Update, provide more tailored policies to specified portions of the County, as would the additional plans when adopted. As discussed in Response to Comment I21-2, the number of plans incorporated into the General Plan is not surprising, given that the General Plan addresses 4,840 square miles, and is consistent with Government Code Section 65301(a).

Please see Response to Comment A8-7 for discussion of corridor plans.

Response to Comment I21-13:

The commenter is directed to the response prepared for Comment I21-2 and I21-6. Please see Master Response #1 and #5.

Response to Comment I21-14:

The commenter expresses concern that the General Plan 2030 Update anticipates future adoption of some Sub-Area Plans, County Adopted City General Plans, Community Plans, Hamlet Plans, and Corridor Plans, and that the mixed use designation would be applied until these plans are adopted, potentially allowing commercial, industrial and mixed uses along transportation routes throughout the County. Please see the Response to Comment I21-12 and Master Response #3. Please also see Response to Comment A8-7 for discussion of corridor plans. Please see Response to Comment I21-12, Master Response #3 and #5.

Response to Comment I21-15:

The commenter expresses concern that the contents of the General Plan 2030 Update are difficult to ascertain. However, unlike the sheaf of uncoordinated documents stuffed in an unlabelled carton criticized by the court in *Camp v. Mendocino County Board of Supervisors* (1981) 123 Cal.App.3d 334, 349, fn 8, the General Plan 2030 Update consists of clearly identified documents that, as the commenter acknowledges, can be found on the County's website. A link to these documents can be accessed at <http://generalplan.co.tulare.ca.us>. The General Plan 2030 Update is available for free online and at the library. Also, a CD is available for \$10 or a printed hard copy can be purchased for \$800 at RMA. The commenter is also directed to the response prepared for Comment I21-2, I21-6, and I21-17.

Response to Comment I21-16:

The commenter expresses concern that building intensities land use designations within some plan areas are inadequately identified; the commenter cites the Pixley Community Plan and the Foothill Growth Management Plan as examples. The commenter is directed to the response prepared for Comment I21-6. Land designated with an agricultural zoning holds density and

reserves it for future development as a holding zone. A General Plan Amendment is required to change this land use designation and zoning to an urban land use and zoning district. In addition, a variety of other factors (including the capacity of the land) could restrict the land use change. Land Use designations associated with the General Plan 2030 Update are clearly identified on pages 407 through 4-14 (see Tables 4-1 and 4-2) of the Goals and Policies Report. Please also see responses to Comments A8-7 and I14-4 for additional discussion. Please also see Response to Comments I21-13 and I21-15.

Response to Comment I21-17:

Please see Response to Comment I21-15. The commenter is also directed to the responses prepared for Comment I21-6, I21-15, and A8-7.

Response to Comment I21-18:

The commenter indicates that the “mixed use” designation is inadequate to comply with the Government Code requirements. The comment is directed to Master Response #3 and #4 which describes implementation of the General Plan and enforceability of the general plan policies. Master Response #4 provides additional detail regarding the programmatic nature of the RDEIR. Furthermore, population densities and building intensities are provided in Table 4.1 of Part I of the General Plan for the mixed use designations associated with the proposed project. The mixed use designation has not changed and is defined as follows in the Goals and Policies Report:

Mixed Use Land Use Designations

Mixed Use (MU)

This designation establishes areas appropriate for the planned integration of some combination of retail; office; single and multi-family residential; hotel; recreation; limited industrial; public facilities or other compatible use. Mixed Use areas allow for higher density and intensity development, redevelopment, or a broad spectrum of compatible land uses ranging from a single use on one parcel to a cluster of uses. These areas are intended to provide flexibility in design and use for contiguous parcels having multiple owners, to protect and enhance the character of the area. The consideration of development proposals in Mixed Use areas should focus on compatibility between land uses, and the development potential of a given area compared to the existing and proposed mix of land uses and their development impacts. Density bonuses for residential units of 25 % to 35% may be granted, according to the Density Bonus Ordinance or State law, to Mixed Use areas to encourage the development of affordable housing units, compact development in the implementation of development strategies that support the use of mass transit, reduction of air impacts, and implementation of measures that contribute to the reduction of global warming. Specific plans may be required to assist in the consideration of Mixed Use development proposals. This designation is found within UDBs, HDBs, PCAs, and MSCs and pursuant to regional growth corridor plans and policies.

Maximum Density: 1-30.0 Dwelling Units/Acre

Maximum Intensity: 0.5 FAR

The commenter also suggests that the County is “essentially establishing a free-for-all for land owners in communities of Alpaugh...” The commenter is reminded that the General Plan 2030 Update land use designations do not stand alone from a planning perspective; there are numerous proposed policies in the General Plan 2030 Update to control growth, policy guidance provided in other planning documents already in place, as well as the zoning ordinance. The commenter is also directed to the response prepared for Comment I11-37, and I21-6.

Response to Comment I21-19:

The commenter expresses concern that allowing commercial, industrial and mixed use development along transportation routes prior to adoption of Corridor Plans fails to provide necessary guidance as to the location, type and intensity of mixed use development that would be allowed, and that building intensities along transportation routes cannot be determined. As noted in Master Response #5, building densities are not proposed to be changed and there are no changes to the County’s zoning ordinance. Furthermore, no corridors are being proposed and no corridor areas have been designated. A separate General Plan Amendment would be required to establish a corridor area. Current land use and zoning designations still apply. The commenter is directed to the responses prepared for Comment I21-6, I21-11, A8-7, and Master Response #5.

Response to Comment I21-20:

This comment reiterates and summarizes the commenter’s concerns regarding land use designations. The commenter is generally directed to the preceding responses, and the responses prepared for Comments I21-2, and I21-6 through I21-19.

Response to Comment I21-21:

This comment introduces and summarizes the commenter’s concern that the Circulation Element does not comply with State planning and zoning law because the commenter believes the Circulation Element does not identify the location of proposed major thoroughfares and is not correlated with the Land Use Element.

The Circulation Element is adequate in both respects. Government Code §65302(b)(1) states: “A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.” The comment is also directed to Government Code Section 65301(c) which further states that “the degree of specificity and the level of detail of the discussion of each element shall reflect local conditions and circumstances...”

The locations of proposed major thoroughfares are generally known today based upon the functional classifications for Tulare County. The General Plan provides information on the current and proposed circulation system in Figure 13-1 and 13-2 of the General Plan, including the *proposed* State Highway 65 alignment, *proposed* regional bicycle transportation paths. No

new major thoroughfares are being proposed as part of the General Plan 2030 Update. Contrary to the comment, not every minor roadway improvement needs to be called out in the General Plan. The language in Government Code Section 65302 only requires information on the “*general location...[of] proposed major thoroughfares...*” The comment is also directed to Government Code Section 65301(c) which further states that “the degree of specificity and the level of detail of the discussion of each element shall reflect local conditions and circumstances...” As discussed in Master Response #4, it is not possible to provide a list of every small roadway improvement within a County which spans 4,840 square miles. While the General Plan 2030 Update does not speculate on the location of individual roadways associated with individual development projects that may be proposed over the life span of the plan, the General Plan 2003 Update includes all known major thoroughfares and improvements at this time.

The Land Use Element is appropriately constrained by and consistent with transportation improvements; commercial uses are located near major interchanges and areas with appropriate traffic capacities. The Circulation Element graphics provide a clear picture of the major roadways.

The Land Use Element and Circulation Element are consistent. Policy LU-1.10 requires access to public roadways for all new development. Policy LU-1.8 encourages and provides incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas and minimize environmental concerns associated with new development. Policy LU-1.9 also requires specific plans or equivalent plans for residential, commercial, or mixed use projects to identify specific infrastructure requirements. Policy TC-1.1 requires the County to establish and maintain a public road network comprised of the major facilities illustrated on the Tulare County Road Systems to accommodate projected growth in traffic volume. Policy TC-1.14 requires new development to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and maintenance of roadway facilities impacted by individual projects. Policy TC-1.15 requires preparation of a traffic impact analysis for land development projects that may generate increased traffic on County roads. Typically, applicants of projects generating over 100 peak hour trips per day or where LOS “D” or worse occurs, will be required to prepare and submit this study. The traffic impact study will include impacts from all vehicles, including truck traffic.

Please also see the response prepared for Comment A7-6, and Master Response #4.

Response to Comment I21-22:

The commenter indicates that the Circulation Element does not describe proposed major thoroughfares, or planned roadway improvements. Please see Response to Comment I21-22. The commenter is also referred to the responses prepared for Comment I21-21 and I11-64. Please also see Master Response #5.

Response to Comment I21-23:

The commenter is referred to the response prepared for Comment I21-21 and I21-22. The comment also faults the RDEIR for not knowing “where specifically growth will occur...” Please see Master Response #3, #4, and #5 for discussion of the appropriate level of detail for a General Plan and RDEIR. As discussed therein, this is a programmatic document and EIR. While the County can control and focus the general location of growth and development as discussed in Response to Comment I21-2, it is not possible to provide site specific information in a document that address 4,840 square miles and which is dependent upon the numerous external factors, such as population growth (i.e. birth rates, death rates, and immigration rates), and the intent of individual property owners and developers (please see Response to Comment I19-62 and Master Response #5).

Furthermore, contrary to the comment, simply because some intersections may operate at or below a Level of Service D, does not make the General Plan internally inconsistent. General Plan Policy TC-1.16 states that “the County shall *strive* to development and manage its roadway system (both segments and intersections to meet a LOS of ‘D’ or better in accordance with the LOS definitions established by the Highway Capacity Manual.” However, an internal inconsistency does not exist simply because this Level of Service (LOS) cannot always be obtained. If this were the case, then every General Plan the County could propose would be considered internally inconsistent because there are several existing roadways currently operating below LOS D, as shown in RDEIR Table 3.2-2. While the General Plan also acknowledges that some intersections will also operate below LOS D at buildout, this does not make the General Plan internally inconsistent. While the County can focus development, it cannot control total population growth which is largely based upon external factors (birth rates, death rates, and immigration rates).

The policy as written also recognizes that there may be certain instances where it is not always possible or appropriate to achieve this vehicular LOS of D or better. For example, in order to achieve a LOS of D or better could require the removal of surrounding development to widen a roadway, or the removal of sidewalks or bicycle paths or removal of historical features or natural physical barriers. This type of automotive development fosters personal vehicle use, results in potential impacts other modes of transit (bicyclists and pedestrians), and can result in other environmental impacts from the removal of right of way constraints (such as surrounding buildings and businesses). The Policy as written gives the County discretion to determine when achievement of LOS D is appropriate, and does not mean that there is an internal inconsistency in the General Plan.

Response to Comment I21-24:

The County understands the State Planning and Zoning law requirements for development of a general plan and the General Plan 2030 Update has been developed to ensure consistency with these regulations. The commenter is directed to Chapter 1 of the Goals and Policies Report which highlights the plans relationship, structure and organization consistent with the requirements for

State Planning law. Please see Response to Comments I21-21, I21-22, and I21-23. The comment doesn't point to a specific inadequacy within the RDEIR. No further response required.

Response to Comment I21-25:

The commenter expresses its opinion that the General Plan 2030 Update would not result in city-centered growth as the commenter understands the concept. The commenter is referred to the response prepared for Comment I21-2, I21-3, and I21-24 which discuss the steps taken to focus growth within and adjacent to existing community areas. Additional discussions of policies that promote focused growth are also provided in the response prepared for Comment A10-1.

Response to Comment I21-26:

The commenter expresses its opinion that the Rural Valley Lands Plan ("RVLP") represents an internal inconsistency within the General Plan 2030 Update because the commenter believes that the RVLP does not preserve agricultural land. The commenter is referred to the response prepared for Comment I21-24. The General Plan (not simply limited to the RVLP) contains policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR and limits impacts to agricultural resources. The proposed General Plan also contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-2.2, PF-3, PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4.

Please also note that the majority of important farmland conversion involves downgrading classified land, such as occurs when livestock facilities are expanded (RDEIR, p. 3.10-6). . Conversion to urban uses has been more limited, fluctuating from 7 to 14 % of all conversions. (RDEIR, p. 3.10-6). The Department of Conservation, Division of Land Resource Protection supports the County's efforts in protecting agricultural lands, including the adoption of General Plan 2030 Update Policy AG-1.6 (see Comment Letter A5). The preservation of agricultural lands is an internally consistent goal (see Master Response #3).

The comment also suggests that the language of Goal AG-1 (and Policy AG-1.8) is internally inconsistent with language from the RVLP (General Plan, Part II, page 1-2). As discussed in Master Response #3, the County must balance a number of competing interests in drafting and implementing the General Plan (see General Plan, Part I, page 1-2). While the General Plan changes procedural requirements (i.e. General Plan amendment not required), this does not mean that there is an internal inconsistency. As discussed throughout the plan there may be instances where it is appropriate to allow conversion of agricultural land to non-agricultural uses. For example, the RVLP, discuss where it may be appropriate to allow conversion, for example, this includes where the site is abutted on four side with non-agricultural uses, (General Plan, Part II, page 1-10), or where agricultural uses would be economically infeasible (General Plan, Part II, page 1-8); (see factors starting on General Plan, Part II, page 1-7 for greater detail). The plan is not internally inconsistent, but simply recognizes the need to allow exceptions for the peculiarities of site specific development. Also, please see Master Response #1 and #5.

Response to Comment I21-27:

The commenter describes its view of how agricultural lands may be converted to urban or suburban uses under the RVLP. The commenter is referred to the responses prepared for Comments I21-24 and I21-26. Please also see responses to Comments I12-2 through I12-6 for additional discussion of agricultural preservation.

The comment also suggests a plan that “prohibits or strictly limit[s] non-agricultural uses.” An outright ban is considered infeasible as it provides insufficient flexibility, as discussed under Master Response #3. Furthermore, the factors provided in the RVLP are appropriate for determining whether it is appropriate to allow non-agricultural uses within the RVLP area.

Response to Comment I21-28:

The commenter asserts that Figure 4-1 demonstrates that Visalia, Tulare and Farmersville would become a large, urban area and indicates that this would be inconsistent with the General Plan’s Guiding Principles which the commenter believes require “maintaining rural separation” between urbanized areas. The commenter appears to refer to the General Plan 2030 Update, Section B (Prosperity Concepts), Concept 1 (Agriculture) Principle 2: “Maintain rural landscape separators between Tulare County’s towns and cities.” The commenter is referred to the response prepared for Comment I21-24. The commenter is directed to the purpose of the figure which is to focus on the identification of UAB, UDB, and city limit boundaries. The following policy from the Scenic Landscapes Element of the General Plan 2030 Update provides guidance on urban separators between cities and communities.

- **SL-3.2 Urban Expansion–Edges.** The County shall design and plan the edges and interface of communities with working and natural landscapes to protect their scenic qualities by:
 - Maintaining urban separators between cities and communities,
 - Encouraging cities to master plan mixed-density neighborhoods at their edges, locating compatible lower density uses adjacent to working and natural landscapes, and
 - Protecting important natural, cultural, and scenic resources located within areas that may be urbanized in the future [*New Policy*].

Response to Comment I21-29:

The commenter is referred to the response prepared for Comment I21-24. The comment suggests that an internal consistency exists if zoning can be changed without a change in the General Plan 2030 Update Land Use Designation. If this were the case, then there would be no distinction between the General Plan Land Use Designations and Zoning. Contrary to the comment however, the Government Code treats these two planning tools differently. Zoning can change and still be within the bounds of the land use designations within the general plan. There can be numerous ways to ultimately implement a general plan and its land use designations all of which are consistent. The commenter is also directed to the response prepared for Comment I21-26 and the

policy analysis provided for the Rural Valley Lands Plan (Part II-Chapter 1, page 1-1 of the Goals and Policies Report).

Response to Comment I21-30:

The commenter is referred to the response prepared for Comment I21-24 and I21-26. The policies of the RVLP and the overall General Plan 2030 Update have been developed in a complimentary fashion, with the RVLP policies providing the first tier level of policy guidance within the RVLP boundary. Please see the response prepared for Comment A8-8 for additional discussion.

Response to Comment I21-31:

The commenter is referred to the responses prepared for Comment I21-26 and I21-30.

Response to Comment I21-32:

The commenter is referred to the responses prepared for Comment I21-26 and I21-30. Additionally, the fact that a parcel of 5 acres or less is considered less than the minimum parcel size required by the Williamson Act does not preclude the County to award points under the Rural Valley Land Plan to recognize that parcel as viable agricultural land as per California Government Code 51245.

Response to Comment I21-33:

The commenter's opinion regarding the general plan is noted. The commenter is referred to the responses prepared for Comment I21-24 through I21-32.

Response to Comment I21-34:

The commenter believes that the proposed policies would allow “unfettered growth” and indicates that the RDEIR determined that the proposed General Plan 2030 Update would result in 22 significant and unavoidable environmental impacts. Please see Response to Comment I21-2 for discussion of focused growth in the General Plan.

Pursuant to California Planning and Zoning Law (Gov. Code Section 65000, et seq.), the General Plan 2030 Update will guide land use (through zoning, subdivision, grading, and other ordinances) and capital improvement decisions. The RDEIR has also sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). The RDEIR is intended to analyze impacts of the proposed General Plan and identifies measures to minimize any significant impacts (State Guidelines Section 15121[a]). Although the General Plan is intended to be a self-mitigating document, many of the impacts remain significant and unavoidable despite the implementation of mitigating policies and implementation measures found in the existing General Plan and those modified to minimize significant impacts identified in the environmental analysis.

EIRs are required to identify potentially significant issues, and then recommend and adopt mitigation measures to reduce the impacts to less than significant or acceptable levels. However, the CEQA Guidelines do not limit or provide guidance on the specific number of “significant and unavoidable” impacts that an EIR should identify. Typically, general plans guide development for many years, and are broad in scope and scale in terms of land coverage, population, and impacts to resources and services. It is often likely that impacts to resources and public services are considered significant and unavoidable at this stage due to individual project specific details that are currently unknown at this time and will likely become available as specific projects are brought forward for their own consideration. Future individual projects subsequent to the draft General Plan may be required to undergo additional environmental review that will determine site-specific impacts and accompanying mitigation measures pursuant to policies of the General Plan and other local, State, and federal regulatory requirements. The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update.

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas (existing unincorporated communities and cities). One of the main objectives of the RDEIR is to “strictly limit rural residential development in important agricultural areas outside of unincorporated communities’ and cities’ UABs and UDBs (i.e. avoid residential sprawl)” (see RDEIR page 2-5). The UDBs and UABs surround these existing communities as demonstrated in RDEIR Figure 2-2. Many of the goals and policies used to accomplish focused growth are also discussed in the Table on page 3.10-15 of the RDEIR. Please also note that the RDEIR also provides a City-Centered Alternative (Alternative 2) in Section 4. Please also see the response prepared for Comment I21-4.

Response to Comment I21-35:

The comment suggests that buildout of the General Plan 2030 Update is inconsistent with the Air and Water Quality goals. As discussed under Response to Comment I21-23, while the County can focus development using the General Plan 2030 Update and other regulations, it has limited control over future growth which is based partly on external factors. It is not inconsistent to attempt to “minimize” by the commenter air quality impacts associated with this growth. See Master Response #4 for a description of the level of detail considered appropriate for the General Plan 2030 Update/ programmatic nature of the RDEIR and Master Response #10 for additional detail regarding the County’s Climate Action Plan.

Response to Comment I21-36:

Please see Response to Comment I21-23 which addresses comments on alleged inconsistencies in the General Plan.

Analysis in the RDEIR appropriately analyzes and discloses that projected increases in vehicular traffic represent a significant adverse impact. The proposed project addresses traffic effects

through a combination of policies and physical improvements. Mitigating Policies and Implementation Measures are identified on page 3.2-31, and include Transportation and Circulation (TC) policies and Land Use (LU) policies. However, as discussed in the RDEIR, deterioration in the traffic LOS is mostly due to growth within the cities, and is not directly controlled by the proposed General Plan. The physical improvements would require cooperation and funding from a variety of entities, other than the County, and thus cannot be guaranteed. The commenter is also referred to the response prepared for Comment I21-34.

Response to Comment I21-37:

As discussed in Master Response #4 this is a program level EIR and the level of detail provided in the project description is appropriate. Please also see Master Response #5 and Response to Comment A8-7 which discuss buildout of the General Plan.

Response to Comment I21-38:

This comment serves as an introduction to the comments that follow regarding the adequacy of the project description. The commenter is referred to the response prepared for Comment I14-4 and to Master Response #5, which provides additional detail regarding the land use designations and Land Use Diagram that describe the project. Chapter 2 “Project Description” of the RDEIR represents a good-faith effort by the County to provide a general description of the anticipated distribution of land uses and population between the incorporated and unincorporated areas of the County. The project description “should not supply extensive detail beyond that needed for evaluation and review of the environmental impact” (CEQA Guideline §15124). The project description satisfies that standard. Please also see Master Response #4 which discusses the level of detail required for the General Plan and the RDEIR. As noted therein, “the degree of specificity and the level of detail of the discussion of each element shall reflect local conditions and circumstances” (Government Code §65301(c)). Tulare County covers approximately 4,840 square miles. The level of detail provided in the General Plan and the RDEIR is appropriate. Furthermore, the contents of the General Plan were provided in Appendix C to the RDEIR.

The commenter’s specific comments on the project description are addressed in separate responses.

Response to Comment I21-39:

The commenter asserts that the Project Description provides no information about how growth would occur under the General Plan, however the comment also acknowledges that analysis in the RDEIR determined that approximately 75% of new population growth is expected to occur within the UDB’s of incorporated cities, and 25% in unincorporated areas outside of UDBs. The comment also indicates that the RDEIR does not explain the basis for these assumptions.

As discussed in Response to Comment A8-10, the County made reasonable assumptions about projected growth based upon the whole the General Plan as proposed. The County is entitled to make such reasonable assumptions (see *City of Long Beach v. Los Angeles Unified School District* (2010) 176 Cal.App.4th 889; *Environmental Council of Sacramento v. City of Sacramento*

(2006) 142 Cal.App.4th 1018 [“A public agency can make reasonable assumptions based on substantial evidence about future conditions without guaranteeing that those assumptions will remain true (Pub. Resources Code, § 21080, subd. (e); *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 412, 183 Cal.Rptr. 898.”)].

The comment also suggests that the Alternatives “are still conceptual in nature”...“yet it does not propose specific land use designations.” Please see Response to Comment I19-111 which addresses this issue.

The commenter is referred to the response prepared for Comment I21-38 and to Master Responses #4 and #5.

Response to Comment I21-40:

The commenter asserts that the RDEIR Project Description does not project population growth for each incorporated city within the Cities UDBs. The commenter is referred to the response prepared for Comments A8-10, and I21-38, and to Master Response #4 and #5 for discussions of where growth would occur within the County.

Response to Comment I21-41:

The commenter generally asserts that the RDEIR provides inadequate detail to evaluate whether the General Plan 2030 Update would achieve or promote consistency with other land use agencies, including cities. Please see Master Response #4. Numerous policies in the proposed General Plan 2030 Update would be effective to promote and achieve coordination with cities. Please see Response to Comment I21-4 and PF 2.4.

Response to Comment I21-42:

The commenter asserts that the RDEIR project description is deficient because it does not include more detailed plans for some areas. As the commenter observes in this Comment, and in Comment I21-14, the General Plan 2030 Update applies a mixed use designations in areas where more detailed area plans will be adopted in the future; land use designations are made for all areas of the County. The RDEIR sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). As discussed in Master Response #4 this is a program level EIR and the level of detail provided in the project description is appropriate. While population growth and the associated development under the horizon year (2030) of the General Plan is reasonably foreseeable, development on any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). However, the RDEIR Table 2-11 (RDEIR page 2-25) provides population growth and distribution assumptions and the location of these areas can be viewed in RDEIR Figure 2-2. The commenter is also referred to the Master Response #3 for discussion of General Plan implementation, and responses prepared for Comments I21-18, I21-24, I21-34, I21-38, and comment A8-10 for additional discussion regarding population growth and distribution.

Response to Comment I21-43:

The commenter is referred to the Master Response #4 and #5, and responses prepared for Comment A8-10 and Comment I21-24 and Comment I21-34.

Response to Comment I21-44:

The commenter indicates that analysis in the RDEIR should evaluate potential impacts associated with full buildout. The comment is referred to Master Response #5. As discussed therein, CEQA requires analysis of reasonably foreseeable impacts (see CEQA Guidelines Section 15064(d)). As a corollary to this rule, CEQA does not require analysis of impacts that are too remote or speculative. It is appropriate to discuss reasonably foreseeable growth at the horizon year of the proposed project; impacts beyond this time frame are highly speculative. As discussed in *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173, over a 30-year period, it is “impracticable to foresee with certainty specific source of water and their impacts...” Similarly, for the proposed project, maximum theoretical buildout would not occur, if ever, until the year 2123 (see Master Response #5). It is not possible to determine how development will occur beyond the project’s horizon year in the year 2123. The approach taken in the RDEIR is consistent with OPR’s 2003 General Plan Guidelines, which states that most jurisdictions select a 15 to 20 year planning horizon. This approach is also consistent with recent CEQA case law (see *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437 [holding the DEIR did not need to assume second dwelling unit [theoretical buildout] would be constructed even though allowed by zoning]). See also *Sondermann Ring Partners-Ventura Harbor v. City of San Buena Ventura* 2008 WL 1822452 (Unpublished) [“Sondermann asserts the EIR does not comply with CEQA because it does not analyze impacts of full build-out under the updated general plan...The updated general plan analyzes growth potential over the 20-year life of the plan. “[A]n EIR is not required to engage in speculation in order to analyze a ‘worst case scenario’”].

Response to Comment I21-45:

Please see Master Response #4 for discussion of the appropriate level of detail for the General Plan, and Master Response #5 which provides additional details on buildout of the General Plan. The commenter is referred to the responses prepared for Comment A8-7, and Comments I21-24 and Comment I21-34.

Response to Comment I21-46:

The commenter identifies the project description section of several other General Plan EIRs; which the commenter has attached as exhibits to this comment letter. Please see Response to Comment I21-42, and Master Response #4. This comment does not address the content or adequacy of the RDEIR. No further response required.

Response to Comment I21-47:

The commenter is also referred to the responses prepared for Comment A8-7, A8-10 and Comments I21-24 and Comment I21-34, and Master Response #4.

Response to Comment I21-48:

This comment introduces the commenter's concern that the RDEIR project description and impact analyses are inadequate because the commenter believes that the project description shifts throughout the document.

The project description provided in Chapter 2 of the RDEIR is stable and consistent with the objectives of the General Plan 2030 Update. Analysis in the RDEIR uses appropriate analytic tools, methodology for analyses for each resource area

The commenter is referred to the response prepared for Comment I21-24, I21-34, I21-44, and Master Response #4 and #5.

The TCAG travel demand model is a tool used to determine air quality conformity with regards to federal and state regulations. The TCAG travel demand model is also used to evaluate traffic impacts. This model is calibrated based on existing traffic conditions developed from information contained in the 2010 Background Report (Chapter 5.0, "Transportation and Circulation" of Appendix B of the RDEIR). The model was used to determine the projected impacts of the proposed circulation network. As discussed in the RDEIR, the model uses information related to the number of households and number of employees per traffic analysis zone (RDEIR, p. 3.2-21). Consequently, residential and non-residential uses are considered when the trip origins and destinations are distributed and assigned among the traffic analysis zones. Those employees and household either produce or attract vehicles, and this information is loaded on the model network. Mixed use designations, such as shopping centers, were taken into account by the TCAG model using Land Use Code 820. Because internal capture rates are considered in Land Use Code 720, internal capture rates are not applicable and additional trip reductions beyond the outputs in the model were not considered for this use. The employment numbers are determined by meeting with each of the cities and the county to forecast where growth will occur, the density of growth and where the household will be located. Thus, the commenter's members contributed and participated in developing this data. This data is also consistent with the TCAG projections used as part of buildout described in the project description of the RDEIR (page 2-24), and described in greater detail in Master Response #5. This model does not result in a changing project description but simply an appropriate analytical methodology which is consistent with the project description.

Tulare County land use designations were developed based upon the latest adopted Zoning Ordinance giving it direct correlation with the General Plan 2030 Update. Mixed use developments serve to reduce vehicle miles traveled (VMT) and improve public transit operation. The commenter also indicated that VMT data should be included in the General Plan. VMT data from TCAG, and emission factors from CARB's EFAC2007 model, are used as an analytic tool to evaluate on-road emissions from all motor vehicle classifications. The RDEIR appropriately summarizes the technical data from these model runs, and includes the data in Appendix D of the RDEIR. This organization of the RDEIR, summarizing technical data in the primary document or EIR and placing technical data and analyses in an appendix, is consistent with CEQA Guideline §15147.

Regional and local travel demand forecast models are also considered in evaluating emission-related impacts such as air quality and climate change. TCAG is responsible to develop an air quality conformity analysis for each pollutant that is not conforming to air quality regulations. VMT is one of the attributes that assists TCAG in assessing existing and projected emissions on a countywide basis.

Response to Comment I21-49:

The commenter believes that the RDEIR's analysis of potential impacts to public services demonstrates an inconsistency in the project description; the commenter cites wastewater impacts as an example. The commenter's concern actually appears to be a disagreement regarding the appropriate analytic tools used to evaluate potential impacts related to wastewater. Contrary to the comment, the impact analysis for wastewater is consistent with the project description. As discussed on RDEIR, page 2-24, "The remaining new population growth [for unincorporated County], 25% (78,490) is expected to occur mainly within unincorporated communities..." Subsequently the RDEIR Public Services, Recreation Resources and Utilities chapter states:

"Table 3.9-8 uses the population growth information from Table 2-8 (see Chapter 2.0) to provide a general estimate of additional water needed to meet future domestic water demands for residences in unincorporated area of the County. To provide a conservative estimate of future water use, a figure of 250 gallons per person per day (for combined cooking, cleaning, *wastewater* and landscape purposes) was used. At this rate, a family of three will need almost one acre-foot of water per household each year. This amount of water is within the range of water use in Central Valley areas, especially those areas that do not use metered water" (emphasis added, RDEIR page 3.9-16).

As described above, wastewater demand for unincorporated *communities* (where the majority of buildout is likely to occur), was based upon the population figures described in the project description. However, to ensure a conservative analysis, the RDEIR made a reasonable assumption based on historic trends that wastewater growth *outside of these community areas* would increase by 2% (RDEIR page 3.9-50). Unlike other types of environmental impacts, this impact required more specific information on the location of wastewater generation to assess impacts to individual wastewater treatment providers. Furthermore, the County is entitled to make such reasonable assumptions (see *City of Long Beach v. Los Angeles Unified School District* (2010) 176 Cal.App.4th 889; *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018).

Analysis in the RDEIR appropriately considered all aspects of water resources in analyzing this impact (RDEIR, p. 3.9-1), and the methodology used to assess impacts is consistent with the project description. The commenter is also referred to the response prepared for Comment I21-24, Comment I21-34, and Comment I21-39.

Response to Comment I21-50:

The commenter reiterates its concerns regarding the project description as the basis of its concern for the adequacy of the RDEIR's analysis of impacts to biological resources.

The comment is referred to Master Response #4 for discussion of the appropriate level of detail in a programmatic EIR which addresses nearly 4,840 square miles. The environmental and regulatory settings described in the RDEIR were developed from information contained in the Background Report (RDEIR, p. 3.11-1). As discussed in the Background Report, this method of classifying landscapes by eco-region is a broad-scale method used by the U.S. Forest Service (USFS), and is related to authoritative vegetation classification reference sources⁸ (Background Report, p. 9-9 – 9-10). This approach evaluates the land from a wide range of interrelated environmental variables, including topography, soils, hydrology, flora, and fauna. The Background Report discusses the eco-regions, generally, as well as more specific habitat types found within the ecoregions, including natural as well as agricultural and urban lands (Background Report, p. 9-9 – 9-23). Sensitive natural communities and habitat areas (including protected lands), sensitive species (including listed species), recovery plans and critical habitat are also discussed in the Background Report (Background Report, p. 9-23 – 9-40).

As discussed in the RDEIR, Tulare County is essentially divided into three eco-regions. The RDEIR lists and describes habitat and land cover types and acreages found within the County (RDEIR, pages 3.11-1, p. 3.11-6), and depicts distribution within the County in Figure 3.11-1 (RDEIR, page 3.11-7). As shown in RDEIR Figure 3.11-3, each of the three major planning areas (Rural Valley Lands Plan, Foothill Management Plan and Mountain Framework Plan), which, together, cover the entire County, include multiple habitat types, including the key habitat types that would be affected by future growth. Because projected buildout would result in development in each of the three major planning areas (within UDBs, UABs, HDBs, and MSDs), multiple, specific habitat types and species within these eco-regions would be affected, depending on a variety of factors including the precise location and elevation of proposed development (please see Master Response #5 for additional discussion of projected development). Analysis in the RDEIR takes into account the information in the Background Report and the project description, and informs decision makers and the public of the significant environmental effects of the project.

Contrary to the commenter's assertion, this approach does not alter the project description; rather, this approach relies on appropriate analytic tools to evaluate impacts to biological resources. The General Plan 2030 Update and the RDEIR address plans and policies covering thousands of square miles in Tulare County. The RDEIR also appropriately discusses existing Federal and State Regulations in this chapter, because these will also shape the way projected buildout will occur within the County. However, the specific location (within individual parcels) where development will proceed is generally unknown and cannot be practically and feasibly addressed at this level of planning as discussed in Master Response #5. Within the context of Section 15146 of the CEQA Guidelines, analysis of development of specific individual parcels is neither feasible nor required. Impacts to biological resources are addressed through mitigating policies and implementation measures which would apply throughout the County, and the RDEIR also identifies additional Mitigating Policies and Implementation Measures to minimize significant impacts.

⁸ Sawyer, John O. and Todd Keeler-Wolf. 1997. A manual of California vegetation. California Native Plant Society. Website Accessed at: <http://davisherb.ucdavis.edu/cnpsActiveServer/index.html> on October 8, 2008. U.S. Geological Survey (USGS) 2004. Major Land Resources Area System.

The commenter is also referred to the response prepared for Comment I21-24 and Comment I21-34.

Response to Comment I21-51:

The commenter expresses concern regarding the analysis of impacts to agricultural resources and water supply; the commenter generally criticizes the estimated amount of land that could be converted from agricultural to urban uses, but does not offer an alternative analysis, or estimates.

It should also be noted that the proposed project is expected to reduce water use below existing levels (baseline), as described on RDEIR pages 3.9-11 and 3.9-47. Please also see the response prepared for Comments I11-37 for additional discussion. Please also note that conversion of important farmlands to urban uses comprises only a small portion of the overall loss of important farmlands. As discussed in the RDEIR, a primary impact to County agricultural lands includes the loss of productive agricultural lands due to conversions of important farmlands, the major cause of which is the downgrading of important farmlands to other agricultural uses (RDEIR, p. 3.10-13).

The commenter is also referred to the response prepared for Comment I21-24 and Comment I21-34. Analysis under Impact 3.10-1 beginning at page 3.10-11 clearly identifies the types of growth and activities that would affect agricultural resources, and includes tables showing the locations of impacts to important farmland. As currently understood, the location of where growth is likely to occur and the potential impacts to agricultural resources is also identified (RDEIR, pp. 3.10-11 through 3.10-16).

The analytical approach used for these impacts is consistent with the project description.

Response to Comment I21-52:

The project description is adequate; please see the response prepared for Comment I21-38, I21-48 through I21-52.

Response to Comment I21-53:

The commenter is referred to Master Response #4 for a discussion of the appropriate level of detail in a programmatic EIR. Please also see the responses prepared for Comment I21-24, I21-34, and I21-44. Please note that CEQA Guidelines Section 15168 does not set forth requirements for program EIRs: section 15168(a) describes program EIRs in general; section 15168(b) describes the advantages that a program EIR may provide; section 15168(c) describes use of program EIRs with later activities; subsection 15168(c)(5) describes how a program EIR “will be most helpful in dealing with subsequent activities...” Subsection 15168(d) how a program EIR can be used with Subsequent EIRs and Negative Declarations. Contrary to the commenter’s assertions, the RDEIR provides an appropriate, programmatic level analysis of impacts of the General Plan 2030 Update. Also, see CEQA Guidelines Section 15146 for the appropriate degree of specificity for a program EIR.

The comment also suggests that all of the project’s impacts must be quantified. Contrary to this comment, CEQA Guidelines Section 15064.7 recognizes that impact do not need to be quantified;

“A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental impact, non-compliance with which means the effect will normally be determined to be significant by the agency...” The comment provides no example of an impact that does not comply with the requirement under CEQA Guidelines Section 15151 that the EIR should be “prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences.”

Response to Comment I21-54:

The RDEIR organization, presentation and analysis is adequate. The comment is referred to Response to Comment I21-44 and Master Response #5 for discussion of buildout under the General Plan. Contrary to the commenter’s assertions, it is not necessarily appropriate to review impacts by plan area. As discussed under Response to Comment I26-24, political borders do not necessarily represent sensible boundaries for evaluating resources, such as water supply (see *O.W.L. Foundation v. City of Rohnert Park* (2008) 168 Cal.App.4th 568). Impact analysis methodology was based upon the needs of the individual resource areas.

Please see Response to Comment I21-18 which addresses comments on “mixed use development.” Please see the response prepared for Comment A8-7, Comment I21-24 and Comment I21-34.

Response to Comment I21-55:

Please see Response to Comment I21-44 and Master Response #5.

Response to Comment I21-56:

This comment reiterates the commenter’s theme that specific types of data should be collected, presented and used to characterize existing conditions. The commenter specifically indicates that data for existing conditions should include “existing acreage and dwelling units or floor area,” and also for proposed uses. The comment does not indicate which resource areas the comment applies to.

CEQA Guidelines Section 15125 states that “the description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” The “Environmental Setting” discussion for each environmental resource section provides specific information on the types of data used to characterize baseline conditions and prepare each individual analysis. For each resource area, the description of existing conditions is related to the nature of the resource affected and the types of impacts that would potentially occur. The RDEIR includes relevant information from the 2010 Background Report (including historic and baseline information) and other pertinent sources (RDEIR, pp. ES-7, 1-3). However, additional more detailed information is also provided in the Background Report which was incorporated by reference and made available as Appendix B of the RDEIR. “Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or negative declaration” (CEQA Guidelines Section 15150).

The commenter is referred to the responses prepared for Comment I21-54, Comment I21-24 and Comment I21-34.

Response to Comment I21-57:

The commenter's specific comments are addressed in responses to the other individual comments made in this letter.

Response to Comment I21-58:

The commenter indicates that in addition to the information in the RDEIR regarding the extent and location of Important Farmlands and Williamson Act lands, the RDEIR should describe and discuss proposed land use designations for these areas.

Please see Master Response #4 for discussion of the appropriate level of detail for the impact analysis, and Master Response #5 for discussion of buildout of the General Plan.

The commenter is directed to RDEIR page 3.10-2 which discusses the environmental setting for Agricultural Resources, and page 3.10-10 and 3.10-11 which clearly provides the methodology for analysis of the impact analysis for agricultural resources and provides the information requested by the commenter. As discussed in the RDEIR, calculations of potentially affected important farmlands acreage relied on the most currently available Geographic Information System (GIS) data from the California Department of Conservation and aerial photography provided by the United States Geologic Survey(USGS) and Environmental Systems Research Institute(ESRI). With this information, the County's land use map was superimposed on the important farmland mapping data and impacts were calculated using GIS software tools. The important farmland analysis assumed buildout of unincorporated community and hamlet areas, as identified on the County's land use map. As further discussed on RDEIR page 3.10-11 "the majority of impacts to important farmlands will occur within the future growth areas (i.e., CACUDBs, HDBs and CACUABs) of the County (see Figure 3-10.3)." These locations of communities are clearly shown in the RDEIR Project Description. Furthermore, Table 3.10-9 then also provides total for each of the CACUDBs, hamlets, etc. The analysis did not include the conversion of any agricultural land associated with a new dairy, livestock operation, new town or a planned community within the Rural Valley Lands Plan area. At the present time, the County is not aware of a proposed new town or planned communities within the Rural Valley Lands Plan area and it would be considered speculative to identify impacts associated with these types of projects without specific information regarding their possible location, composition, or timing.

Because the conversion of important farmland to non-agricultural uses is considered significant and unavoidable, and because important farmland generally cannot be replaced, the RDEIR concludes that the impact will be significant and unavoidable. The RDEIR also provides a detailed discussion of how individual policies in the Agricultural Element (along with other elements in the general plan) mitigate those potential impacts to the maximum extent feasible. Implementation of the General Plan 2030 Update policies would ensure that conversion of Important Farmland to non-agricultural uses is minimized to the maximum extent possible

through (1) land use concepts such as city-centered growth and clustered development to provide for housing opportunities as required under California Planning Law, and (2) programs that promote the conservation of viable agricultural land. All feasible mitigation has been incorporated to reduce this impact. There is a similar discussion with respect to Williamson Act lands and general farmlands, also in RDEIR Section 3.10.

Response to Comment I21-59:

Please see Master Response #5 and Response to Comment I21-44 for discussion of buildout. As discussed in greater detail in Response to Comment I21-2, the General Plan contains goals and policies to focus growth which are discussed in the Table on page 3.10-15 of the RDEIR.

The commenter is referred to the response to Comment I21-58 which provides additional information regarding the methodology and analysis used to complete the agricultural resources analysis in the RDEIR. Ranchette parcels are typically 1.5 to 10 acres, primarily for residential use with small agricultural activities as a secondary use (General Plan 2030 Update, Part I, Goals and Policies Report, p. 3-3). The proposed General Plan 2030 Update includes new policy AG-1.12 requiring the County to discourage the creation of ranchettes in areas designated Valley Agriculture and Foothill Agriculture. The commenter is also directed to Policy LU-2.4, Policy LU-3.5, and the Land Use Element (page 4-15) which includes the Valley Agriculture Land Use Designation as a maximum density of 1 unit per 10 acres.

The Board of Supervisors adopted a planned community zone ordinance in 2007 which provides regulatory procedures by which large land areas can be planned, zoned, developed, serviced, and administered as individually integrated communities. The General Plan 2030 Update includes policies to provide criteria for planned communities in Part I Planning Framework Chapter Section 5 (New Towns). The planned community area land use designation is included in Part I Land Use Chapter 4. This designation when applied in the future in site specific development will provide the means for comprehensive planning for long term community development on large tracts of land, typically under unified ownership or development control, which requires a minimum of 200 contiguous acres and allows for master planning where a community plan typically does not currently exist. Planned communities must be in compliance with Policy PF 5.2-13 which requires that a future Planned Community must be consistent with an associated area plan. Proposed General Plan 2030 Update Goal PF-5 policies address development of new towns (planned communities). These policies direct the County to discourage haphazard development, and to consider how such future planned communities would affect the area as whole, and other policies and proposals of the General Plan, including preservation of the agricultural economic base. Policy PF-5-2 includes a criterion that such communities should not cause any conversion of Prime Farmland, if Farmland of State wide Importance or of lesser quality is available and suitable for development. Nevertheless, as discussed above, conversion of Important Farmland to non-agricultural uses is considered a significant, unavoidable impact of the proposed General Plan 2030 Update.

The commenter is referred to the responses prepared for comments I21-24, I21-34, and I21-58.

Response to Comment I21-60:

Analysis in the RDEIR is consistent with CEQA Guidelines Section 15125(e) which requires comparison of proposed projects with “*existing physical conditions*.” Figures 3.10-1 and 3.10-2 provide information about the *existing physical conditions*.

Comparison with future conditions is addressed in the No Project Alternative; this analysis addresses what would be reasonably expected to occur in the foreseeable future if the existing General Plan remains in effect (CEQA Guidelines Section 15126.6(e)(2)). Because the proposed project is the revision of an existing land use plan, the “no project” alternative is the continuation of the existing plan (CEQA Guidelines Section 15126.6(e)(3)(A)). The No Project Alternative is evaluated in the RDEIR on pages 4-6 through 4-17.

The commenter is also referred to the responses prepared for comments I21-24, I21-34, and I21-58 and I21-59.

Response to Comment I21-61:

The commenter is referred to the responses prepared for comments I21-24, I21-34, and I21-58 through I21-60.

Response to Comment I21-62:

Please see Master Response #5 and Response to Comment I21-44 for discussion of buildout. As discussed in greater detail in Response to Comment I21-2, the General Plan contains goals and policies to focus growth which are discussed in the Table on page 3.10-15 of the RDEIR. Please see Response to Comment I21-59 for discussion of planned community areas.

The commenter is referred to the responses prepared for comments I21-24, I21-34, and I21-58 through I21-60.

Response to Comment I21-63:

The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Act creates an arrangement allowing private landowners to contract with counties and cities to voluntarily restrict their land to agricultural and open space uses. Lands covered under Williamson Act contracts receive preferential tax treatment, providing an incentive for landowner participation. As discussed in the 2010 Background Report, contracts may be terminated at the option of the landowner or local government by initiating the process of term non-renewal. Under this process, the remaining contract term (nine years in the case of an original term of 10 years) is allowed to lapse, with the contract null and void at the end of the term. Under a set of specifically defined circumstances, a contract may be cancelled without completing the process of term non-renewal. Contract cancellation, however, involves a comprehensive review and approval process, and the payment of fees by the landowner equal to 12.5% percent of the full market value of the subject property (see 2010 Background Report, pp. 4-12 – 4-17.)

Analysis in the RDEIR appropriately assumes that proper cancellation procedures would be followed for Williamson Act contracts. As discussed in the RDEIR, one of the functions of the Williamson Act is as one tool to encourage agricultural land preservation (with active Williamson Act contracts). Policy AG-1.4 only supports Williamson Act non-renewal or cancellation processes (that meet the requirements of State law) for lands within CACUDB, UDB, and HDB areas. The impact analysis also takes into consideration other policies of the Agriculture, Land Use and Economic Development Elements that, consistent with the Williamson Act, discourage premature conversion of agricultural lands to urban uses (RDEIR, p.3.10-16 – 3.10-17). Policy AG-1.8 directs the County not to approve applications for preserves or regular Williamson Act contracts on lands within a UDB and/or HDB; urban development within areas identified for future population growth but will encourage infill and orderly community development, which is consistent with the Williamson Act. AG Implementation Measure 3 would enable the County to more precisely identify Williamson Act contract lands for which conversion to non-agricultural uses would be appropriate, in coordination with Planning Framework policies (PF 1.1 through PF 1.11). Therefore, while some lands may be removed from Williamson Act contracts, this would not “*conflict with the provisions of the Williamson Act...*” under Impact 3.10-2.

The commenter also believes that Policy AG-1.5 and Agriculture Implementation Measure 4 would result in early termination of Williamson Act contracts on smaller parcels throughout the County. Agriculture Implementation Measure 4 requires the County to service Notices of Non-Renewal, in conformance with Government §§ 51245 and 51246, for parcels of prime agricultural land that are less than 10 acres in size, and for parcels on non-prime agricultural land that are less than 40 acres in size. These parcel sizes are a presumption unless the owner can show a sustainable agricultural use; if not, the parcel should be taken out of contract.

The following mitigating policies and implementation measures for Impact 3.10-2 are listed on page 3.10-17 of the RDEIR:

Agriculture, Land Use and Economic Development Elements			
Policies designed to conserve agricultural resources within the County include the following:			
AG-1.1	Primary Land Use	AG-1.9	Agricultural Preserves Outside Urban Boundaries
AG-1.2	Coordination	AG-1.10	Extension of Infrastructure Into Agricultural Areas
AG-1.3	Williamson Act	AG-1.11	Agricultural Buffers
AG-1.4	Williamson Act in UDBs and HDBs	AG-1.12	Ranchettes
AG-1.5	Substandard Williamson Act Parcels	AG-1.13	Agricultural Related Uses
AG-1.6	Conservation Easements	AG-1.14	Right-to-Farm Noticing
AG-1.7	Preservation of Agricultural Lands	LU-2.1	Agricultural Lands
AG-1.8	Agriculture Within Urban Boundaries	LU-2.4	Residential Agriculture Uses
Implementation measures designed to protect and conserve agricultural resources within the County include the following:			
Agriculture Implementation Measure #1		Agriculture Implementation Measure #7	
Agriculture Implementation Measure #2		Agriculture Implementation Measure #8	
Agriculture Implementation Measure #3		Agriculture Implementation Measure #9	
Agriculture Implementation Measure #4		ED Implementation Measure #4	
Agriculture Implementation Measure #5		ED Implementation Measures #5	
Agriculture Implementation Measure #6			

Planning Framework and Land Use Elements

Policies designed to promote future development patterns that focus growth within established community areas include the following:

LU-1.8	Encourage Infill Development	LU-2.6	Industrial Development
LU-2.1	Agricultural Lands	PF-1.1	Maintain Urban Edges
LU 2.2	Agricultural Parcel Splits	PF-1.2	Location of Urban Development
LU-2.4	Residential Agriculture Uses	PF-1.3	Land Uses in UDBs/HDBs
LU-2.5	Agricultural Support Facilities	PF-1.4	Available Infrastructure

Regarding the commenter's belief that the General Plan 2030 Update would result in "sprawling" or "unfettered" growth, please see the response prepared for Comment I21-2 and I21-34.

Response to Comment I21-64:

The commenter expresses uncertainty regarding whether the total Williamson Contract lands within the County include contracted lands within the UDBs of incorporated cities. This response clarifies that the total acreage of Williamson Contract lands in Tulare County identified in the RDEIR does not include contracted lands within the UDBs of the incorporated cities.

Response to Comment I21-65:

The commenter indicates that Government Code §51222 does not establish minimum parcel sizes as the language in AG Implementation Measure 4 suggests. This response clarifies that AG Implementation Measure 4 requires the County to service Notices of Non-Renewal, in conformance with Government §§ 51245 and 51246, for parcels of prime agricultural land that are less than 10 acres in size, and for parcels on non-prime agricultural land that are less than 40 acres in size. These parcel sizes are a presumption unless the owner can show a sustainable agricultural use; if not, the parcel should be taken out of contract. The commenter is referred to the responses prepared for comments I21-24, I21-34, and I21-58.

Response to Comment I21-66:

This comment introduces the comments that follow by generally reiterating the commenter's concern that the proposed project would result in significant, unavoidable impacts to agricultural resources, and that the RDEIR "overlooked" feasible mitigation. The commenter's specific concerns are addressed as presented in other comments under I21.

Response to Comment I21-67:

Proposed Policy RVLP-1.1 would require the County to maintain minimum parcel sizes, based on zoning, slope, local agricultural conditions, and the need to ensure the viability of agricultural operations. The commenter is referred to the response prepared for Comment A5-2 regarding the Department of Conservation's support of the County's strategy to address agricultural resources (including important farmland issues). Because loss of important farm land to non-agricultural uses is considered significant and unavoidable, and because important farmland generally cannot

replace converted agricultural lands due to finite amount of existing agricultural lands, the RDEIR concludes that this impact (Impact 3.10-1) will be significant and unavoidable.

The County considered a number of measures and developed a comprehensive set of policies and implementation measures designed to address impacts to agricultural resources. Prohibiting eventual conversion of agricultural land to non-agricultural uses in urban corridors, planned communities, and UABs, as the commenter appears to suggest, [would be inconsistent with, and undermine the growth-directing strategy of the General Plan 2030 Update and would therefore fail to meet the project objectives].

The commenter is referred to the responses prepared for comments I11-200, I21-24, I21-34, and I21-58.

Response to Comment I21-68:

The commenter suggests revising PF-1.2 to significantly limit where urban development would occur, in order to reduce impacts to agricultural resources; however the comment does not specify how the policy should be modified to achieve the commenter's desired result.

Policy PF-1.2 directs the County to ensure that urban development only takes place within the areas identified in the policy. The commenter is referred to the responses prepared for comments I11-200, I21-24, I21-34, and I21-58.

Response to Comment I21-69:

Please see Master Response #4. As more fully described on page 3.10-15 of the RDEIR, the County has identified a new policy (Policy AG-1.6) designed to address the issue of conservation easements similar to that suggested by the commenter. In addition, the RDEIR also identified new Policy AG-1.18 to (Farmland Trust and Funding Sources), and Agricultural Implementation Measure #15 (RDEIR, p. 3.10-15). Please see Master Response #3 for discussion of implementation of the General Plan. As explained in the RDEIR Executive Summary, an Implementation Measure is a specific action, program, procedure, or technique that is provided to help ensure that appropriate actions are taken to implement the General Plan (RDEIR, p. ES-4). Additional revisions are unnecessary to address the commenter's concerns regarding timely, effective implementation. However, as discussed in the RDEIR under Impact 3.10-1, the loss of important farmland is a significant unavoidable impact. Please also see the response prepared for Comment I21-67.

The commenter is also referred to the response prepared for Comment A5-2, from the Department of Conservation.

Response to Comment I21-70:

The commenter suggests eliminating policies and implementation measures that the commenter believes either support or require early termination of Williamson Act contracts (Policies AG-1.4, AG-1.5, AG-1.8, and AG Implementation Measures 3 and 4).

The suggested elimination of the General Plan policies would fail to meet the project objectives and would be inconsistent with focusing growth within community areas as discussed under Response to Comment I21-2. Without these policies, growth could be forced outside UDBs, HDBs, and other community areas, and would result in an increase of impacts to other resource areas. For these reasons, this recommendation is considered infeasible.

The commenter is also referred to the responses prepared for Comment I21-63. Please also see the responses prepared for comments I21-34 and I21-58.

Response to Comment I21-71:

The commenter suggests revising Policy AG-1.13 to exclude important farmland from the types of agricultural lands that could be converted to livestock or dairy facilities.

As acknowledged in the RDEIR, conversion of important farmland to other agricultural results in loss of important farmland. For County lands outside of the unincorporated community areas, conversion of important farmlands to other agricultural uses is expected to may or may not continue (see RDEIR, p. 3.1-13). Although conversions to other agricultural uses are considered a loss of important farmland, it should be noted that, unlike conversions to non-agricultural uses, conversions to other agricultural uses does not constitute a loss of agricultural land to the County, as this land contributes to the local agricultural economy. Regarding the commenter's suggestion that only grazing lands should be considered for conversion to new dairy or livestock facilities, the suggested revision would likely result in increased impacts to other resources areas such as air quality, transportation, and biological resources because grazing lands are generally located in more remote, less accessible areas of the County, as seen in Figure 3.10-1 in the RDEIR. The commenter's suggested revision to Policy AG 1.13 is therefore not adopted and is considered infeasible and would fail to meet the project objectives, as these uses provide a needed service to the surrounding agricultural area which cannot be provided in urban areas. The commenter is also referred to the responses prepared for comments I21-58, I21-59, and I21-67 for additional discussion of agricultural conversion.

Response to Comment I21-72:

The commenter is referred to pages 3.1-22 through 3.1-24 of the RDEIR, which provides a detailed description of the various policies and implementation measures that have been developed to address the issues of possible land use conflicts with other agencies or jurisdictions. General Plan 2030 Update policies establish requirements for compatible development, including buffering, screening, controls and performance standards, as demonstrated by various policies that encourage the placement of compatible land uses (see Policies LU-1.3, LU-3.6, and LU-5.4) and the use of buffers to minimize a variety of negative land use impacts (see Policies LU-5.6, LU-6.2, AG-1.11, and ERM-1.8). A number of Land Use Implementation Measures require the County to update the zoning code to be consistent with the proposed project as well as to incorporate measures into the zoning code to eliminate the potential for incompatible development (see Land Use Implementation Measures #1 through #4 and #11 through #17). In addition, policies included in the Planning Framework Element are specifically designed to direct

urban development within UDBs of existing cities, communities, and other County planning areas to ensure that all development is well planned and adequately served by infrastructure (see Policies PF-2.1 through PF-2.3 and PF-4.1 through PF-4.16).

As discussed in the RDEIR, the General Plan contains Policy PF-4.9 which address updates to the City’s General Plans: “Following city adoption of a General Plan update or amendment that reflects the area within a CACUDB, the County shall update Part III (Community Plans, Kings River Plan, Mountain Sub-Area Plans, and County Adopted City General Plans), if applicable, to reflect the city’s modified plan. Any unresolved conflicts between the County and city plans shall be identified for the Board of Supervisors. The County shall establish and maintain land use controls on unincorporated lands within the UDB consistent with the policies of the County General Plan.”

Additionally, the commenter is directed to the Planning Framework Element of the General Plan 2030 Update (specifically pages 2-49 through 2-66), which describes the various goals and policies that have been designed to foster a cooperative planning environment between the County and each city with respect to development within the fringe areas of the cities. A summary of the key policies that have been developed to foster “city-centered growth” are also described on pages 2-9 and 2-10 of the RDEIR, with the summary table provided below:

**TABLE 2-7
SUMMARY OF POLICIES (SECTION 2.4 – CITIES) FROM PLANNING FRAMEWORK ELEMENT**

PF-4.1	CACUABs for Cities	PF-4.15	Urban Improvement Areas for Cities
PF-4.2	CACUDBs for Cities – Twenty Year Planning Area	PF-4.16	Coordination with Cities in Adjacent Counties
PF-4.3	Modification of CACUABs and CACUDBs	PF-4.17	Cooperation with Individual Cities
PF-4.4	Planning in CACUDBs	PF-4.18	Future Land Use Entitlements in a CACUDB
PF-4.5	Spheres of Influence	PF-4.19	Future Land Use Entitlements in a CACUAB
PF-4.6	Orderly Expansion of City Boundaries	PF-4.20	Application of a Checklist to control Development in a CACUDB
PF-4.7	Avoiding Isolating Unincorporated Areas	PF-4.21	Application of the RVLP Checklist to Control Development in a CACUAB
PF-4.8	General Plan Designations Within City UDBs	PF-4.22	Reuse of Abandoned Improvements in a CACUDB
PF-4.9	Updating Land Use Diagram in CACUDBs	PF-4.23	Reuse of Abandoned Improvements in a CACUAB
PF-4.10	City Design Standards	PF-4.24	Annexations to a City within the CACUDB
PF-4.11	Transition to Agricultural Use	PF-4.25	Sphere of Influence Criteria
PF-4.12	Compatible Project Design	PF-4.26	City 50 Year Growth Boundaries
PF-4.13	Coordination with Cities on Development Proposals	PF-4.27	Impacts of Development within the County on City Facilities
PF-4.14	Revenue Sharing		

Response to Comment I21-73:

Commenter states that the CACGPs are inconsistent with the City General Plans for Dinuba, Exeter, Porterville, Tulare, and Visalia because the UDB and UAB boundaries do not match. The commenter is referred to Master Response #4. Additionally, it should be noted that these inconsistencies represent existing conditions and the General Plan 2030 Update will address future conditions through the policy guidance provided in the Planning Framework Element,

specifically implementation measures (#24 through #27 and #39 through #44). Additionally, the commenter is referred to the responses prepared for comments I21-72.

Response to Comment I21-74:

The commenter is referred to the responses prepared for comments I21-24, I21-34, I21-72, and I21-73.

Response to Comment I21-75:

The commenter is referred to the responses prepared for comments I21-24, I21-34, I21-72, and I21-73.

Response to Comment I21-76:

The commenter is referred to the responses prepared for comments I21-24, I21-34, I21-72, and I21-73.

Response to Comment I21-77:

The commenter is referred to the responses prepared for comments I21-24, I21-34, I21-72, and I21-73.

Response to Comment I21-78:

The commenter is referred to the responses prepared for comments I21-24, I21-34, I21-72, and I21-73.

Response to Comment I21-79:

The comment provides no evidence that the proposed project would result in an inconsistency. The RDEIR adequately analyzes whether the proposed project could conflict with other applicable adopted land use plans on pages 3.1-22 through 3.1-24. Consistency of unspecified future site specific approvals is considered speculative, and will be addressed at the time such site specific approvals are proposed. Please refer to Response to Comment I21-73 and Master Response #3.

Response to Comment I21-80:

Please refer to Response to Comment I21-73 and Master Response #3. The commenter describes issues related to the Calgary Worship Center and raises general concerns about that project associated with street improvements, sidewalks, streetlights, landscaping, and wastewater. The commenter is directed to RDEIR Sections 3.1 (Aesthetics), Section 3.9 (Utilities), and Section 3.2 (Traffic and Circulation). This comment does not address the content or adequacy of the RDEIR. No further response required.

Response to Comment I21-81:

Please refer to Response to Comment I21-73 and Master Response #3. This comment does not address the content or adequacy of the RDEIR. No further response required.

Response to Comment I21-82:

Please refer to Response to Comment I21-73 and Master Response #3. This comment does not address the content or adequacy of the RDEIR. No further response required.

Response to Comment I21-83:

Please see Master Response #5 and Response to Comment I21-44, and I21-73 for discussion of buildout. The comment offer's an opinion regarding County development but does not address the adequacy of the RDEIR. Commenter's specific concerns about the RDEIR project description and impact analysis are addressed as presented in other comments.

Response to Comment I21-84:

Please refer to Response to Comment I21-73 and Master Response #3. One of the primary purposes of a general plan is to plan for a particular jurisdiction's growth. Therefore, it should be no surprise, that the County is anticipating some level of growth over the next twenty years. Consequently, the County is taking this opportunity to update its' existing general plan and to plan for this anticipated growth by accommodate future development within the areas of the County best suited for growth (i.e., hamlets, community plan areas, etc.) as opposed to allowing the growth to occur in a haphazard manner.

The County does not have the authority to stop all growth, nor can it limit population growth. The question of where new growth will be located and how much growth should be accommodated under the proposed project is a fundamental policy question addressed by the General Plan 2030 Update, not a CEQA question. The RDEIR simply discloses the potential environmental effects of the proposed project.

Response to Comment I21-85:

Please refer to Response to Comment I21-73 and Master Response #3. The comment does not address the adequacy of the RDEIR and no further response is required. Comments will be forwarded to County decision makers for their consideration.

Response to Comment I21-86:

Please refer to Response to Comment I21-73 and Master Response #3. The proposed project's impacts on water supply and water quality are analyzed in RDEIR section 3.6.

Response to Comment I21-87:

Please refer to Response to Comment I21-73. Contrary to the suggestion in the comment, the RDEIR addresses infrastructure in Section 3.9. RDEIR Section 3.9 appropriately addresses

impacts of the proposed project in comparison to existing conditions (See CEQA Guidelines Section 15125 and 15126.2).

Response to Comment I21-88:

The commenter is referred to the responses prepared for comments I21-72 and I21-73 which address consultation policies with the Cities. The commenter is also referred to the response prepared for Comment I21-2 and Master Response #5 which discusses buildout methodology and assumptions of the General Plan 2030 Update.

Response to Comment I21-89:

Please refer to Response to Comment I21-73. The RDEIR addresses impacts associated with recreational facilities (including parks), and libraries, in Section 3.9 along with discussion of applicable General Plan Policies. The commenter's statement regarding County and City finances is noted.

Response to Comment I21-90:

Please refer to Response to Comment I21-73. Impact 3.9-6 [Police Services] was determined to be less than significant after implementation of Mitigation Measures. See Section 3.9 (starting on page 3.9-23 and 3.9-61) of the RDEIR for a discussion of police and fire related impacts. A complete summary of policies designed to address the issues of law enforcement and fire protection services from the RDEIR is provided below. The impact was determined to be less than significant.

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Health and Safety and Public Facilities and Services Elements

Policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:

HS-1.4 Building and Codes	HS-7.1 Coordinate Emergency Response Services with Government Agencies
HS-1.5 Hazard Awareness and Public Education	HS-7.2 Mutual Aid Agreement
HS-1.6 Public Safety Programs	HS-7.3 Maintain Emergency Evacuation Plans
HS-1.8 Response Times Planning in GIS	HS-7.4 Upgrading for Streets and Highways
HS-1.9 Emergency Access	HS-7.5 Emergency Centers
HS-1.10 Emergency Services Near Assisted Living Housing	HS-7.6 Search and Rescue
HS-6.1 New Building Fire Hazards	HS-7.7 Joint Exercises
HS-6.2 Development in Fire Hazard Zones	PF-5.2 Criteria for New Towns
HS-6.3 Consultation with Fire Service Districts	PFS-1.3 Impact Mitigation
HS-6.4 Encourage Cluster Development	PFS-2.1 Water Supply
HS-6.5 Fire Risk Recommendations	PFS-7.1 Fire Protection
HS-6.6 Wildland Fire Management Plans	PFS-7.2 Fire Protection Standards
HS-6.7 Water Supply System	PFS-7.3 Visible Signage for Roads and Buildings
HS-6.8 Private Water Supply	PFS-7.4 Interagency Fire Protection Cooperation
HS-6.9 Fuel Modification Programs	PFS-7.5 Fire Staffing and Response Time Standards
HS-6.10 Fuel Breaks	PFS-7.7 Cost Sharing
HS-6.11 Fire Buffers	PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations
HS-6.12 Weed Abatement	PFS Implementation Measure #11
HS-6.14 Coordination with Cities	

Public Facilities and Services Element		Foothill Growth Management Plan	
Similar policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning within the various planning areas include the following:			
PFS-7.6 Provision of Station Facilities and Equipment		FGMP-10.2 Provision of Safety Services FGMP-10.3 Fire and Crime Protection Plan	
Public Facilities and Services Implementation Measures designed to ensure funding for County programs to provide adequate service levels.			
Public Facilities and Services Implementation Measure #1 Public Facilities and Services Implementation Measure #2 Public Facilities and Services Implementation Measure #3 Public Facilities and Services Implementation Measure #9			
Health and Safety Element		Public Facilities and Services Element	
Policies designed to minimize this impact through the continued provision of law enforcement services and emergency response planning include the following:			
HS-1.8 Response Times Planning in GIS HS-1.10 Emergency Services Near Assisted Living Housing HS-7.1 Coordinate Emergency Response Services with Government Agencies HS-7.2 Mutual Aid Agreement HS-7.3 Maintain Emergency Evacuation Plans HS-7.4 Upgrading for Streets and Highways HS-7.5 Emergency Centers HS-7.6 Search and Rescue HS-7.7 Joint Exercises		PF-5.2 Criteria for New Towns PFS-1.3 Impact Mitigation PFS-7.3 Visible Signage for Roads and Buildings PFS-7.8 Law Enforcement Staffing Ratios PFS-7.9 Sheriff Response Time PFS-7.10 Interagency Law Enforcement Protection Cooperation PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations PFS-7.12 Design Features for Crime Prevention and Reduction PFS Implementation Measure #10	
Foothill Growth Management Plan Element			
Similar policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning within the various planning areas include the following:			
FGMP-10.2 Provision of Safety Services FGMP-10.3 Fire and Crime Protection Plan			
Public Facilities and Services Element			
Public Facilities and Services Implementation Measures designed to ensure funding for County programs to provide adequate service levels Include the following:			
Public Facilities and Services Implementation Measure #1 Public Facilities and Services Implementation Measure #2 Public Facilities and Services Implementation Measure #3			

Response to Comment I21-91:

The commenter is referred to the responses prepared for comments I21-72 and I21-73. As discussed under CEQA Guidelines Section 15126.4(a)(3), “Mitigation measures are not required for effects which are not found to be significant.”

Response to Comment I21-92:

Please see Master Response #4 and #5. The commenter reiterates its opinion that the RDEIR description of the General Plan 2030 Update is inadequate, and that both documents fail to describe the location, type and intensity of development that would occur on County lands. In this comment, the commenter expresses concern regarding potential buildout within a 2030 time frame. The

commenter generally criticizes use of the TCAG model, and indicates that it is not possible to determine whether the TCAG model uses the same population and employment assumptions of the draft General Plan 2030 Update, or how the model accounts for land use designations. The commenter indicates that additional data and study should be provided. However, it should be noted that the future population projections that TCAG receives from the California Department of Finance were utilized to develop a “cap” on population. With that said, the alternatives used that population cap and re-distributed population and land uses accordingly.

The commenter is referred to the response prepared for Comment I21-48 for discussion of traffic modeling using the TCAG model and data. Use of the TCAG data and model is considered an appropriate methodology to evaluate impacts of the proposed project associated with traffic. Analysis in the RDEIR provides decision makers with sufficient information to take intelligent account of the environmental consequences.

Please see the response prepared for Comment I21-44 and Master Response #4, and #5 for additional information related to General Plan 2030 Update buildout assumptions.

Response to Comment I21-93:

The language quoted by the commenter misquotes the language and intent of the RDEIR. The RDEIR identifies the environmental impacts resulting from implementation of the County’s General Plan 2030 Update. The analysis is better understood as presented more fully in the RDEIR at pages 3.2-31 of the RDEIR, concludes:

As discussed above under the “Methodology” section, a number of roadway improvements are identified that would improve roadway level of service conditions resulting from implementation of development anticipated under the proposed project. However, most of the roadway infrastructure improvements identified are on facilities under the jurisdiction of entities outside the County (such as Caltrans or the City of Visalia, etc.). Therefore, implementation of the proposed improvements would be subject to approval by other agencies, as well as to funding programs that are not fully developed at this time. Timely construction of the proposed improvements would require substantial coordination and cooperation between the County and other agencies.

In summary, the proposed project addresses its traffic effects through a combination of policies and the physical improvements identified above. Despite the policies identified above, proposed deterioration in the traffic LOS as compared to current conditions is unavoidable mostly due to city growth not directly controlled by this plan. The physical improvements would require cooperation and funding from a variety of entities inside and outside the County, so implementation of these improvements cannot be guaranteed solely through the County’s actions. As a result, this impact remains significant. No additional feasible mitigation is currently available.

The RDEIR correctly attributes most (but not all) of the projected increase in traffic to growth in the Cities, and logically identifies improvements in locations that would address projected increases. As shown above, the impact conclusion is supported by the facts that most infrastructure improvements necessary to address inadequacies in the transportation system are

under the control of other jurisdictions (including some in cooperation with the County). However due to the County's lack of direct control over their implementation, the RDEIR analysis has conservatively concluded that the impact is significant and unavoidable.

Please also see the response prepared for Comment I21-48.

Response to Comment I21-94:

The commenter is referred to the response prepared for Comment I21-48 and Comment I21-93.

Response to Comment I21-95:

Existing Conditions (baseline) are appropriately described in Table 3.2-2 of the RDEIR. The analysis then goes on to calculate the impacts of the proposed project in Table 3.2-7. Part of the implementation of the proposed project includes transportation improvements as discussed in the Policies outlined in the Table on page 3.2-31 (See Policies TC-1.3, TC-1.4, TC-1.9, TC-1.10, TC-1.11, TC-1.13, TC-1.14, TC-1.15, TC-1.17, TC-4.1, TC-4.2, and TC-4.3). These improvements include those identified in Table 3.2-3 of the RDEIR (provided below and on page 3.2-31 of the RDEIR).

**TABLE 3.2-3
TULARE COUNTY ROADWAY/INTERCHANGE CONSTRUCTION**

Roadway	Segment (Improvement)	Target Dates (Begin/End)
SR 65	North Grand Avenue Interchange (New Interchange)	2025
	Kern County Line – SR 190 (2E to 4E)	2006 to 2015
	Cedar Avenue – SR 198 (2C to 4E)	2015 to 2021
	Scranton Avenue (2C to 4E)	2008 to 2011
SR 99	Goshen Overhead (4 to 6 Lanes)	2008 to 2013
	Prosperity Avenue - Goshen Overhead (4 to 6 Lanes)	2008 to 2013
	Avenue 200 – Prosperity Avenue (4 to 6 Lanes)	2008 to 2013
	South of Tipton – Avenue 200 (4 to 6 Lanes)	2008 to 2013
	Kern County - South of Tipton (4 to 6 Lanes)	2008 to 2013
	Commercial Avenue (Construct Interchange)	2018
	Betty Drive (Interchange Improvements)	2012
	Caldwell Avenue (Widen on/off ramps)	2015
	Cartmill Avenue (Widen on/off Ramps and Bridge)	2012
	Paige Avenue (Interchange Improvements)	2022
SR 190	South County Interchanges (Minor Widening/Safety Improvements)	2015
	SR 99 to SR 65 (Passing Lanes)	2020
	SR 99 to SR 65 (4 to 6 Lanes)	2030
SR 198	Main Street (Widen on/off Ramps and Bridge)	2025
	SR 99 to Kings County Line (2C to 4E/4F)	2013
	Road 80 at Plaza Drive (Modify Interchange)	2011
	Shirk Street (Widen on/off Ramps and Bridge)	2018
	Akers Street (Minor Widening/Safety Improvements)	2018
	Downtown Visalia Corridor (Widen on/off Ramps and Bridge)	2018
	Lovers Lane (Widen on/off Ramps and Bridge)	2018
	Avenue 148 (Widen on/off Ramps and Bridge)	2025

SOURCE: County of Tulare, 2010 Background Report (Table 5-4, page 5-20), 2010a.

The TCAG model appropriately includes these improvements as they are part of the proposed project and they are reasonably foreseeable within the horizon year of the project. Capital improvement projects were derived from the RTP, which includes county and city improvements and Measure R self-help transportation tax. The TCAG travel demand model only includes improvement projects that have a current or future funding source and are financially constrained, which means that a funding source must be identified in order to include the project in any improvement that is programmed in order to show reasonable liability. There are varying types of roadway improvements used to address congestion. Signalization, approach widening and lanes widening are strategies used to improve vehicle movements. The General Plan 2030 Update is a programmatic planning document. Future development and infrastructure projects consistent with the General Plan 2030 Update will be evaluated on a project level and shall meet current requirements as identified by the County (see Master Response #4). At the policy level, the General Plan 2030 Update includes a number of policies designed to support future roadway improvements (including cooperation with other agencies responsible for transportation programs and improvements) (see RDEIR page 3.2-31). As also discussed in Master Response #3, existing federal, state, and local regulations will shape the way buildout occurs in the County.

Response to Comment I21-96:

The contents of the General Plan Transportation and Circulation Element are available in Appendix C of the RDEIR, which complies with the content requirements of Government Code Section 65302(b). Please see Response to Comment I21-21 for greater detail. Please also see Master Response #3 for discussion of implementation of the General Plan, and Master Response #4 for discussion of the appropriate level of detail for the General Plan. The General Plan Circulation Element contains major arterials, minor arterials, collectors and some local roadway facilities.

The TCAG model reviews local land uses of the cities and county to determine the expected growth within each area. Please see Response to Comment I21-95 which discusses this issue. However, as discussed in the response to Comment I21-93, due to the County's lack of direct control over implementation of traffic improvement projects, the RDEIR analysis has conservatively concluded that the impact is significant and unavoidable (Impact 3.2-1, see pages 3.2-31 – 3.2-32). The comment is also directed to Response to Comment I21-48 which addresses the commenter's concern regarding the project description.

Response to Comment I21-97:

The commenter indicates that the RDEIR should conduct additional traffic.

The RDEIR addresses buildout of the proposed project. Buildout within the County will be shaped by the General Plan as well as numerous existing Federal, State and Local Regulations. Assuming that these roadway improvements would not occur, would ignore the policies in the proposed project and the existing regulations, and is not considered reasonably foreseeable. For these reasons, the additional, requested modeling would not provide decision makers with useful information. (See Response to Comment I21-95 for greater detail.) The commenter is also

referred to the response prepared for Comment I21-48. Projects were developed using the TCAG Regional Transportation Plan that is financially constrained. Each of the three modeling alternatives and a no-build alternative were developed to determine the net traffic difference.

Response to Comment I21-98:

The comment suggests that the “traffic analysis must distinguish the traffic that would be generated by the County’s growth from that which would be generated by other jurisdictions.” CEQA requires analysis of impacts that are “reasonably foreseeable” (see CEQA Guidelines Section 15064(d)), and it would be unreasonable and speculative to analyze a scenario that will never occur (i.e. that growth would not occur within the Cities over the next 20 years). As discussed under CEQA Guidelines Section 15064(d) the EIR must also address “indirect impacts.” In essence the comment is requesting that the EIR to create a bright line rule for what is considered an “indirect impact” of the proposed project versus impacts that are completely unrelated to the project. However, unlike a specific development project, such as a mall or a specific roadway improvement, for which the direct and indirect impacts can be more easily assessed, it is incredibly difficult to create a bright line rule for a General Plan (and buildout associated therewith) for determining the causal relationship of the project to impacts (thereby distinguishing between indirect impacts and unrelated impacts). In an effort to provide a conservative traffic analysis, the RDEIR assumes that any such trip generation would be an indirect impact of the proposed project for the purposes of traffic. Were the project to assume otherwise, the RDEIR would result in a reduction in impacts; and therefore the RDEIR provides a conservative analysis.

The commenter is referred to the response prepared for Comment I21-48 and Comment I21-93.

Response to Comment I21-99:

The commenter is referred to the response prepared for Comment I21-48 and Comment I21-97.

Analysis in the RDEIR appropriately addressed impacts to the Circulation system as a whole, by assessing impacts to roadway level of service. Roadway level of service was evaluated from a quantitative perspective using traffic volume data obtained from Caltrans, TCAG and local agencies, as well as the County (RDEIR, p. 3.2-10). However, as discussed in Master Response #4, “CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (CEQA Guidelines Section 15204(a)). It is not necessary or feasible to address site specific impacts for every roadway, intersection, highway, or interchange within all 4,840 square miles in the County. The analysis in the RDEIR provides decision makers with “a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences” (CEQA Guidelines Section 15151).

Furthermore, as discussed in Master Response #4, the General Plan does not propose site specific development at this time. As discussed by the California Supreme Court in *In re Bay-Delta*, “at the first-tier program stage, the environmental effects of obtaining water from potential sources may be

analyzed in general terms, without the level of detail appropriate for second-tier, site specific review” (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1169). While development, in general is foreseeable under the General Plan, development at any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). The type of analysis the commenter requests for traffic effects at interchanges would require speculation as to the timing, location and nature of future proposed development projects. It is therefore not necessary to address site specific impacts as this time.

Nevertheless, the RDEIR acknowledges that interchange improvements are important to the regional transportation system, and identifies interchanges in Tulare County that should be considered for improvements within the life of the proposed Project (RDEIR, p. 3.2-25). The proposed General Plan also provides policies designed to address site specific impacts to interchange facilities, as discussed in greater detail in Response to Comment I21-95. .

Response to Comment I21-100:

As discussed in the *Sierra Club* case “The mere fact plaintiff disagrees with the methodology employed by defendant to measure the project's potential traffic impacts on Santiago Canyon Road does not require invalidation of the SEIR/EIR, if it provides accurate information” (*Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523).

As further discussed in Master Response #4 and #5, the RDEIR addresses impacts of buildout of the General Plan across 4,840 square miles of the County. There are thousands of trip generating facilities within the 4,840 square miles in the County which all have different peak traffic generation characteristics. It would not be feasible to study the peaking characteristics of every individual generator within the County. Nor is this level of detail required by CEQA. As discussed under CEQA Guidelines Section 15204(a), “reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.” (See also CEQA Guidelines Section 15151; *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal. App. 4th 1383; and *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 [“Their argument is essentially that greater specificity was needed--i.e., that the EIR should have specified whether trucks sometimes enter and leave the site "unevenly" over time. We hold that such minute detail was not required in the analysis in question.”].⁹

⁹ As noted in the California Natural Resources Agency Statement of Regulatory Action revisions to the CEQA Guidelines “recognizes that the lead agency has discretion to choose its own metric of analysis of impacts to intersections, streets, highways and freeways. (Pub. Resources Code, § 21081.2(e); *Eureka Citizens for Responsible Gov’t v. City of Eureka*, supra, 147 Cal.App.4th at 371-373 (lead agency has discretion to choose its methodology).) Thus, —level of service may or may not be the applicable measure of effectiveness of the circulation system... an increase in traffic, by itself, is not necessarily an indicator of a potentially significant environmental impact.” (Final Statement of Reasons for Regulatory Action – Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97, pages 75, 76.) Available at http://ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf.

Please also see response to Comment I21-99 regarding the RDEIR's analysis of traffic volumes. Intersections often have increased congestion for the peak periods but the overall LOS is acceptable. LOS indicates traffic operating conditions (expressed as letter grades, "A" through "F") (RDEIR, p. 3.2-6; Background Report, p. 5-6). Environmental assessment of long-range plans, such as the General Plan 2030 Update, are typically analyzed at the level of roadway segments using average daily volume to roadway capacity ratios as a performance measure. Analysis of individual intersections would require precise locations of projected land uses in order to accurately estimate individual turning movements at intersections which are not known. The General Plan contains policies which would address such impacts at buildout, such policies require individual analysis and mitigation at the time specific development projects are proposed; for example, Policies TC-1.13 through TC-1.15. Furthermore, as discussed in response to Comment I21-97, buildout within the County will be shaped by the General Plan as well as numerous existing Federal, State and Local Regulations, and the proposed project includes numerous policies and implementation measures designed to ensure that roadway improvements would occur.

In *Berkeley Keep Jets Over the Bay Committee v. Board of Port Comrs* the court required supplementary analysis to evaluate the effects of single-event noise from additional nighttime flights on the sleep patterns of area residents. However, as the comment implicitly acknowledges, additional peak hour traffic will not occur in the overnight hours and would not cause sleep deprivation to the general public; intersection analysis at the peak-hour level will show a degraded LOS for that intersection. The fact that peak hour intersection movements may be higher than the average daily traffic is correct. Even with the poorer LOS for the peak hour movements, traffic signal warrant analysis may not reveal the need for the additional investment. Analysis under Impact 3.5-2 indicates that traffic related noise impacts would be significant and unavoidable (RDEIR, p. 3.5-25 – 3.5-27). Please see Chapter 3.5, Noise, for additional discussion of traffic-related noise.

Response to Comment I21-101:

This comment generally reiterates the concerns expressed in Comment I21-100. The commenter is referred to the response prepared for Comment I21-99 and Comment I21-100.

Response to Comment I21-102:

Please see Response to Comment I21-73. Impacts to transit service were addressed under RDEIR Impact 3.2-4. This impact was determined to be less than significant. As discussed under CEQA Guidelines Section 15126.4(a)(3), "Mitigation measures are not required for effects which are not found to be significant." As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas, such as in UDBs and UABs. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR.

The commenter is also referred to the response prepared for Comment A7-21 which discusses General Plan policies associated with transit service.

Response to Comment I21-103:

The County's General Plan 2030 Update does not control the land use or densities for any of the cities. Density is higher in the larger county communities but high density development is not appropriate for all communities. The City of Visalia is also considering Bus Rapid Transit along the heavily used transit corridors before light rail is introduced.

Please see Response to Comment I21-2 which addresses the County's efforts in the proposed General Plan to focus growth, Master Response #5 on buildout, and I21-102 which address comments raised about transit service.

Response to Comment I21-104:

Contrary to the suggestion in the comment, existing conditions (such as the current conditions of roadways in the County) are not impacts of the proposed project, but are part of existing conditions (See CEQA Guidelines Section 15125 and 15126.2). The comment also faults the RDEIR for not addressing this issue. This issue is not addressed in CEQA Guidelines Appendix G, nevertheless Tulare County has adopted a Pavement Management System to prioritize improvements with its limited resources. The General Plan also contains policies which address this issue:

- **Policy TC-1.1 Provision of an Adequate Public Road Network.** The County shall establish and *maintain* a public road network comprised of the major facilities illustrated on the Tulare County Road Systems to accommodate projected growth in traffic volume [*New Policy*].
- **Policy TC-1.2 County Improvement Standards.** The County's public roadway system shall be built and *maintained* consistent with adopted County Improvement Standards, and the need and function of each roadway, within constraints of funding capacity [*New Policy*].
- **Policy TC-1.4 Funding Sources.** The County shall work to enhance funding available for transportation projects. This includes:
 - Working with TCAG, Federal and State agencies, and other available funding sources to maximize funding available to the County for transportation projects and programs, and
 - Enhance local funding sources, including assessment of transportation impact fees to pay for appropriate construction, enhancement, and *maintenance* of transportation facilities [*New Policy*].
- **Policy TC-1.5 Public Road System Maintenance.** The County shall give priority for maintenance to roadways identified by the Tulare County Pavement Management System (PMS) and other inputs relevant to *maintaining* the safety and integrity of the County roadway system [*Transportation/ Circulation, General Plan, 1964, Modified*].
- **Policy TC-1.14 Roadway Facilities.** As part of the development review process, new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and *maintenance* of roadway facilities impacted by the project. As projects or locations warrant, construction or payment of pro-rata fees for planned road facilities may also be required as a condition of approval [*New Policy*].

- **TC Implementation Measure #2.** The County shall develop an impact fee program to offset the cost of development and *maintenance* of the County roadway system as necessitated by new development [*New Program*].
- **TC Implementation Measure #5.** The County shall require new subdivisions to join or create an assessment district for *maintaining public roads* installed with the development [*Existing Policy Tulare County Board of Supervisors Resolution No. 2005-0519*].

The County cannot charge new development to fix existing deficiencies (AB 1600) with new impact fees nor is this an impact under CEQA, as discussed here. New development must pay its own way and mitigate based upon the scope of development and not on existing need. There must be a clear nexus between the deficiency and the funded improvement. The General Plan 2030 Update has a number of policies discussed above to address infrastructure maintenance associated with new development from buildout of the General Plan 2030 Update and impacts associated with new development would be less than significant. ..

Response to Comment I21-105:

The commenter's specific concerns are addressed as presented in other comments. The commenter is also referred to the responses prepared for comments I21-21, through I21-24, I21-36, I21-48, and I21-93 through I21-104.

Response to Comment I21-106:

The commenter expresses a general opinion that proposed General Plan 2030 policies and Implementation measures that would mitigate traffic impacts would not be effective because the commenter believes they are "too vague and otherwise unenforceable." The commenter does not identify specific impact analysis, but appears to be referring to Impact 3.2-1.

Analysis in the RDEIR concludes that Impact 3.2-1 (substantial increase in vehicular traffic) would be significant and unavoidable. The proposed project addresses its traffic effects through a combination of policies and physical improvements. See Table 3.2-3 for Roadway/Interchange improvements. Policies and Implementation Measures to reduce this impact are identified in the RDEIR and include the following:

Transportation and Circulation Element			
Policies and implementation measures designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:			
TC-1.1	Provision of an Adequate Public Road Network	TC-1.13	Land Dedication for Roadways and Other Travel Modes
TC-1.2	County Improvement Standards	TC-1.14	Roadway Facilities
TC-1.3	Regional Coordination	TC-1.15	Traffic Impact Study
TC-1.4	Funding Sources	TC-1.16	County LOS Standards
TC-1.5	Public Road System Maintenance	TC-1.17	Level of Service Coordination
TC-1.6	Intermodal Connectivity	TC-1.18	Balanced System
TC-1.8	Promoting Operational Efficiency	TC-1.19	Balanced Funding
TC-1.9	Highway Completion	Implementation Measure #1 through #18	
TC-1.10	Urban Interchanges		
TC-1.11	Regionally Significant Intersections		

Transportation and Circulation Element		Land Use Element	
Policies designed to integrate land use and circulation concepts during the early planning and design phases of Countywide development to minimize land use conflicts include the following:			
TC-1.3	Regional Coordination	LU-1.10	Roadway Access
TC-1.7	Intermodal Freight Villages	LU-4.4	Travel-Oriented Tourist Commercial Uses
TC-1.12	Scenic Highways and Roads	LU-5.4	Compatibility with Surrounding Land Use
TC-1.13	Land Dedication for Roadways and Other Travel Modes		

Nevertheless, these Policies and Implementation Measures would not reduce this impact to less than significant, primarily because physical improvements would require cooperation and funding from a variety of entities inside and outside the County, and thus the County cannot guarantee implementation for every improvement (RDEIR, p. 3.2-31). Please also see response to Comment I21-93.

In suggesting the RDEIR does not mitigate impacts the comment references four policies (TC-1.1, TC-1.3, TC-1.4, and TC-1.5). As discussed in Master Response #3, individual policies should not be reviewed in a vacuum but part of the whole of the General Plan. The comment is directed to RDEIR Section 3.2 which addresses all of the applicable policies, which are part of a comprehensive system to address transportation improvements, in addition to existing Federal, State and Local regulations which will also shape the way buildout occurs within the County. As further discussed in Master Response #3 and #4 mitigation measures should also be at the same level of detail as the proposed project (i.e. the General Plan).

The commenter is also referred to the responses prepared for comments I21-21 through I21-24, I21-36, I21-48, and I21-93 through I21-104. The commenter is also referred to Response to Comment I21-109 which addresses mitigation measures.

Response to Comment I21-107:

The comment suggests that the RDEIR must provide evidentiary support for the conclusion that the General Plan policies would minimize the project's impacts.

Contrary to the suggestion in the comment, the RDEIR has not taken quantitative credit for the General Plan policies, as evidenced by the fact that the RDEIR determined this impact significant and unavoidable (see RDEIR pages 3.2-31 through 3.2-32).

Other than those roadway improvements discussed under Response to Comment I21-95, it would be speculative to quantify the specific roadway improvements which would be put into place because of the General Plan. As discussed in Master Response #4, the General Plan does not propose site specific development at this time. As discussed by the California Supreme Court in *In re Bay-Delta*, "at the first-tier program stage, the environmental effects of obtaining water from potential sources may be analyzed in *general terms*, without the level of detail appropriate for second-tier, site specific review" (Emphasis added; *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1169). While development, in general is foreseeable under the

General Plan, development at any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351).

It is therefore not possible to quantify the effects of site specific mitigation measures, because parcel specific development is not proposed under the General Plan. However, the County's General Plan would put a system in place to address these impacts at the time project's are proposed and require future site specific analysis and mitigation measures for projects, as discussed in the General Plan policies listed on RDEIR page 3.2-31.

The commenter also is referred to the responses prepared for comments I21-21 through I21-24, I21-36, I21-48, and I21-93 through I21-104.

Response to Comment I21-108:

The commenter indicates that the proposed project would encourage substantial growth within the Cities' planning boundaries, and place "vast demands" on the Cities' transportation networks; the commenter believes that RDEIR does not adequately address transportation impacts to the cities.

This comment is considered in contrast to the commenter's concern in Comment I21-103 that the General Plan 2030 Update would result in "sprawling low density land use patterns [that] would severely hamper the region's efforts to sustain and expand transit service within the County." As comment I21-103 indicates, the commenter also believes that urban transit systems must be supported by sufficient urban densities. The commenter is also referred to the responses prepared for comments I21-21 through I21-24, I21-36, I21-48, and I21-93 through I21-104.

Response to Comment I21-109:

This comment indicates the commenter believes the General Plan 2030 update would result in "decentralized development." The comment describes the advantages of higher density, municipal and infill development with respect to transit and vehicular traffic. The commenter expresses its opinion that the best way to mitigate traffic impacts would be to reduce the number and length of vehicle trips by controlling "sprawling growth patterns." The average commuter in Tulare County has a commute time of less than 20 minutes, one of the lowest in the State. Approximately 50% of the commuters in the County have a commute of less than 15 minutes.

As discussed in Response to Comment I21-2, the General Plan focuses growth in community areas, and does not result in decentralized growth. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas, such as in UDBs and UABs. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR (see also Responses to Comments A8-7 through A8-10). Furthermore, the RDEIR, analyzes several alternatives which focus growth to an even greater extent (see Alternative 2 (City-Centered Alternative), and Alternative 5 (Confined Growth Alternative)). Please see Master Response #9 which discusses the range of alternatives analyzed in the RDEIR.

The Air Quality, Land Use, and Transportation/Circulation Elements of the General Plan 2030 Update include the various infill/land use concepts identified by the commenter.

Land Use Element	Planning Framework, Air Quality, Public Facilities and Services, and Foothill Growth Management Plan Elements
Policies designed to minimize vehicle miles traveled through mixed use, infill, redevelopment, and higher density development.	
LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.4 Compact Development LU-1.8 Encourage Infill Development LU-3.1 Residential Developments LU-3.2 Cluster Development LU-3.3 High Density Residential Locations LU-4.1 Neighborhood Commercial Uses LU Implementation Measure #3 LU Implementation Measure #7 LU Implementation Measure #8 LU Implementation Measure #9 LU Implementation Measure #10	LU Implementation Measure #14 PF-1.2 Location of Urban Development PF-1.3 Land Uses in UDBs/HDBs PF-3.4 Mixed Use Opportunities PF Implementation Measure #21 AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 PFS-8.3 Location of School Sites FGMP-3.1 Innovative Residential Design
Planning Framework and Land Use Elements	Public Facilities and Services Element
Policies designed to direct development to existing urban areas and encourage efficient use of existing public services and utilities.	
PF-1.4 Available Infrastructure PF-2.1 Urban Development Boundaries – Communities PF-2.2 Modification of Community UDB PF-3.1 Hamlet Development Boundaries – Hamlets PF-3.2 Modification of HDB – Hamlet PF-3.3 Hamlet Plans PF-4.1 CACUABs for Cities PF-4.2 CACUDBs for Cities – Twenty Year Planning Area PF-4.3 Modification of CACUABs and CACUDBs PF-4.6 Orderly Expansion of City Boundaries LU-2.1 Agricultural Lands	PFS-1.8 Funding for Service Providers PFS-1.15 Efficient Expansion PFS-1.16 Joint Planning Efforts PFS-2.4 Water Connections PFS-3.3 New Development Requirements

The commenter is directed to the response for Comment I21-93, which describes the rationale behind the significant and unavoidable impact conclusion for Impact 3.2.

Response to Comment I21-110:

The Air Quality, Land Use, and Transportation/Circulation Elements of the General Plan 2030 Update include the various infill/land use concepts identified by the commenter. The comment also suggests that the RDEIR “should include a list of alternative transportation strategies...to achieve the following objectives.” Other than the policies included in the RDEIR, the comment provides no example of additional policies or how such policies could be feasibly implemented. The County does not have direct control over VMT. While the County has proposed a number of policies to reduce trip generation, trip generation is ultimately controlled by the will of individual driver or transit passenger (see the Response to Comment I21-106 for a list of these policies).

Response to Comment I21-111:

This comment summarizes and reiterates the commenter’s concerns regarding traffic impact analysis in the RDEIR. The commenter’s specific comments are addressed above. The Air Quality, Land Use, and Transportation/Circulation Elements of the General Plan 2030 Update include the various

infill/land use concepts identified by the commenter. The commenter is directed to the response for Comment I21-48 for a discussion of the TCAG travel demand model. As discussed in the RDEIR (RDEIR, p. 3.2-21), the model uses information related to the number of households and number of employees per traffic analysis zone and provides adequate information and analysis. The average commuter in Tulare County has a commute time of less than 20 minutes, one of the lowest in the State. Approximately 50% of the commuters in the County have a commute of less than 15 minutes. The commenter is also directed to response for Comment I21-93, which describes the rationale behind the significant and unavoidable impact conclusion.

Response to Comment I21-112:

The health risks associated with the proposed project are discussed in RDEIR section 3.3, Impact 3.3-4. The commenter is referred to the response prepared for Comment I8-4 and page 3.3-16 of the RDEIR which identifies the methods used to prepare the air quality analysis (including use of guidance provided by the San Joaquin Valley Air Pollution Control District's *Guide for Assessing and Mitigating Air Quality Impacts*).

Response to Comment I21-113:

Please see Response to Comment I21-48 which addresses the commenter's concerns regarding use of the TCAG model and the project description. Commenter is also referred to Master Response #5 for a description of the land use and build out assumptions used in the RDEIR analysis, and Master Response #4 regarding the appropriate level of detail for the General Plan and a programmatic EIR.

Response to Comment I21-114:

PM 10 and PM 2.5 emissions resulting from the proposed project are primarily associated with on-road vehicle emissions and natural gas combustion. While woodstoves and greenwaste burning do contribute to levels of PM 10 and PM 2.5, these levels are considered relatively minor (less than 10% of total emissions) compared to emissions from combustion sources and dust from roadways and agricultural activities (40% of total emissions) (source: www.arb.ca.gov/pm/pmmeasures/pmch05/sjv05.pdf).

As clearly stated on page 3.3-16 and 3.3-17, the RDEIR provided air quality modeling analysis for mobile (on-road and off-road), natural gas combustion-related activities, and dairy/livestock operations which account for the greatest amount of air quality emissions in the County. Emissions from wood burning stoves are considered relatively minor and the County is not aware of any modeling analysis that can estimate these emissions at the general plan level. Consequently, the air quality analysis was conducted using the best available information that conforms with guidance provided by the SJVAPCD's GAMAQI.

The County supports a variety of policies designed to reduce PM10 and PM2.5 emissions including the following:

- **AQ-4.2 Dust Suppression Measures.** The County shall require developers to implement dust suppression measures during excavation, grading, and site preparation activities consistent with SJVAPCD Regulation VIII – Fugitive Dust Prohibitions. Techniques may include, but are not limited to, the following:
 - Site watering or application of dust suppressants,
 - Phasing or extension of grading operations,
 - Covering of stockpiles,
 - Suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour), and
 - Revegetation of graded areas [*New Policy*].
- **AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions.** The County shall require that all new roads be paved or treated to reduce dust generation where feasible as required by SJVAPCD Regulation VIII, Rule 8061- Paved and Unpaved Roads. For new projects with unpaved roads, funding for roadway maintenance shall be adequately addressed and secured [*New Policy*].
- **AQ-4.4 Wood Burning Devices.** The County shall require the use of natural gas where service is available or the installation of low-emission, EPA-certified fireplace inserts in all open hearth fireplaces in new homes as required under the SJVAPCD Rule 4901– Woodburning Fireplaces and Woodburning Heaters. The County shall promote the use of natural gas over wood products in space heating devices and fireplaces in all existing and new homes [*New Policy*].

Response to Comment I21-115:

Please see Response to Comment I21-48 which addresses the comments concerns regarding use of the TCAG model and the project description. The comment also questions footnote b in Table 3.3-5 in the RDEIR (i.e. that there would be “estimated to decrease in the future scenario due to decreased emission factors in the future year for onroad sources. These emission factors generated by EMFAC2007 assume a cleaner mix of vehicles as older, more polluting vehicles are retired.” EMFAC 2007 was approved by EPA on January 18, 2008 and must be used for all modeling after April 18, 2008. As a result, it is now required to be used in new transportation conformity analyses. Furthermore, these assumptions are consistent with increased federally mandated fuel efficiency standards.¹⁰

The comment also suggests that if “future growth occurs in a pattern that encourages more driving that the TCAG model assumes, then the RDEIR’s conclusions are entirely wrong.” The County is entitled to make such reasonable assumptions (see *City of Long Beach v. Los Angeles Unified School District* (2010) 176 Cal.App.4th 889; *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018 [“A public agency can make reasonable assumptions based on substantial evidence about future conditions without guaranteeing that those assumptions will remain true (Pub. Resources Code, § 21080, subd. (e); *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 412, 183 Cal.Rptr. 898.”]). While the comment

¹⁰ See CAFÉ standards at <http://www.nhtsa.gov/Laws+&+Regulations/CAFE+-+Fuel+Economy/Model+Years+2012-2016:+Final+Rule> (See 75 Fed. Reg. 25324 et seq. (May, 7, 2010)).

suggests that its assumptions and conclusion could turn out to be wrong, the County is not required to guarantee the assumptions.

The commenter is referred to the response prepared for Comment I11-32.

Response to Comment I21-116:

The methodology section on pages 3.3-16 through 3.3-17 of the RDEIR clearly state the assumptions used in the analysis. In addition, the modeling assumptions and detailed emission calculations are provided in Appendix D of the RDEIR. The RDEIR incorporates the best available data for dairy-related emissions, which (as clearly indicated in the RDEIR includes emissions-related data for the 2007 to 2020 time period. The commenter is also directed to the information provided in Table 3.3-5 of the RDEIR.

The commenter is also referred to the Response prepared to Comment I11-73 which provides additional information regarding impacts related to the dairy industry.

Response to Comment I21-117:

The commenter is referred to the response prepared for Comment I21-116. The reference materials used for the dairy-related emissions provide valid and reputable data. The information is appropriately summarized, with reference and source materials clearly cited in the text of the RDEIR (in several locations) as required by CEQA Guidelines section 15148. These source materials (along with other documents referenced in the RDEIR) are readily available at the County offices. Moreover, RDEIR Appendix D includes detailed emissions calculations from the models used in the air quality analysis. The Background Report (Appendix B) provides additional data and information used in the RDEIR analysis of air emissions from dairies and feedlots (see Appendix B, General Plan Background Report, Chapter 6). Please note that the Tulare County Draft Phase I Animal Confinement Facilities Plan Supplemental Program EIR (“ACF EIR”) was properly cited in the RDEIR under CEQA Guidelines section 15148. It was not incorporated by reference in the RDEIR (see RDEIR page 1-13 and 3.3-1). Nor was the analysis from that previous EIR used to describe the air quality impacts of the proposed project under CEQA Guidelines section 15153. The case cited in the comment, *Emmington v. Solano County* (1987) 195 Cal. App. 3d 491, involved a situation in which the agency used the analysis from several previous CEQA documents in lieu of preparing an EIR on the proposed project. That case is inapplicable. A full analysis of the air quality impacts associated with the proposed project has been included in the RDEIR prepared for the project, including proper citation to all technical documents relied upon, and inclusion of the appropriate data in the appendix.

Response to Comment I21-118:

The commenter is referred to the response prepared for Comment I21-117. The ACF EIR was not used in lieu of preparing an EIR on the proposed project under CEQA Guidelines 15153. The RDEIR was not tiered from the ACF EIR under CEQA Guidelines section 15152. Therefore, the requirements referred to in the comment do not apply to the RDEIR.

Response to Comment I21-119:

The RDEIR includes the information requested in the comment. Please see RDEIR Section 3.3, Table 3.3-5.

Response to Comment I21-120:

The commenter is directed to pages 3.3-23 through 3.3-25 of the RDEIR for the analysis associated with potential conflicts with or those associated with obstruction of the implementation of an air quality plan. Contrary to the commenter's opinion, the RDEIR has sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168) (see also Master Response #4). Furthermore, Impact 3.3-3 (RDEIR page 3.3-23) would be significant and unavoidable, and not less than significant as suggested in the comment letter.

As a planning document, the General Plan 2030 Update has been developed to promote consistency with a variety of plans and programs designed to improve air quality conditions (see the Air Quality Element of the Goals and Policies Report). Policies and implementation measures included as part of the proposed project that address this issues include the following:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality Element
Policies designed to improve air quality through a regional approach and interagency cooperation include the following:
AQ-1.1 Cooperation with Other Agencies AQ-1.2 Cooperation with Local Jurisdictions AQ-1.3 Cumulative Air Quality Impacts AQ-1.4 Air Quality Land Use Compatibility AQ-1.5 California Environmental Quality Act (CEQA) Compliance AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles AQ-1.7 Support Statewide Climate Change Solutions
Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:
AQ-2.1 Transportation Demand Management Programs AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ Implementation Measure #8
Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:
AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.3 Street Design AQ-3.4 Landscape AQ-3.5 Alternative Energy Design AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 and #12
Policies designed to implement the best available controls and monitoring to regulate air emissions include the following:
AQ-4.1 Air Pollution Control Technology AQ-4.2 Dust Suppression Measures AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions AQ-4.4 Wood Burning Devices

Land Use Element

Policies designed to encourage economic and social growth while retaining quality of life standards include the following:

- LU-1.1 Smart Growth and Healthy Communities
 - LU-1.2 Innovative Development
 - LU-1.3 Prevent Incompatible Uses
 - LU-1.4 Compact Development
 - LU-1.8 Encourage Infill Development
-

Environmental Resources Management Element

Policies designed to encourage energy conservation in new and developing developments include the following:

- ERM-4.1 Energy Conservation and Efficiency Measures
 - ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation
 - ERM-4.3 Local and State Programs
 - ERM-4.4 Promote Energy Conservation Awareness
 - ERM-4.5 Advance Planning
 - ERM-4.6 Renewable Energy
-

Specific policies direct the County to improve air quality through a regional approach with interagency cooperation (see Policies AQ-1.1 through AQ-1.7). Other policies call for the reduction of air emissions associated with transportation (see Policies AQ-2.1 through AQ-2.5). Additional policies call for a variety of strategies designed to improve air quality through land use planning (see Policies AQ-3.1 through AQ-3.6, LU-1.1 through LU-1.4, and LU-1.8), implement the best available controls to regulate air emissions (see Policies AQ-4.1 through AQ-4.4), and encourage energy conservation (see Policies ERM-4.1 through ERM-4.6).

The SJVAPCD has rules and regulations described earlier that help to reduce the impacts of growth on the applicable air quality plans. For example, Rule 9510-Indirect Source Review was adopted to provide emission reductions that allowed the SJVAPCD to demonstrate attainment of the federal PM₁₀ standard and contributed reductions that assist in attaining federal ozone standards. Rule 9510 also contributes toward attainment of state standards for these pollutants. SJVAPCD Regulation VIII – Fugitive PM₁₀ Prohibitions requires controls for sources of particulate matter necessary for attaining the federal PM₁₀ standards and achieving progress toward attaining the state PM₁₀ standards. Rule 2201 – New and Modified Stationary Source Review is designed so that new and modified stationary/industrial sources provide emission controls and offsets that ensure that stationary sources decline over time and do not impact the applicable air quality plans.

The SJVAPCD has adopted regulations for confined animal facilities (Rule 4570) and operates a permitting program under Rule 2201 that requires new and modified facilities to implement best available control technology (BACT) to reduce particulate matter emissions and the ozone precursor, ROG and other criteria pollutants. In addition, the SJVAPCD is scheduled to adopt amendments to Rule 4570 in the second quarter of 2010 to obtain additional reductions required to meet a 22.9 ton per day ROG reduction commitment in the SJVAPCD 2007 Ozone Attainment Plan. Under the SJVAPCD permitting program, new and modified confined animal facilities are required to meet BACT requirements defined as the most stringent emission limitation or control technique achieved in practice for such category and class of source, or any other emission limitation or control technique, including process and equipment changes of basic or control equipment, found by the Air Pollution Control Officer to be cost effective and technologically

feasible for such class or category of sources or for a specific source. BACT is determined on a project by project basis so that new technology is required as it is demonstrated to be feasible and meets cost-effectiveness thresholds or is achieved in practice at a similar facility.

The County consults with the SJVAPCD during the permitting and CEQA process for new and amended dairies where the County is the Lead Agency and the SJVAPCD is a Responsible Agency. In some cases, a dairy project may require no additional County approvals, but the SJVAPCD determines its permit is a discretionary permit requiring CEQA compliance. In those cases, the SJVAPCD becomes the Lead Agency and conducts a CEQA review and would require projects to include feasible mitigation measures to reduce potentially significant impacts. This requirement ensures that the air quality impacts of new and modified dairies will be fully assessed and that all feasible measures are required.

This analysis assumes that growth in population, vehicle use and other source categories will occur at historically robust rates. The amount of growth predicted, although accommodated by the SJVAPCD attainment plan, could make it more difficult to attain the 8-hour ozone standard by the 2023 attainment date. The SJVAPCD ozone attainment plan relies on yet to be identified future measures that require technological advancements for emission reductions required to achieve the ozone standards. This results in some uncertainty as to whether the growth accommodated by the project would conflict with or obstruct the applicable attainment plans.

Based on the fact that the SJVAPCD is still developing future regulatory efforts and the amount of growth that may occur, the potential that a significant impact could occur remains a possibility. Consequently, the RDEIR concludes that the impact remains significant and unavoidable despite implementation of all feasible policies and implementation measures.

Response to Comment I21-121:

The proposed project addresses impacts of buildout of the General Plan at the horizon year. As discussed under CEQA Guidelines Section 15151, “An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.” The information of vehicular traffic and the associated air quality impacts is provided in the RDEIR at the 2030 horizon year, and was appropriate to enable the decision makers to intelligently take into account the project’s environmental consequences. This is essentially the same type of specificity petitioners argued in the *San Joaquin* case which was rejected by the Court of Appeal; [“Their argument is essentially that greater specificity was needed--i.e., that the EIR should have specified whether trucks sometimes enter and leave the site "unevenly" over time. We hold that such minute detail was not required in the analysis in question”]; (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645). Please also see Response to Comment I21-100 which addresses similar issues.

Response to Comment I21-122:

The commenter is referred to the response prepared for Comment I21-120.

Response to Comment I21-123:

The RDEIR includes the analysis requested by commenter in RDEIR Section 3.3, Impact 3.3-2. Mitigation measures to reduce the increase in criteria pollutants (including those from mobile sources) that would result in a violation of an air quality standard as a result of the proposed project are discussed on RDEIR pages 3.3-21 through 3.3-23. Future development projects would comply with all applicable SJVAPCD regulations designed to reduce air quality emissions and additional project-specific mitigation may also be proposed at that time to reduce air quality impacts to the extent feasible. The RDEIR determined that even with the implementation of all feasible measures, the impact would be significant and unavoidable.

Response to Comment I21-124:

The air quality analysis provided in the 2008 Draft EIR assumed County-wide build out including that of the incorporated cities within the County. The RDEIR assumed County or unincorporated development in the air quality analysis only, with the cumulative analysis addressing Countywide/air basin-related impacts. In both cases the impacts are considered significant and unavoidable.

Response to Comment I21-125:

Impacts associated with Toxic Air Contaminants (TACs) are addressed in the RDEIR under Impact 3.3-4 (page 3.3-25). The commenter is referred to the response prepared for Comment I11-32 which further discusses how public health impacts were addressed in the RDEIR. The comment is also referred to Master Response #4, which discusses the appropriate level of detail for a General Plan and programmatic EIR. As discussed under Response to Comment I21-99 site specific development is not currently proposed as part of the project, and impacts associated with TACs were addressed and determined to be significant and unavoidable. The RDEIR addressed impacts associated with TACs however additional more detailed analysis is not warranted at this time. This analysis is not deferred as suggested in the comment, but a result of the nature of the General Plan, which covers 4,840 square miles, and the programmatic nature of the RDEIR.

Furthermore, CEQA does not require quantification of all impacts as suggested in the comment. As discussed under CEQA Guidelines Section 15064.7(a) “[a] thresholds of significance is an identifiable quantitative, *qualitative*, or performance level of a particular environmental effect...”

Response to Comment I21-126:

The commenter is directed to pages 3.3-27 through 3.3-28 of the RDEIR for the analysis associated with the creation of objectionable odors. The RDEIR has sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168); (see also Master

Response #4). Policies and implementation measures included as part of the proposed project that address this issues include the following:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Air Quality Element
Policies designed to improve air quality through a regional approach and interagency cooperation include the following:
AQ-1.1 Cooperation with Other Agencies AQ-1.2 Cooperation with Local Jurisdictions AQ-1.3 Cumulative Air Quality Impacts AQ-1.4 Air Quality Land Use Compatibility AQ-1.5 California Environmental Quality Act (CEQA) Compliance AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles AQ-1.7 Support Statewide Climate Change Solutions
Policies and implementation measures designed to improve air quality by reducing air emissions related to transportation include the following:
AQ-2.1 Transportation Demand Management Programs AQ-2.2 Indirect Source Review AQ-2.3 Transportation and Air Quality AQ-2.4 Transportation Management Associations AQ-2.5 Ridesharing AQ Implementation Measure #8
Policies and implementation measures designed to improve air quality and minimize impacts to human health and the economy of the County through smart land use planning and design include the following:
AQ-3.1 Location of Support Services AQ-3.2 Infill Near Employment AQ-3.3 Street Design AQ-3.4 Landscape AQ-3.5 Alternative Energy Design AQ-3.6 Mixed Land Uses AQ Implementation Measure #11 and #12
Policies designed to implement the best available controls and monitoring to regulate air emissions include the following:
AQ-4.1 Air Pollution Control Technology AQ-4.2 Dust Suppression Measures AQ-4.3 Paving or Treatment of Roadways for Reduced Air Emissions AQ-4.4 Wood Burning Devices
Land Use Element
Policies designed to encourage economic and social growth while retaining quality of life standards include the following:
LU-1.1 Smart Growth and Healthy Communities LU-1.2 Innovative Development LU-1.3 Prevent Incompatible Uses LU-1.4 Compact Development LU-1.8 Encourage Infill Development
Environmental Resources Management Element
Policies designed to encourage energy conservation in new and developing developments include the following:
ERM-4.1 Energy Conservation and Efficiency Measures ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation ERM-4.3 Local and State Programs ERM-4.4 Promote Energy Conservation Awareness ERM-4.5 Advance Planning ERM-4.6 Renewable Energy

In regards to dairy and feedlot development, SJVAPCD regulations to control ROG emissions from confined animal facilities (Rule 4570) and permitting under Rule 2201 would also result in lower potential for odor impacts. In addition, the County imposes management and housekeeping

practices that reduce potential odors and other impacts on dairy and feedlot operations as conditions of approval. In regard to all development types in general, CEQA documentation prepared for individual projects would have project-specific data and will be required to address, and if necessary, mitigate any significant or potentially significant air quality odor impacts to a less than significant level.

The comment also suggests that the “RDEIR must assume that the County is built out to the maximum density allowable.” Please see Response to Comment I21-44 which addresses this issue.

Response to Comment I21-127:

The commenter suggests that General Plan 2030 Update policies should be revised to address air quality impacts but provides no specific revisions or feasible alternatives. Please see the responses prepared for Comments I11-32 and I21-120 through I21-126.

The comment also does not provide the full language of the individual policies which provides further clarity on how these policies would address air quality related issues. For example, the policy for “placing employee services near employment centers” refers to Policy AQ3.2 which explains how this is related to Air Quality: “The County shall identify opportunities for infill development projects near employment areas within all unincorporated communities and hamlets *to reduce vehicle trips*” (Emphasis added). Please see the text of the General Plan for the detailed language of the individual policies.

Response to Comment I21-128:

The commenter is referred to the response prepared for Comment I21-127. Please also see Master Response #3 and #4 which explains that individual policies should not be reviewed in a vacuum but part of a series of policies designed to address an impact in tandem, and the appropriate level of detail for a General Plan and mitigation measures.

Response to Comment I21-129:

The analysis of the proposed project’s cumulative impact on air quality is adequately addressed in the RDEIR Chapter 5, Section 5.3. Additionally, the commenter is referred to the responses prepared to comments I16-9 and I16-12 which describe the methods used to perform the cumulative impact analysis. The commenter is incorrect in claiming that the cumulative analysis provides a project-specific assessment. As described in the RDEIR, the cumulative analysis considered regional growth and for assessing vehicle-related emissions considered traffic projections developed by and modeled by TCAG. The TCAG traffic projections are developed for the entire County, which includes all incorporated areas within the County as well. Furthermore, as described on page 5-4 of the RDEIR, the cumulative analysis considered a larger cumulative setting (air basin, regional roadway network, etc.) for several impact topics.

Response to Comment I21-130:

A complete explanation of how greenhouse gas emissions were calculated is included in RDEIR section 3.4. The RDEIR explains the inventory methodology for each category of greenhouse gas emissions: Mobile Sources (on and off-road); Solid Waste; Natural Gas usage from residential, commercial (including agriculture), and industrial sources; Dairy/Feedlot operations; and Electricity from residential, commercial (including agriculture), and industrial sources. Additional data and discussion is provided in RDEIR Appendix B, Background Report and Appendix E Greenhouse Gas Inventory. The commenter is also referred to the Master Response #10 regarding the Climate Action Plan and climate change analysis. The County has prepared a Draft CAP that demonstrates a good faith initial effort with its investment of resources to date. The County is fully committed to implementation of the policies of the General Plan 2030 Update that support achievement of the CAP targets. The County recognizes that the most important role for the County in addressing climate change is through its land use decisions as guided by the General Plan 2030 Update. As stated in Master Response #10 the policy language is effective and enforceable. The CAP will be most useful as a single document that provides a comprehensive collection of the County's land use, transportation, and conservation policies that combine to set Tulare County on a path to meeting greenhouse gas emission reduction targets. The CAP is intended to be a living document that is responsive to actual conditions as they occur. The CAP provides a monitoring and reporting framework that will enable the County to track metrics and adjust the strategy to address shortfalls if any occur over time. The County will continue to require project level analysis of greenhouse gas impacts for projects proposed prior to adoption of the CAP and will propose suitable project level mitigation measures at that time. For additional information specific to the County's CAP, please see Master Response #10.

Please also see Response to Comment I21-48 for discussion of the TCAG model. Please see Master Response #5 and Response to Comment I21-44 for discussion of buildout of the General Plan.

Response to Comment I21-131:

A complete explanation of the methodology used to calculate greenhouse gas emissions is provided in RDEIR section 3.4 and in Appendix E, Greenhouse Gas Inventory. As explained there, PG&E and SCE provided data on electricity consumption for all sources: residential, commercial/industrial, agricultural, and municipal (street lighting). The General Plan 2030 Update does not propose any individual projects at this time. Consequently, the specific details regarding the size and extent of individual construction projects is not currently known and was not modeled. The commenter is also referred to the response prepared for Comment I21-130.

Response to Comment I21-132:

The commenter is referred to the response prepared for Comment I21-131.

Response to Comment I21-133:

The commenter is referred to the response prepared for Comment I21-130.

Response to Comment I21-134:

Greenhouse gas emissions from agricultural operations are included in the analysis. The commenter is referred to the response prepared for Comment I21-130.

Response to Comment I21-135:

Please see Response to Comment I21-2 and Master Response #5 which discuss how growth will be focused in community areas.

Response to Comment I21-136:

Commenter is referred to Master Response #10 regarding the Climate Action Plan and greenhouse gas mitigation measures. Commenter is also referred to Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I21-137:

The comment suggests that the RDEIR must address the impacts of “full buildout.” Please see Response to Comment I21-44 and Master Response #5 which address this issue.

The comment also suggests that the RDEIR must describe water supply alternatives and “consider the environmental impacts of constructing any required infrastructure.”

The proposed project is expected to reduce water use below existing levels (baseline), as described on RDEIR pages 3.9-11 and 3.9-47. Existing groundwater overdraft and existing water quality issues, are beyond the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 118 Cal.Rptr.3d 182, 201 through 207).

Nevertheless, Sections 3.6 and 3.9 both acknowledge existing conditions such as groundwater overdraft and water quality issues. The RDEIR also discusses potential solutions to water supply problems on pages 3.9-37 through 3.9-39. As discussed therein, some solutions may include “constructing a new water treatment facility that would utilize water from the Kings River supplies of the Alta Irrigation District, introduced into the Friant-Kern Canal exchange.” Furthermore, the RDEIR states that “well head treatment and surface water treatment facilities will develop.” The RDEIR also discusses as an alternative, the use of groundwater and the associated impacts from such use (RDEIR Impact 3.6-2). This is consistent with the *Watsonville* case which stated “Here, the FEIR did identify the likely source of water for the new development: the Basin’s groundwater” (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059).

The RDEIR also discloses the impacts of water infrastructure projects would be significant and unavoidable (RDEIR Impact 3.9-1). The individual resource chapters addressed the buildout within the County, which would include numerous types of projects from the construction and operation of

residential units, commercial space, and industrial facilities. This level of detail is consistent with the *In re Bay-Delta* case, which states that over a 30-year period, it is “impracticable to foresee with certainty specific source of water and their impacts... The PEIS/R complied with CEQA by identifying potential sources of water and analyzing the associated environmental effects *in general terms*.” (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173; emphasis added.). This is also consistent with the requirements of CEQA for a General Plan. As discussed in the *Watsonville* case, “The FEIR’s discussion of the overdraft situation and its analysis of the steps that the City would take to address this situation satisfy the standards set forth by the California Supreme Court in *Vineyard*. It is not necessary for an EIR for a general plan to establish a ‘likely source of water’” (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059).

Furthermore, the General Plan contains numerous policies to address water infrastructure, as discussed in Sections 3.6 and 3.9. For example, the General Plan includes Policy PF-1.4 states that “The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies.” Additional environmental review will proceed at the time specific projects are proposed. Additionally, certain types of projects will also be subject to the need to prepare a Water Supply Assessment under SB 610 (Water Code Section 10910). These requirements will also ensure that additional water supply impacts are addressed at the time specific projects are proposed.

The comment further states that the RDEIR lacks analysis to determine the location and significant of the projects impacts on groundwater supplies...the first step of this analysis must be to quantify how much groundwater each community or region will need...the RDEIR merely lists the various domestic water service providers...and states ‘qualitatively’ whether each of these providers will be able to serve the ‘projected general plan population growth.’”

Contrary to the statement in the comment, the RDEIR quantified changes to the water supply. Please see RDEIR 3.9-4 through 3.9-11 and 3.9-36 through 3.9-49. Furthermore, Table 3.9-5 provides changes in water demand by community area (UDB, HDB, and UAB).

The commenter is directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and Master Response #6 regarding the water supply evaluation, and RDEIR Appendix G (Water Supply Evaluation).

Response to Comment I21-138:

The commenter is referred to the response prepared for Comment I21-137.

Response to Comment I21-139:

The RDEIR discusses the types of health effects that could occur if there were water quality impacts from the proposed project including pathogens (illness) and carcinogens (cancer); (RDEIR page 3.6-12). Water Quality impacts are also discussed under RDEIR Impact 3.6-1. While water quality is an important issue to the County, this is an *existing* water quality issue and

not an impact of the proposed project (See *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059); [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]. Furthermore, the purpose of CEQA is to address the impacts of the proposed project on the environment, not the impacts of the existing environment on the proposed project, as suggested in the comment letter (“The purpose of an environmental impact report is to identify the significant effects *on the environment* of a project...’ [citations omitted], *not the impact of the environment on the project*, such as the school’s students and staff,” *City of Long Beach v. Los Angeles Unified School District* (2009) 176 Cal.App.4th 889).

Response to Comment I21-140:

The commenter provides a general criticism on groundwater mitigation measures; this comment doesn’t point to a specific inadequacy within the RDEIR. Please also note that the proposed project would result in less than significant impact under Impact 3.6-1 [“The proposed project could violate water quality standards or waste discharge requirements, or otherwise degrade water quality”]. The RDEIR has also sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). The RDEIR is intended to analyze impacts of the proposed General Plan and must identify measures to minimize any significant impacts (State Guidelines Section 15121[a]).

Response to Comment I21-141:

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41 which addresses SB 610 requirements. Furthermore, there is nothing illusory or speculative about the SB 610 requirements for a Water Supply Analysis, as suggested in the comment. Contrary to the suggestion in the comment, the RDEIR does not rely exclusively upon SB 610 from a project level evaluation to the cumulative evaluation. Additional regulatory requirements would apply County wide, including an updated Model Water Efficient Landscape Ordinance, which became effective within Tulare County on January 1, 2010(see also the response prepared for Comment I11-86).

Please see Response to Comment I21-137 for discussion of the quantitative water supply analysis provided in the RDEIR as well as General Plan policies such as PF-1.4. Furthermore the commenter is also reminded that projects will also be subject to separate environmental review which will also address impacts to water supply. As demonstrated, in the General Plan RDEIR, there is a slight reduction in water use where development replaces existing agricultural uses.

Nevertheless, the RDEIR does not “rely on the mere assumption that state laws will prevent any cumulative water supply impacts.” While these state measures would help to reduce this impact, the RDEIR concludes the project would result in a cumulatively considerable contribution to cumulative impacts associated with water supply (see RDEIR page 5-10 referenced in the comment). Also, see Response to Comment I11-86.

Response to Comment I21-142:

The commenter describes water supply planning in Tulare County; consequently this comment does not address the content or adequacy of the RDEIR. No further response provided.

Response to Comment I21-143:

The comment faults the RDEIR for providing only a generic description of potential impacts associated with infrastructure. The RDEIR provides an adequate analysis of the impacts the proposed project would have on the provision of public services (RDEIR, Section 3.9). As discussed in Master Response #4, the level of detail in the General Plan and the RDEIR was appropriate. As further discussed in the *In re Bay-Delta* case, over a 30-year period, it is “impracticable to foresee with certainty specific source of water and their impacts... The PEIS/R complied with CEQA by identifying potential sources of water and analyzing the associated environmental effects in general terms” (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173; emphasis added).

Response to Comment I21-144:

The commenter is referred to the response prepared for Comment I21-143. The analysis of the cumulative impacts on public services is adequate under CEQA, which must reflect the severity of the impacts and their likelihood of occurrence, and need not provide as great detail as is provided for the effects attributable to the project alone (CEQA Guidelines, §15130). For the General Plan policies referenced in the cumulative analysis the commenter is referred to the individual resource chapters in Chapter 3 which discuss the applicable policies for each impact analysis.

Response to Comment I21-145:

The RDEIR provides an adequate analysis of the impacts the proposed project would have on the provision of public services (RDEIR, Section 3.9). Commenter is referred to Master Response #4 and Response to Comment I21-144 regarding the appropriate level of detail for the General Plan and Programmatic EIR. While population growth and the associated development under the horizon year (2030) of the General Plan is reasonably foreseeable, development on any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). The County cannot predict precisely where development will occur up to the year 2030 such that it could specifically identify the impacts of that site specific development. Furthermore, the impacts of County wide development addressed in the individual resource chapters of the RDEIR include all types of development including residential, commercial, and industrial, as well as infrastructure projects (such as police stations, fire stations, libraries, schools). It would not be feasible to provide the level of detail requested for police stations, for every type of facility in the County, nor do these facilities necessarily warrant greater detail. For example, the impacts of constructing a building would be same whether it is ultimately operated as library or commercial space.

Response to Comment I21-146:

The comment states that “there is no indication that the wastewater systems analysis is, in fact, based on buildout of the General Plan...” Please see Response to Comment I21-49 which addresses this issue. The RDEIR provides an adequate analysis of the impacts the proposed project would have on the provision of public services (RDEIR, Section 3.9). Commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and Programmatic EIR. The comment also faults the RDEIR for failing to provide more detailed analysis of future wastewater treatment facilities.

Commenter is also referred to Master Response #4 regarding the appropriate level of detail for the General Plan and Programmatic EIR. The RDEIR also notes that “It is not always possible to assure adequate capacity and facilities fifteen or twenty years in advance of growth due to funding limitations, permitting requirements, and environmental entitlements... their success depends upon the decisions of service providers who are not under jurisdiction of the County” (RDEIR page 3.9-50 through 3.9-53). However, this is appropriate under CEQA for wastewater. As discussed in the *In re Bay-Delta* case, over a 30-year period, it is “impracticable to foresee with certainty specific source of water and their impacts... The PEIS/R complied with CEQA by identifying potential sources of water and analyzing the associated environmental effects *in general terms*” (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173; emphasis added). Please also see Response to Comment I21-145 which discusses the appropriate level of detail for specific types of development within the County.

The comment also suggests the County is relying upon “advanced planning...” for the impact conclusion. The Commenter is referred to RDEIR page 3.9-54 which concludes that impacts associated with wastewater (Impact 3.9-2) would be significant and unavoidable.

Response to Comment I21-147:

The comment states that the RDEIR fails to provide “specific information about the General Plan’s approach to land use development...” Please see Master Response #4 and #5 which addresses this issue.

The commenter’s statement regarding the potential water quality issues regarding septic systems is noted. The RDEIR provides an adequate analysis of the impacts the proposed project would have on the provision of public services (RDEIR, Section 3.9, page 3.9-50). Assumptions for this analysis were included in the RDEIR page 3.9-16. Please see Response to Comment I21-49 for greater details.

Response to Comment I21-148:

Contrary to the comment, the criteria listed on RDEIR page 3.9-33 are those criteria from Appendix G. The significance criteria applied in the RDEIR are discussed on RDEIR page 3.9-35 and 3.6-37. Furthermore, Impacts 3.6-1 and 3.9-2 address the impacts referenced in the Appendix G criteria in the comment [Impact 3.6-1 “The proposed project could violate water quality standards or waste discharge requirements, or otherwise degrade water quality”]; [“Impact 3.9-2:

The proposed project could result in wastewater treatment demand in excess of planned capacity that cannot be met by new or expanded facilities”].

Please see Response to Comment I11-35 which addresses issues between infrastructure and water quality.

Response to Comment I21-149:

Commenter is referred to Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for the General Plan, programmatic EIR, and mitigation measures.

Response to Comment I21-150:

This comment reiterates the concerns expressed in Comment I21-50 regarding the adequacy of the RDEIR’s analysis of impacts to biological resources, and cites various statements in the RDEIR describing existing conditions to underscore its concerns regarding impacts to these resources. This comment also mentions migration corridors.

Impacts to wildlife movement are addressed under Impact 3.11-4 (RDEIR pp. 3.11-41 through 3.11-43). As discussed in the RDEIR, despite the adoption and implementation of a variety of policies and implementation measures, including new ERM Policies (ERM-1.15, ERM-1.16 and ERM-1.9), development under the General Plan 2030 Update would still result in the overall reduction of habitat, including habitat areas that would otherwise function as corridors facilitating species movement. This impact is significant and unavoidable. The commenter is also referred to the responses prepared for Comment I5-4 and Comment I21-50.

Please note that, unlike the situation addressed in *Environmental Planning and Information Council of Western El Dorado County v. County of El Dorado*, 131 Cal.App.3d 350 [EIRs for two general plan amendments legally inadequate because they compared the impacts of the amendments with the county's existing general plan rather than actual conditions in the areas] impact analysis in the RDEIR evaluates the proposed project’s impacts to biological resources in comparison to existing conditions.

Response to Comment I21-151:

The commenter is referred to the response prepared for Comment I16-10. The commenter misquotes CEQA Guidelines Section 15130(b) and the language on RDEIR page 5-4. The RDEIR explains that there are two approaches under CEQA Guidelines Section 15130(b) for a cumulative analysis, (1) List Method, and (2) the Regional Growth *Projections* Method (not “a summary of *projects*” which would be more akin to approach (1)). The RDEIR clearly explains that it is using the Regional Growth Projections Method (RDEIR page 5-4). As discussed on page 5-4, “The analysis is based primarily on a summary of projections provided by the Tulare County Association of Governments (TCAG). Projections for the surrounding counties of Fresno, Kings, and Kern as well as the cities of Kingsburg and Delano are based on projections provided by the

Department of Finance.” These population projections were provided in the project description (TCAG) and in Table 5-2.

Response to Comment I21-152:

The commenter faults the RDEIR for not referring back to the general plans. However, as discussed under CEQA Guidelines Section 15130(b)(1)(b) the RDEIR is only required to include “a summary of projections contained in an adopted local, regional, or statewide plan...” The RDEIR appropriately includes these projections in Table 5.2.

The commenter is referred to the response prepared for Comment I16-10. CEQA requires an EIR to evaluate the environmental effects of the proposed project with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences (CEQA Guidelines, §15151). The level of detail provided in the evaluation should comport with what is reasonably feasible given the nature and scope of the proposed project. (Id.) The analysis of the cumulative impacts should reflect the severity of the impacts and their likelihood of occurrence, and need not provide as great detail as that provided for the effects attributable to the project alone (CEQA Guidelines, §15130). The analysis of the cumulative impacts on public services is adequate under these CEQA standards. The RDEIR covers the environmental impacts of the proposed General Plan, both of the individual project and cumulatively with a level of detail appropriate for a General Plan. See Master Response #4 for a discussion of the appropriate level of detail for the General Plan and programmatic EIR. The level of detail provided of the General Plan RDEIR cumulative impact analysis corresponds to that for the project analysis, which is more general in nature than a project-specific EIR. In a programmatic General Plan EIR, it is appropriate to leave a more detailed discussion for future project-level analysis when more specific information is known (*Al Larson Boat Shop, Inc. et al. v. Board of Harbor Commissioners of the City of Long Beach* (1993) 18 Cal. App. 4th 729, 747).

Response to Comment I21-153:

The commenter is referred to the responses prepared for Comments I16-10 and I21-152. Please see Response to Comment I21-2 and Master Response #5 for discussion of focused growth proposed under the General Plan.

Response to Comment I21-154:

The RDEIR included the four proposed development projects in its cumulative analysis, as stated in the RDEIR and reiterated by commenter. The cumulative analysis is just that – cumulative. It does not analyze each past, present, and reasonably foreseeable future project with the project separately, it analyzes all past, present, and reasonably foreseeable future projects together with the project. Therefore, specific projects included in the cumulative impact evaluation are generally not called out individually in the analysis.

The RDEIR has identified all feasible mitigation measures to reduce or avoid significant effects, as required by CEQA. Commenter is referred to Master Response #3 and #4 regarding the

enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I21-155:

The RDEIR has sufficiently analyzed impacts of the proposed project and mitigated the significant impacts to the extent feasible pursuant to the requirements of CEQA. Although the General Plan is intended to be a self-mitigating document, many of the impacts remain significant and unavoidable despite the implementation of mitigating policies and implementation measures found in the General Plan and those modified through the environmental analysis.

Future individual projects subsequent to the draft General Plan may be required to undergo additional environmental review that will determine site-specific impacts and accompanying mitigation measures pursuant to policies of the General Plan and other local, State, and federal regulatory requirements. The commenter is also directed to Master Response #4. Most of the comment letters suggestions have been to focus growth. As discussed in the response to comments above, in particular Response to Comment I21-2 and Master Response #5, the County has taken this approach, and included several alternatives which provide even greater densities. However, CEQA Guidelines do not require the County to prove a negative (i.e. that additional mitigation measures do not exist). As discussed under CEQA Guidelines Section 15126.4(a)(5), “If the lead agency determines that a mitigation measures cannot be legally imposed, the measure need not be proposed or analyzed.”

Response to Comment I21-156:

The commenter is referred to the response prepared for Comment I21-155. Responses to specific mitigation measures suggested by commenter are provided in the responses to the comments in which those specific measures are proposed.

Response to Comment I21-157:

The RDEIR has identified all feasible mitigation measures to reduce or avoid significant effects, as required by CEQA. Commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I21-158:

The commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. As discussed in Master Response, #3 General Plan policies should not be read in a vacuum

Furthermore, the County General Plan does not stand alone in controlling new development; there are numerous state, federal and local regulations that will shape the way buildout/development occurs within the County.

Response to Comment I21-159:

The commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR. See Response to Comment I21-158. Please also see Response to Comment I21-158.

Senate Bill 50 (SB 50) [1998] limits the power of Cities and Counties to require fiscal mitigation on home developers as a condition of approving new development and provides for a standardized developer fee. SB 50 generally provides for a 50/50 State and local school facilities funding match, with a \$9.2 billion bond authorized to fund the State portion. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether State funding is available, whether the school district is eligible for State funding and whether the school district meets certain additional criteria involving bonding capacity, year-round school and the percentage of moveable classrooms in use.

California Government Code Sections 65995-65998 sets forth provisions to implement SB 50. Specifically, according to Section 65995(h), the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities.” The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Response to Comment I21-160:

Impacts associated with Construction Noise are addressed on RDEIR page 3.9-23. As described in the RDEIR, several policies included in the Health and Safety Element have been developed to address temporary construction-related noise impacts. These policies and implementation measures include the following:

- **HS-8.2 Noise Impacted Areas.** The County shall designate areas as noise-impacted if exposed to existing or projected noise levels that exceed 60 dB Ldn (or Community Noise Equivalent Level (CNEL)) at the exterior of buildings [*Noise Policy; 3.3.1*] [*Noise Element Pg. 18*].
- **HS-8.6 Noise Level Criteria.** The County shall ensure noise level criteria applied to land uses other than residential or other noise-sensitive uses are consistent with the recommendations of the California Office of Noise Control (CONC) [*Noise Policy; 3.3.5*] [*Noise Element Pg. 20*].
- **HS-8.7 Inside Noise.** The County shall ensure that in instances where the windows and doors must remain closed to achieve the required inside acoustical isolation, mechanical ventilation or air conditioning is provided [*Noise Policy; 3.3.2*] [*Noise Element Pg. 18*].
- **Health and Safety Implementation Measure #21.** The County shall adopt the Tulare County Noise Ordinance to incorporate standards set forth in the Health and Safety Element [*Noise Implementation; 4-5*] [*Noise Element Pg. 27*].
- **Health and Safety Implementation Measure #22.** The County should develop and adopt a peak noise standards ordinance to regulate the operation and use of peak noise

generating uses throughout the County and ensure residents and visitors are not subject to excessive peak noise nuisances *[New Program]*.

In addition to these policies, the environmental analysis suggested the following additional policy specific to construction-related noise to ensure an impact conclusion of less than significant.

- **HS-8.18 Construction Noise.** The County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 am to 7 pm, Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors. *[New Policy - Draft EIR Analysis]*.

In reviewing this comment, the County is proposing the following revision to proposed Policy HS-8.18 along with the following additional new policies to ensure an impact conclusion of less than significant.

- **HS-8.183 Construction Noise.** The County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 am to 7 pm, Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors. *[New Policy - Draft EIR Analysis]*.
- **HS-8.14 Construction Noise Control.** The County shall ensure that construction contractors implement best practices guidelines (i.e., berms, screens, etc.) as appropriate and feasible to reduce construction-related noise impacts on surrounding land uses *[New Policy – Final EIR]*.
- **HS-8.15 Buffering of Sensitive Receptors.** The County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 am to 7 pm, Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors. *[New Policy - Draft EIR Analysis]*.

Response to Comment I21-161:

The commenter is referred to Master Response #3 and #4 regarding the enforceability of General Plan policies and the level of detail appropriate for the General Plan and programmatic EIR.

Response to Comment I21-162:

The commenter is referred to the response prepared for Comment I21-154.

Response to Comment I21-163:

Please see Master Response #9 for additional information regarding the analysis and reasonable range of alternatives provided in the RDEIR. The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As discussed therein the level of detail provided for the

alternatives analysis is consistent with CEQA Guidelines Section 15126.6(d) which states that “the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.”

Response to Comment I21-164:

Commenter’s support for the City-Centered Alternative is noted and will be forwarded to County decision makers for their consideration. Alternative 5 (Confined Growth Alternative) was determined to be the environmentally-superior alternative. Although Alternative 2 and Alternative 5 would have similar impacts on the environment, Alternative 5 is slightly more restrictive in allowing development within the County (no net gain) and would therefore result in a greater protection of open space/agricultural resources (See RDEIR Section 4.3). Therefore, it was determined to be environmentally superior to Alternative 2 (though it would not reduce any of the significant and unavoidable impacts of the proposed project to less than significant).

Furthermore, the RDEIR acknowledges that there would be a reduction in emission associated with vehicle miles traveled “Confined growth may reduce the overall number of vehicle miles driven...” (RDEIR page 4-33.) However, the RDEIR also acknowledges in the subsequent sentence that individual dwelling units, wherever they are constructed, will still result in a significant number of vehicle miles traveled and other related stationary source emissions.

The commenter is referred to Master Response #9 regarding the analysis and range of alternatives provided in the RDEIR.

Response to Comment I21-165:

Commenter’s support for the City-Centered Alternative is noted and will be forwarded to County decision makers for their consideration. Contrary to the statement in the comment, Alternative 2 (City-Centered Alternative) has not been rejected. Consistent with CEQA requirements, the RDEIR compared the alternatives to the proposed project and determined the environmentally superior alternative (See RDEIR Section 4.4). While the analysis noted the alternatives ability to meet the project objectives (RDEIR page 4-19) this did not constitute a rejection of these alternatives. As noted in CEQA Guidelines Section 15126.6, potential alternatives are only required to meet most of the project objectives. Furthermore, decisions regarding adoption of the proposed project or an alternative are made after certification of the RDEIR (see CEQA Guidelines Section 15092 [“*After considering the final EIR and in conjunction with the findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project*”). Finally, the statement of objectives sought by the proposed project meet the requirements of CEQA Guidelines section 15124 (b).

Please see Master Response #9 for additional discussion of the alternatives. Please see Response to Comment I21-2 and Master Response #5 for discussion of buildout of the General Plan.

Response to Comment I21-166:

The commenter states that the RDEIR should be recirculated. Commenter is referred to the response prepared for Comment I14-113.

Response to Comment I21-167:

The commenter's opinion that approval of the General Plan 2030 Update would violate a Regional Welfare Doctrine is noted. Please see Master Response #4 and #5.

Response to Comment I21-168:

An EIR is an informational document which will inform public agency decision makers and the public generally of the significant environmental effects of a project (CEQA Guidelines, §15121). Social and economic effects are not environmental effects under CEQA (CEQA Guidelines, §15131). The RDEIR adequately analyzes the proposed project's environmental impact on Agricultural Resources in the project area as required by CEQA (RDEIR sections 3.10 and 5.3). The policy considerations raised by commenter, including the general welfare of the region and the monetary production value of the region's farmland are not environmental effects of the project and need not be discussed in the EIR, but will be forwarded to County decision makers for their consideration.

Response to Comment I21-169:

Commenter is referred to the response prepared for Comment I21-168. The RDEIR adequately analyzes the proposed project's impact on climate change as required by CEQA (RDEIR sections 3.4 and 5.3). In addition, the County has developed a Climate Action Plan to address climate change. See Master Response #10 for a complete description of the Climate Action Plan. Please also see Response to Comment I21-2 and Master Response #5 for discussion of buildout of the General Plan. The comment will be forwarded to County decision makers for their consideration.

Response to Comment I21-170:

Please see Response to Comment I21-72 for discussion of consultation with the Cities. The policy considerations raised by commenter regarding coordination between the County and Cities under the General Plan 2030 Update will be forwarded to County decision makers for their consideration. The comment does not address the adequacy of the RDEIR and no further response is required.

Letter I22. Southern Sierra Archaeological Society***Response to Comment I22-1:***

The commenter describes their organization and states that they are providing comments on the General Plan; therefore this comment does not address the content or adequacy of the RDEIR. No further response is required (CEQA Guidelines Section 15204(a)).

Response to Comment I22-2:

The RDEIR has sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. The commenter is also directed to Master Response #4 regarding the appropriate level of detail for a general plan EIR.

Response to Comment I22-3:

The commenter's opinion regarding Concept 2 in the General Plan 2030 Update is noted. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-4:

The commenter's opinion regarding Concept 3 and the General Plan 2030 Update is noted. Please see RDEIR page 3.10-14 for discussion of proposed policies and implementation measures to avoid conversion of agricultural land. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-5:

The commenter's opinion regarding Concept 4 is noted. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-6:

The commenter recommendation to remove Guideline Principle 5: New Town Impacts is noted. The commenter's request will be forwarded to County decision makers for additional consideration. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-7:

Please see Master Response #3 for discussion of General Plan implementation. The commenter's policy-related questions will be forwarded to County decision makers for additional consideration. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-8:

This comment does not address the content or adequacy of the RDEIR; see Master Response #5 for a discussion of the various planning boundaries. No further response is required.

Response to Comment I22-9:

This comment does not address the content or adequacy of the RDEIR. No further response required. Comments will be forwarded to County decision makers for consideration.

Response to Comment I22-10:

The commenter's policy-related questions will be forwarded to County decision makers for their consideration. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-11:

The commenter's policy-related questions and comments will be forwarded to County decision makers for consideration. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-12:

The comment suggests focusing development so as to avoid impacts to natural and cultural resources. Please see RDEIR pages 3.12-1 and 3.12-8 for discussion of existing historic and archaeological preservation regulations as well as proposed General Plan policies. Additionally, as discussed in the Master Response #4, the County will need to balance numerous environmental and policy considerations when reviewing specific projects. Mandatory language or outright bans on development in certain areas suggested in the comment, while beneficial for one resource area such as cultural resources, could potentially have unintended consequences for other resources areas. While the County has addressed these impacts to the greatest extent feasible in the RDEIR, there could be unknown circumstances and parcels of property with peculiar features which warrant some flexibility.

Response to Comment I22-13:

The commenter's policy-related questions and comments will be forwarded to County decision makers for consideration. The comment does not discuss the adequacy or content of the RDEIR; no further response is required.

Response to Comment I22-14:

The commenter recommends that additional language be added to a policy. The recommended change doesn't fundamentally affect the strength of the policy. "Historical resources" is the general term used to indicate a site with demonstrated potential for inclusion on the National Register of Historic Places and/or the California Register of Historical Resources. Such resources are included in policy ERM 6.2, by definition. Also, general plan policies should not be viewed in a vacuum, but are instead should be interpreted as part of a comprehensive system (i.e. the whole General Plan). The commenter's recommendations for the General Plan policy will be forwarded to County decision makers for additional consideration.

Response to Comment I22-15:

The commenter recommends changes to the language of policy ERM-6.3. Please see Master Response #3 and #4 regarding the enforceability of general plan policies and the level of detail appropriate for a general plan EIR. The General Plan is a guide to future land use patterns and the policies are designed to guide decision-making on future development projects. The General Plan does not provide all the mitigation that may be necessary for all future development projects. Further environmental analysis as required by CEQA would occur on a project specific basis and appropriate site specific mitigation for each development site would be identified at that time in order to ensure that the policies set forth in the General Plan 2030 Update are followed and that impacts are avoided to the greatest extent feasible.

Response to Comment I22-16:

The commenter recommends that additional language be added to a policy. It appears commenter is recommending language on implementation measure 49, on page 8-32 of the Revised Draft General Plan 2030 Update. There is no implementation measure 58. While the recommended change doesn't fundamentally affect the strength of the policy, the following revision is proposed for Implementation Measure #49:

- **Environmental Resources Management Implementation Measure #49.** The County shall incorporate provisions into development regulations that in the event archaeological and/or buried historic resources are discovered during site excavation, grading, or construction, work on the site will be suspended until the significance of the features can be determined by a qualified archaeologist. If significant resources are determined to exist, the archaeologist shall make recommendations for protection or recovery of the resource. *[New Program]*.

Response to Comment I22-17:

The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I22-18:

The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Additionally, most policies include use of the word “shall”, which indicates an unequivocal directive for the County. Also, see Master Response #7 for a discussion of the use of implementation measures.

Response to Comment I22-19:

The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I22-20:

The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR and Master Response #4

regarding the level of detail appropriate for the General Plan EIR. Also, see Master Response #7 for a discussion of the use of implementation measures.

Response to Comment I22-21:

The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Also, please see Response to Comment I22-12 and I22-15.

Response to Comment I22-22:

Comment noted. Please see Responses to Comments I22-2 through I22-21 regarding the adequacy of specific policies and mitigation measures addressed by commenter.

Response to Comment I22-23:

The comment is noted. Please see Master Response #1.

Response to Comment I22-24:

The comment is noted. The commenter is referred to the Environmental Resources Management element of the General Plan 2030 Update for a description of all policies designed to address important cultural, historic, and archaeological resources in the County. Please also see Master Response #1 and #3.

Letter I23. Tulare County Citizens for Responsible Growth

Response to Comment I23-1:

The commenter's introductory statement is noted.

Response to Comment I23-2:

The commenter's introductory statement is noted.

Response to Comment I23-3:

Comment noted. This comment does not address the content or adequacy of the RDEIR. No further response required. Please see Master Response #3 and #5.

Response to Comment I23-4:

The commenter provides a summary of their comment letter and does not address the content or adequacy of the RDEIR. No further response required.

Response to Comment I23-5:

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established urban areas. Many of the goals and policies used to

accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Also, see Master Response #3 and Master Response #4 regarding the enforceability of general plan policies and the appropriate level of detail for a general plan EIR.

Please see Response to Comment A8-7 for discussion of growth corridors and new towns.

As discussed on General Plan, Part I, page 2-3:

“For cities, the County Adopted City UDB is an officially adopted and mapped County line delineating the area expected for urban growth over a 20-year period. This line may be coterminous to the Local Agency Formation Commissions Sphere of Influence. Land within a County Adopted City UDB may be appropriate for development.

For unincorporated communities, the UDB is a County adopted line dividing land to be developed from land to be protected for agricultural, natural, open space, or rural uses. It serves as the official planning area for communities over a 20 year period.”

Response to Comment I23-6:

See Master Response #5 for a discussion of the various planning boundaries and overall project build out. The RDEIR analyzes infrastructure and the availability of utilities and other public services in section 3.9. The comment is also directed to Master Response #3 for discussion of General Plan implementation.

Response to Comment I23-7:

The commenter’s general concerns about land use under the General Plan 2030 Update are noted. Responses to commenter’s specific suggestions regarding the protection of agricultural land and open space are provided below, in Responses to Comments I23-8 through I23-11. Additionally see Response to Comment I23-5 and Master Response #5 for discussion of project buildout. Please also note that an EIR’s impacts are made in comparison to existing conditions not the existing General Plan, as suggested in the comment (CEQA Guidelines Section 15125).

Response to Comment I23-8:

The commenter is referred to Master Response #1, #3, #4, and #5. Numerous policies encourage growth in or adjacent to existing urban development, regardless of whether the development is under County or city jurisdiction, which would minimize the environmental impacts of new development. Additionally, see General Plan 2030 Update Policies PF-1.2, 2.8, 4.1, 4.2, 4.3, 4.4, 4.17; AG-1.10; LU-1.8, 2.7, 5.4; ED-1.8, 2.3, 6.1, 6.2; AQ-3.1, 3.2, 3.6, and TC-4.4. However, general plan policies should not be viewed in a vacuum, but are instead should be interpreted as part of a comprehensive system (i.e. the whole General Plan).

Response to Comment I23-9:

The commenter is referred to the response prepared for Comment I23-7 and I23-8. Please see Response to Comment A8-7 for discussion of growth corridors and new towns. The commenter is

referred to Master Response #1, #3, and #4 for discussion of General Plan implementation and level of details.

Response to Comment I23-10:

The commenter is directed to the responses prepared for Letter I12. Response to Comment I23-11:

The commenter's support for the Healthy Growth Alternative is noted. Please see Master Response #9 for further discussion of RDEIR alternatives.

Response to Comment I23-12:

As discussed under Response to Comment I23-5, the proposed General Plan policies focus growth in or adjacent to existing urban development or public services, regardless of whether the development is under County or city jurisdiction. Further, as specific projects are implemented under the General Plan 2030 Update, the County will individually review the requirements of each specific project in context of the applicable policies contained in the updated General Plan 2030 Update. As such, it is not necessary to restrict land use designations and zoning as the commenter suggests. Further, the suggested restrictions would undermine Project Objectives by impeding the County's ability to provide opportunities for growth, quality of life improvements, economic viability and reinvestment in small unincorporated communities, and to coordinate and cooperate with agencies and organizations with land management responsibilities in Tulare County. See Master Response #5 for a discussion of the various planning boundaries and overall project build out

The Healthy Growth Alternative need not be analyzed in the EIR because it is a variation on RDEIR Alternative 5 and does not offer significant environmental advantages in comparison with the alternatives presented in the EIR (*Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal. App. 3d 1022 [an EIR need not analyze multiple variations on the alternatives selected for analysis]; *Save San Francisco Bay Ass'n v. San Francisco Bay Conservation and Development Commission* (1992) 10 Cal. App. 4th 908; *Sequoyah Hills Homeowners Ass'n v. City of Oakland* (1993) 23 Cal. App. 4th 704 [an EIR does not need to analyze alternatives that do not offer significant advantages over the alternatives presented in the EIR, or that constitute an alternative version of an alternative presented in the EIR]). The commenter is directed to Master Response #9 for further discussion of this issue. Also, general plan policies should not be viewed in a vacuum, but are instead should be interpreted as part of a comprehensive system (i.e. the whole General Plan).

Response to Comment I23-13:

The commenter expresses general disagreement with the General Plan 2030 Update policies intended to direct growth to areas within or adjacent to existing urban areas, and recommends abolishing development boundaries around communities and hamlets. The commenter also expresses a concern that "anything goes" in the UDBs and HDBs. The commenter is referred to Master Response #3 for discussion of implementation of the General Plan. The Community and

CAUDB's/CACUAB's with minor exceptions in Dinuba and Pixley, are not being amended. The UDBs and HDBs are hard boundaries and must require a General Plan Amendment. The Mixed Use designation is interim until formal plans are accepted. The Hamlet Boundaries were tightly drawn to reflect existing urban development and to discourage encroachment to existing agricultural lands. As also noted in Response to Comment I23-5 there are a number of existing UDB's which have been incorporated into the General Plan. These UDBs provide additional clarification to the land use designations. Furthermore, the County has existing zoning for these areas which will remain in place while the General Plan is being implemented. Development within UDBs and UABs will consist of an appropriate combination of land uses consistent with the County's General Plan and local area plans. See Figure 4-1 on page 4-5 of the Goals and Policies Report to see the boundaries for Tulare County Planning Areas. Table 4.2 on page 4-10 of the Goals and Policies Report lists the land use designations permitted in the County and descriptions for those land use designations can be found starting on page 4-15 of the Goals and Policies Report. The comment also appears inconsistent with suggestions in Comment I23-14 which suggest "emphasizing mixed-use." Also see the content for community plans is included in Table 2.1 and Hamlet plans are addressed in PF-3.

The commenter's policy concerns are noted and will be shared with decision makers prior to a decision on the proposed project. The commenter's suggestion to abolish development boundaries appears to be inconsistent with the commenter's suggestion in comment I23-12 to use such boundaries to regulate development through restrictive land use designations and zoning within these boundaries. Please see responses to Comments I23-8 and I23-12 for additional discussion. See Master Response #5 for a discussion of the various planning boundaries and overall project build out. Please also see Response to Comment A8-10 which discusses how market conditions were addressed in the projected buildout of the General Plan.

The comment also states that "there are far too many opportunities for the UDB to be changed anytime there is a subdivision proposal." Please see Response to Comment I27-5 for discussion of subdivisions. The commenter is also referred to General Plan Policy PF-2.2, subsection (3) which states "Expansion of a UDB to include additional agricultural land *shall only be allowed when other non-agricultural lands are not reasonably available to the community or are not suitable for expansion*" (Emphasis added).

Response to Comment I23-14:

The commenter states that they support the American Farmlands Trust proposed Development Efficiency Targets but does not address the content or adequacy of the RDEIR. No further response provided. The commenter's opinion will be shared with decision makers prior to a decision on the proposed project. Please see Response to Comment I23-10 and Master Response #1.

Response to Comment I23-15:

The commenter provides an opinion or criticism on the General Plan 2030 Update, in this case on the planned community and growth corridor concepts. Please also see Response to Comment A8-7 for

discussion of growth corridors and new towns. See Master Response #5 for a discussion of the various planning boundaries and overall project build out.

Response to Comment I23-16:

The commenter provides an opinion or criticism on the General Plan 2030 Update (i.e. on policies, implementation measures, etc.). Please also see Response to Comment A8-7 for discussion of growth corridors and new towns.

Response to Comment I23-17:

The commenter is referred to the response prepared for Comment I23-16 and A8-7.

Response to Comment I23-18:

The commenter's views will be shared with decision makers prior to a decision on the proposed project. The commenter is referred to the response prepared for Comment I23-16.

Response to Comment I23-19:

As discussed in the Revised Draft General Plan 2030 Update, the Corridor Framework Plan in Part II establishes policies that would guide the potential location adoption of "Corridor Plans" within the County. If and when adopted, the Corridor Plans will become part of Part III of the General Plan. Corridor Plans may include the Mooney Corridor Concepts Plan (suspended by Tulare County Board of Supervisors, General Plan Amendment 04-001 and Resolution No. 04-0651 pending adoption of the Corridor Framework Plan) as well as additional Corridor Plans yet to be determined. Proposed Policy C-1.4 would allow the County to locate, support the development, and adoption of regional growth corridor plans to maximize the economic development potential of areas located perpendicular to major transportation routes for uses such as: value added agricultural related industrial employers, major industrial employers, regional retail, office parks, and highway commercial. Policy C-1.4 is part of the framework for future regional growth corridor plans that have not yet been proposed. Regional Growth Corridor plans would undergo CEQA review to evaluate potential impacts when they are actually proposed. Policy C-1.6 would establish an interim policy that would allow, but not require, the County to approve highway oriented commercial, industrial and mixed use development if all of the listed criteria are met. The criteria in C-1.6 would effectively confine development to certain areas within a 1/8 mile of a rail stop, or intersection with State Routes 65 and 99. Policy C-1.6 and implementation #2 significantly narrows the field regarding available locations. Please see Master Response #3 regarding implementation and enforcement of the General Plan. As described in that response, the General Plan 2030 Update is not proposing any specific new corridor project at this time.

Additionally, the commenter is referred to the response prepared for Comment A8-7 which states the following. The referenced policies for New Towns (planned communities) and Corridor Plans are procedures for the creation of more area specific plans which would be included in Part III of the General Plan. This type of planning methodology is similar to that provided in the Government Code for the creation of a Specific Plans (Government Code Section 65450 et seq.).

However creation of procedures to evaluate future proposals does not necessitate environmental review because no New Towns (planned communities) or Corridor Plans are currently proposed as part of this General Plan Update.

The Board of Supervisors adopted a planned community zone ordinance in 2007 which provides regulatory procedures by which large land areas can be planned, zoned, developed, serviced, and administered as individually integrated communities. The General Plan 2030 Update includes policies to provide criteria for planned communities in Part I Planning Framework Chapter Section 5 (New Towns). The planned community area land use designation is included in Part I Land Use Chapter 4. This designation when applied in the future in site specific development will provide the means for comprehensive planning for long term community development on large tracts of land, typically under unified ownership or development control, which requires a minimum of 200 contiguous acres and allows for master planning where a community plan typically does not currently exist. Planned communities must be in compliance with Policy PF 5.2-13 which requires that a future Planned Community must be consistent with an associated area plan. Proposed General Plan 2030 Update Goal PF-5 policies address development of new towns (planned communities). These policies direct the County to discourage haphazard development, and to consider how such future planned communities would affect the area as whole, and other policies and proposals of the General Plan, including preservation of the agricultural economic base. Policy PF-5-2 includes a criterion that such communities should not cause any conversion of Prime Farmland, if Farmland of State wide Importance or of lesser quality is available and suitable for development. Nevertheless, as discussed above, conversion of Important Farmland to non-agricultural uses is considered a significant, unavoidable impact of the proposed General Plan 2030 Update.

Additionally, any such future proposals will have separate environmental review under CEQA. As an example, the commenter is directed to Master Response #11, which provides background on the Yokohl Ranch Project. While this project is considered a "New Town", the entitlements for the Yokohl Ranch Project are not included and will not be considered for approval as part of the General Plan 2030 Update. The Yokohl Ranch Company has filed an individual general plan application (GPA 07-002) with the County that will be considered on a separate timing track independent of the General Plan 2030 Update. The Yokohl Ranch project will be subject to a program and project level EIR which will be circulated in the future on a separate timing track.

Response to Comment I23-20:

Please see Response to Comment A8-7. As discussed therein, the General Plan 2030 Update consists of a comprehensive update of Tulare County's existing General Plan. The historic three tier structure of the General Plan remains formalized as three "Parts." Part I is the Goals and Policies Report; Part II is the Area Plans; Part III consists of individual, existing Community, sub-area and other localized plans (RDEIR, Section 2.4, Project Description, p. 2-8). As discussed in the Goals and Policies Report, standards of population density for residential uses can be derived by multiplying the maximum allowable number of dwelling units per gross acre by the average number of persons per dwelling unit assumed for the applicable residential designation (See General Plan Part I, page 4-4). Standards of building intensity for non-

residential uses such as commercial and industrial development are stated as maximum floor-area ratios (FARs). A floor-area ratio is the ratio of the gross building square footage on a lot to the net square footage of the lot (or parcel) (General Plan 2030 Update, February 2010 Goals and Policies Report, p. 4-4). Density and intensity for land use designations are disclosed at pages 4-15 through 4-21 of the Goals and Policies Report. The General Plan 2030 Update therefore meets the requirements of Government Code §65302 to provide standards of population density and building intensity and the project description in the RDEIR is adequate. The commenter is referred to Master Response #5 for a discussion of the various planning boundaries and overall project build out. Please also see Master Response #3 for discussion of implementation and enforcement of general plan policies.

Response to Comment I23-21:

Please see Response to Comment A8-10 and Master Response #4. The General Plan 2030 Update includes sufficient policy guidance, and land use diagrams in Chapter 4 to address programmatic level detail in those areas described in Part I and Part II of the General Plan 2030 Update. The existing documents in Part III contain specific land use diagrams and provide sufficient guidance to zoning issues pertaining to those documents. The documents in Part III are not a part of this update and the land use diagrams are not being changed as a part of this update. Part III of consists of a number of existing planning documents: Sub- Area Plans, County Adopted City General Plans, and Community Plans. These existing plans were not revised or readopted in 2010 as part of the General Plan Update with two exceptions: the Urban Development Boundary for the Pixley Community Plan was modified to include the Harmon Field Airport and the County Adopted City General Plan for Dinuba was modified to reflect the recently annexed Dinuba Golf Course, residential and wastewater treatment area (Goals and Policies Report, pp. 1-4). Density and intensity for land use designations are disclosed at pages 4-15 through 4-21 of the Goals and Policies Report. Please also see response to Comment I23-20 for additional discussion. The Goals and Policies Report provides sufficient basis for correlating the standards with population density and building intensity for all the various land use designations.

The commenter is referred to Master Response #5 for additional discussion of the various planning boundaries and overall project build out.

The proposed project buildout is based on a population estimate projections provided by TCAG and the State Department of Finance. Based on these projections, the proposed project and the alternatives examine different population distributions within the County. These population projections provide a reasonable basis for determining the amount land that would be converted to urban uses.

Response to Comment I23-22:

Please see Response to Comment A8-7, I23-21 and Master Response #5.

Response to Comment I23-23:

This comment asks for an alternative method of analysis, based on the commenter's opinion that analysis in the RDEIR is inadequate for the reasons commenter discusses in Comments I23-20 through I23-22. Please see responses to responses to Comments I23-20 through I23-22, A8-7, and A8-10. The commenter is also referred to Master Response #5 for a description of the various planning boundaries and overall project build out. The RDEIR includes a sufficient degree of analysis to provide decision makers with information which enables them to take intelligent account of environmental consequences; additional, alternative methods are not necessary.

Response to Comment I23-24:

Please see response to Comment I23-23. The commenter is also referred to Master Response #5 for a description of the various planning boundaries and overall project build out.

Response to Comment I23-25:

Please see response to Comment I23-23. CEQA requires analysis of reasonably foreseeable impacts (see CEQA Guidelines Section 15064(d)). As a corollary to this rule, CEQA does not require analysis of impacts that are too remote or speculative. It is appropriate to discuss reasonably foreseeable growth at the horizon year of the proposed project, impacts beyond this time frame are highly speculative. As discussed in *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173, over a 30-year period, it is "impracticable to foresee with certainty specific source of water and their impacts..." Similarly, for the proposed project, maximum theoretical buildout would not occur, if ever, until the year 2123 (see Master Response #5). It is not possible to determine how development will occur beyond the project's horizon year in the year 2123. The approach taken in the RDEIR is consistent with OPR's 2003 General Plan Guidelines, which states that most jurisdictions select a 15 to 20 year planning horizon. This approach is also consistent with recent CEQA case law (see *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437 [holding the DEIR did not need to assume second dwelling unit [theoretical buildout] would be constructed even though allowed by zoning]). The commenter is also referred to Master Response #5 for a description of the various planning boundaries and overall project build out.

Response to Comment I23-26:

Please see responses to Comments I23-20 through I23-25. The commenter is also referred to Master Response #5 for a description of the various planning boundaries and overall project build out.

Response to Comment I23-27:

Please see responses to Comments I23-20 through I23-26. The commenter is also referred to Master Response #5 for a description of the various planning boundaries and overall project build out.

Response to Comment I23-28:

A more expansive discussion of the Land Use Diagrams is provided in the RDEIR Project Description from pages 2-17 through 2-21. Please also see responses to Comments I23-20 through I23-70, A8-7, and A8-10. The commenter is referred to Master Response #5 for a description of the various planning boundaries and overall project build out. The Community and CAUDB's/CACUAB's with minor exceptions in Dinuba and Pixley, are not being amended. The UDBs and HDBs are hard boundaries and must require a General Plan Amendment. The Mixed Use designation is considered an interim condition until formal plans are accepted. The Hamlet Boundaries were tightly drawn to reflect existing urban development and to discourage encroachment to existing agricultural lands. Also, general plan policies should not be viewed in a vacuum, but are instead should be interpreted as part of a comprehensive system (i.e. the whole General Plan).

Response to Comment I23-29:

The commenter is directed to Master Response #3, #4, and #7 for a discussion of the implementation and enforceability, and level of detail of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I23-30:

The commenter is directed to Master Response #3, #4, and #7 for a discussion of the implementation and enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I23-31:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 and #7 for a discussion of the implementation and enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. The very fact that there is a policy pertinent to the project requires the County to address that policy in reviewing a site specific project.

Response to Comment I23-32:

General Plan policies should not be reviewed in a vacuum (e.g. see Policy PF-1.2 in Response to Comment I23-31). See Master Response #4 for a discussion of the appropriate level of detail of the General Plan and the programmatic nature of the RDEIR. All of the goals and policies have been proposed as part of a comprehensive system (i.e. the entire General Plan). For example, see the table of mitigating policies and implementation measures for Impact 3.1-2 (conflict with other applicable adopted land use plans) on pages 3.1-23 and 3.1-24 of the RDEIR. Goal PF-4 is a new goal presented in the RDEIR to "direct urban development within UDBs of existing incorporated cities and ensure that all development in unincorporated areas adjacent to incorporated cities is well planned and adequately served by necessary infrastructure and other public facilities and

further countywide economic development goals.” Policy PF-4.7 acknowledges the interests of incorporated cities in development adjacent to their formal boundaries. The commenter is referred to the response prepared for Comment I23-8. General Plan 2030 Update policies will be interpreted in relationship to the other *goals*, policies, and implementation measures contained in the General Plan which provide additional clarity on how they will be implemented and the goals and standards by which they will be achieved. Goals and policies should also be read in conjunction with other goals, policies, and implementation measures that are part of the proposed General Plan Please see Master Response #3 and #7 for discussion of implementation and enforcement of General Plan Policy Language.

Response to Comment I23-33:

The commenter is referred to the response prepared for Comment I23-8 and I23-32.

Response to Comment I23-34:

The commenter is referred to the response prepared for Comment I23-8 and I23-32. The General Plan provides limited circumstances for expansion of a Hamlet boundary as discussed under Policy PF-3.2 and a general plan amendment will be required. No such expansions are proposed at this time beyond the currently proposed borders, and if such expansions are proposed in the future would be subject to separate CEQA review. The comments discussion of mixed use also appears inconsistent with suggestions in Comment I23-14 which suggest “emphasizing mixed-use.” Please also see Response to Comment A8-7 for discussion of New Towns and Growth Corridors.

Response to Comment I23-35:

The commenter is referred to the response prepared for Comment I23-8 and I23-32. The comment does not address the adequacy of the RDEIR or environmental issues, therefore no further response is required (see CEQA Guidelines Section 15204(a)).

Response to Comment I23-36:

The commenter is referred to the response prepared for Comment I23-8 and I23-32. Please see Master Response #3 and #7 for discussion of implementation and enforcement of General Plan Policy Language.

Response to Comment I23-37:

The commenter provides a general opinion or criticism on the General Plan 2030 Update and RDEIR (i.e. on policies, mitigation measures, etc.) without providing specific suggestions on how to improve the plan; consequently this comment does not address the content or adequacy of the RDEIR. Furthermore, the CEQA Guidelines state that “If a lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed” (CEQA Guidelines Section 15126.4(a)(5)).

The comment indicates that other comments in this comment letter provide the commenter's specific suggestions. The County has comprehensively addressed the environmental challenges associated with long-term planning for population growth, and has developed detailed policies and implementation measures intended to reduce environmental effects to less than significant levels where feasible. Responses are also provided to the commenter's other comments set out in this letter.

Response to Comment I23-38:

Existing Setting under CEQA Guidelines Section 15125 addresses the existing physical conditions, therefore projected buildout under the proposed General Plan is necessary for an appropriate description of the existing setting. Projected buildout was discussed in the RDEIR Project description on page 2-24. CEQA requires analysis of reasonably foreseeable impacts (see CEQA Guidelines Section 15064(d)). As a corollary to this rule, CEQA does not require analysis of impacts that are too remote or speculative. It is appropriate to discuss reasonably foreseeable growth at the horizon year of the proposed project, impacts beyond this time frame are highly speculative. As discussed in *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173, over a 30-year period, it is "impracticable to foresee with certainty specific source of water and their impacts..." Similarly, for the proposed project, maximum theoretical buildout would not occur, if ever, until the year 2123 (see Master Response #5). It is not possible to determine how development will occur beyond the project's horizon year in the year 2123. The approach taken in the RDEIR is consistent with OPR's 2003 General Plan Guidelines, which states that most jurisdictions select a 15 to 20 year planning horizon. This approach is also consistent with recent CEQA case law (see *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437 [holding the DEIR did not need to assume second dwelling unit [theoretical buildout] would be constructed even though allowed by zoning]). Also, the commenter is referred to Master Response #5 for a description of the various planning boundaries and overall project build out.

Response to Comment I23-39:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Also, see the Response to Comment I23-8 and Master Response #4. Impact 3.1-1 was determined to be less than significant for the reasons discussed in the RDEIR (see RDEIR section 3.1). Mitigation is only required for impacts that are determined to be significant and unavoidable (CEQA Guidelines Section 15126.4(a)(3)). Therefore, no mitigation is required for this impact.

Impact 3.1-1 was correctly identified as a less-than-significant impact on pages 3.1-18, 3.1-20, and 3.1-21 and in Table ES-4 of the RDEIR. The language below was revised to correct a mistake on page 3.1-21 of the RDEIR:

~~As stated above, no additional technologically or economically feasible mitigation measures are currently available to reduce this impact to a less than significant level. Consequently, this impact is considered **significant and unavoidable**. The policies referenced above were specifically designed to address established communities. With implementation of the above mentioned policies, this impact is considered **less than significant**.~~

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text. The revision does not change the analysis or conclusions in the RDEIR.

Please see Response to Comment A8-7 for discussion of New Towns and Growth Corridors.

The comment also suggests elimination of the CACUABs as a mitigation measure. Please see Response to Comment I23-8 and I23-12.

Response to Comment I23-40:

The commenter is directed to Master Response #4, which provides information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Individual policies should not be read in a vacuum. For example the commenter complains that about treatment of water supply under Policy PF-4.3. The commenter is directed to RDEIR Section 3.9 for discussion of water supply, and to Policy WR-3.3 “the County shall review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects must submit a Will-Serve letter as part of the application process, and provide evidence of adequate and sustainable water availability prior to approval of the tentative map or other urban development entitlement.”

The comment also raises concerns about sewer facilities under Policy PF-4.12. The commenter is directed to RDEIR Section 3.9 for discussion of sewer systems, and to Policy PFS-1.3.

Response to Comment I23-41:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. The commenter is also referred to Master Response #5 for a description of the various planning boundaries and overall project build out.

The comment also suggests that to reduce loss of farmland that County must “simply revise the Land Use Map.” The comment provides no specific information on how this could be

accomplished while meeting the project objectives or how this could be accomplished while also providing for projected population growth.

Please note that analysis in the RDEIR conservatively assumed that full buildout would convert up to 59,435 acres of important farmland within the Rural Valley Lands Plan Area to urban uses (RDEIR, pp. 3.10-12, 3.10-13). The additional 210 acres would occur within the Springville and Three Rivers UDB areas, which are located within the Foothill Growth Management Plan area. Please see discussion of historic agricultural conversion trends on RDEIR pages 3.10-5 – 3.10-6. As discussed in the RDEIR, the reported major cause of conversion is the downgrading of important farmlands to other agricultural uses (RDEIR, p. 3.10-13). The commenter's suggested measure would conflict with one of the primary objectives of the proposed project, i.e., to focus growth in defined future growth areas, including the CACUABs (County Adopted City Urban Area Boundary). Policies from the Planning Framework and Land Use Elements have been developed to focus future growth within established future growth areas in an effort to minimize the conversion of important farmlands. Please see RDEIR Section 3.10 for further detail on agricultural land conversion.

Response to Comment I23-42:

As noted on General Plan, Part I, page 4-4, there are 3.27 persons per dwelling unit. The proposed General Plan provides land use designations up to 30 dwelling units per acre (equivalent to 98.1 persons per acre), well above the 8 person per acre population density suggested by the commenter (see proposed General Plan Table 4.1).

The commenter's suggested policy is essentially a policy designed to ensure infill. The proposed General Plan 2030 Update already contains numerous policies designed to achieve the same goal of promoting cluster development and to provide for infill at or above the population densities and building intensities described in the comment that are consistent with the rural nature of the County (see proposed Policies PF-2.2, PF-3, and PF-1.2. PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance]. Therefore the suggested mitigation measure would not further reduce or avoid impacts.

Please also see responses to comments from American Farmland Trust, I12-1 through I12-8.

Response to Comment I23-43:

Please see Master Responses #3 and #4 regarding enforceable policy language and appropriate level of detail in this RDEIR. The commenter is referred to the response to Comment A5-2 which addresses the issue of conservation easements and recommends the following addition to Policy AG-1.6:

- **AG-1.6 Conversion Easements.** The County may develop an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in this Element. This program may require payment

of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for ~~conservation~~ conversion of important agricultural land to nonagricultural use. If available, the ACEP may shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation. *[New Policy – Draft EIR Analysis]*

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text for this policy. This revision does not change the analysis or conclusions presented in the RDEIR.

Response to Comment I23-44:

The commenter suggests a policy revision. The recommended change doesn't fundamentally affect the strength of the policy. Please see Response to Comment I23-42 for discussion of the suggested policy language. The commenter's request will be forwarded to County decision makers for additional consideration.

Response to Comment I23-45:

See CEQA Guidelines Section 15126.2. It is unclear what impact (resource area) the commenter is concerned about. Please also see proposed General Plan Table 4.1 which shows that the Land Use Designation for Valley Agricultural has a maximum of 1 dwelling unit per 10 acres and a FAR of 0.02. Furthermore, the comment's suggestion of banning creation of all dwelling units within these designations could be a down zone and considered a taking in some instances. As discussed in Master Response #3, such a revision would provide insufficient flexibility and is considered infeasible for failure to meet project objectives and for policy reasons.

The recommended change doesn't fundamentally affect the strength of the policy. The commenter's request will be forwarded to County decision makers for additional consideration. Also, see Master Response #3 for a discussion of enforceable policy language and see Master Response #7 for a discussion of project related implementation measures. As discussed in Master Response #3, such a revision would provide insufficient flexibility and is considered infeasible for failure to meet project objectives and for policy reasons.

Response to Comment I23-46:

The County is not "throwing up its hands" and saying there is nothing that can be done about the impacts of growth. Rather, the County has comprehensively addressed the environmental challenges associated with long-term planning for population growth, and has developed detailed policies and implementation measures intended to reduce environmental effects to less than significant levels where feasible. The seemingly large number of "significant, unavoidable, and adverse" environmental impacts is a function of (i) the County's conservative approach in characterizing the significance of impacts (i.e., calling effects significant in close situations); (ii) the long-term time horizon of the General Plan and EIR; (iii) the size of the County's expanding

footprint under any realistic long-time planning scenario, given projected population growth; (iv) the specificity used in the EIR in formulating categories of environmental impacts; (v) the magnitude of development pressures in the region, regardless of the actions of the County; and (vi) the nature of the existing environmental conditions within the region.

Response to Comment I23-47:

See the response to Comment I23-46. Section 15131(a) of the CEQA Guidelines states that economic or social effects of a project shall not be treated as significant effects on the environment; therefore it is beyond the scope of the RDEIR to discuss economic impacts. Furthermore the lost of agricultural land discussed in the comment has occurred prior to implementation of the proposed General Plan and is not related to the proposed project. The comment provides no evidence that the proposed General Plan would result in blight conditions. In fact the proposed General Plan's objectives are to "protect its agricultural economy while diversifying employment opportunities." The proposed General Plan already contains numerous policies designed to cluster development and provide for infill which would help avoid blighted conditions (see proposed Policies PF-2.2, PF-3, and PF-1.2. PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance]).

Response to Comment I23-48:

The RDEIR and the Climate Action Plan provide the reasoning for preparing separate studies and policies for dairies and feedlots. The commenter is referred to the response prepared for Comment I11-73 regarding impacts associated with dairy operations and the County's Animal Confinement Facilities Program. ("ACFP").

Response to Comment I23-49:

Forested lands are managed by the U.S. Forest Service and little to no development is planned on forested lands. Additionally, there are several policies in the General Plan 2030 Update's Mountain Framework Plan intended to minimize impacts to forested lands including but not limited to policies M-1.2, M-1.3, M-1.11, M-1.19, M-1.20, etc. Please also see Response to Comment I11-21.

Response to Comment I23-50:

The commenter suggests use of a Transfer of Development Rights system to increase protection of open space lands, and refers to pages from its comment letter on the 2008 DEIR. Please see Master Response #2 regarding previous comment letters on the 2008 DEIR. To the extent that the commenter's concerns include the enforceability or effectiveness of Policies and Implementation Measures, please see Master Response #3.

The County includes a potential program for the transfer of development rights under ERM Implementation Measure #48. However, as noted in the General Plan, Part I, page 1-11,

“Implementation can take time, especially when needed resources are limited and required for more than one Implementation Measure.”

Response to Comment I23-51:

The commenter refers to its comments on the 2008 DEIR. The commenter expresses a general objection to “weak wording” in biological resource mitigation measures, and lack of implementation measures for some policies.

Please see Master Response #2 for a discussion of previously submitted comment letters.

Response to Comment I23-52:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a discussion of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I23-53:

The commenter is directed to Master Response #3 for a discussion of implementation and enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Please see Master Response #1 for discussion of previously submitted comment letters. The commenter is referred to Master Response #5 for a description of the various planning boundaries and overall project build out. See also Master Response #7 for a discussion of implementation measures.

Response to Comment I23-54:

Please see Master Response #2 for a discussion of previously submitted comment letters.

Response to Comment I23-55:

The commenter refers to its 2008 comment letter on the previous DEIR, but does not identify which comments it considers applicable to the revised Draft General Plan 2030 update. Both the proposed project and the RDEIR have been revised substantially since the 2008 version, such that previous comments are no longer applicable to the currently proposed General Plan (project), which is why additional opportunities to comment on the revised General Plan and the RDEIR have been provided. The commenter is referred to Master Response #2.

Response to Comment I23-56:

The comment does not provide suggestions on how to improve the plan. The proposed project addresses climate change in a variety of ways, including a land use plan consistent with and supporting Tulare County Regional Blueprint principles, and policies designed to reduce mobile and stationary sources of GHG emissions (RDEIR p. 34-32). Table 3.4-5, at pages 3.4-33 through

3.4-38, lists the General Plan 2030 Update Policies and Implementation Measures that correspond to or support the Attorney General recommendations. The RDEIR also identifies feasible mitigation to reduce GHG emissions (RDEIR p. 3.4-38 – 3.4-39, mitigation for Impact 3.4-3). However, as discussed in the RDEIR, the impact analysis conservatively concludes that Impact 3.4-3 would be significant and unavoidable. Please also see Response to Comments A8-1 through A8-18 for responses to the Attorney General’s comments.

Response to Comment I23-57:

Discussion of alternatives in the RDEIR includes sufficient information about each alternative to allow evaluation, analysis, and comparison with the proposed project. The commenter is referred to Master Response #9 for further response regarding Alternatives development and analysis. Consistent with CEQA requirements the RDEIR discusses potentially feasible alternatives that meet most of the project objectives (CEQA Guidelines Section 15126.6). However, a decision on the adoption of the proposed project or an alternative will be made by the decision makers after certification of the Final EIR (See CEQA Guidelines Sections 15091 and 15092).

Response to Comment I23-58:

The commenter requests additional analysis of fire risks, including the financial burden to the County, and suggests approaches to lowering risk and costs.

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas (existing unincorporated communities and cities). In fact one of the main objectives of the RDEIR is to “strictly limit rural residential development in important agricultural areas outside of unincorporated communities’ and cities’ UABs and UDBs (i.e. avoid residential sprawl)” (See RDEIR page 2-5). The UDBs and UABs surround these existing communities as demonstrated in RDEIR Figure 2-2. Many of the goals and policies used to accomplish focused growth are also discussed in the Table on page 3.10-15 of the RDEIR.

The risk of wildland fires related to the proposed project and the project alternatives is discussed under Impact 3.8-6 in Section 3.8 and Chapter 4 of the RDEIR respectively. The commenter suggests ways to reduce risks associated with wildfire. However, analysis in the RDEIR determined that Impact 3.8-6 (risk of loss, injury or death involving wildland fires) would be less than significant for the proposed project and each of the alternatives; additional mitigation is not necessary (RDEIR pp. 3.8-33, 4-9). Please see Response to Comment I11-20 for a list of mitigating policies and implementation measures.

Please note that economic effects are not treated as significant effects on the environment per Section 15131 of the CEQA Guidelines, and thus need not be analyzed in an EIR.

Response to Comment I23-59:

The commenter is referred to Master Response #6 for a discussion of water supply issues and to Master Response #2 for a discussion of previously submitted comment letters.

Response to Comment I23-60:

See the response to Comment I23-8 for discussion on the Healthy Growth Alternative. The commenter is referred to Master Response #6 for a discussion of water supply issues and to Master Response #9 for a discussion of project alternatives. Furthermore, the comment suggests that water supply impacts would be reduced with greater clustered development. However, as discussed on RDEIR pages 3.9-9 and 3.9-40 increases in urban water demand resulting from population growth would be offset by decreases in other forms of water use (i.e. agricultural water conversion). Reducing the amount of agricultural land conversion by clustering development, as suggested in the comment, would replace urban water demand with agricultural water demand (which would have a slightly higher water demand).

Response to Comment I23-61:

The County acknowledges existing water quality issues on RDEIR page 3.6-27. Impacts related to water quality are addressed on RDEIR pages 3.6-37 and 3.6-50. Impacts related to erosion are addressed in Section 3.7, stormwater and flooding are addressed in Section 3.6. The following mitigating policies and implementation measures address grading and erosion

Water Resources Element		Health and Safety Element	
Policies and implementation measures designed to address soil erosion impacts include the following:			
WR-1.10	Channel Modification	HS-2.3	Hillside Development
WR-2.2	NPDES Enforcement	HS-2.4	Structure Siting
WR-2.3	Best Management Practices		
WR-2.4	Construction Site Sediment Control		
Foothill Growth Management Plan			
FGMP-1.2	Grading	FGMP-8.8	Erosion Mitigation Measures
FGMP-1.11	Hillside Development	FGMP-8.10	Development in Hazard Areas
FGMP-4.1	Identification of Environmentally Sensitive Areas	FGMP-8.11	Development on Slopes
FGMP-8.2	Development Drainage Patterns	FGMP-8.12	Vegetation Removal
FGMP-8.7	Minimize Soil Disturbances	FGMP-9.4	Soil Conditions and Development Density
		FGMP Implementation Measure #7, #14 and #33	

The commenter is also referred to the response prepared for Comments A1-2 and I11-33 which further describes General Plan 2030 Update policies WR-1.9 and WR-2.1 through WR-2.8 which require continued compliance with water quality standards and implementation of best management practices (BMPs). These BMPs could include but are not limited to the following:

- Excavation and grading activities in areas with steep slopes or directly adjacent to open water shall be scheduled for the dry season only (April 30 to October 15), to the extent possible. This will reduce the chance of severe erosion from intense rainfall and surface runoff.
- Temporary erosion control measures (such as fiber rolls, staked straw bales, detention basins, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) shall be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. For construction within 500 feet of a water body, appropriate erosion control measures shall be placed upstream adjacent to the water body.

- Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.
- No disturbed surfaces will be left without erosion control measures in place during the rainy season, from October 15th through April 30th.
- Erosion protection shall be provided on all cut-and-fill slopes. Revegetation shall be facilitated by mulching, hydroseeding, or other methods and shall be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).
- A vegetation and/or engineered buffer shall be maintained, to the extent feasible, between the construction zone and all surface water drainages including riparian zones.
- Effective mechanical and structural BMPs that could be implemented at the project site include the following:
 - Mechanical storm water filtration measures, including oil and sediment separators or absorbent filter systems such as the Stormceptor® system, can be installed within the storm drainage system to provide filtration of storm water prior to discharge.
 - Vegetative strips, high infiltration substrates, and grassy swales can be used where feasible throughout the development to reduce runoff and provide initial storm water treatment.
 - Roof drains shall discharge to natural surfaces or swales where possible to avoid excessive concentration and channelizing storm water.
 - Permanent energy dissipaters can be included for drainage outlets.
 - Water quality detention basins shall be designed to provide effective water quality control measures including the following, as relevant:
 - Maximize detention time for settling of fine particles;
 - Establish maintenance schedules for periodic removal of sedimentation, excessive vegetation, and debris that may clog basin inlets and outlets;
 - Maximize the detention basin elevation to allow the highest amount of infiltration and settling prior to discharge.
- Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, vandalism, and accidental release to the environment. All stored fuels and solvents will be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals shall be designated as responsible for prevention and cleanup activities.
- Equipment shall be properly maintained in designated areas with runoff and erosion control measures to minimize accidental release of pollutants.

Please see Response to Comments I11-55, I11-73, and I11-91 for discussion of impervious surfaces. Please see Response to Comment I23-38 for discussion of buildout of the General Plan. Please also see Master Response #4 for the level of detail in a programmatic EIR.

Response to Comment I23-62:

Please see response to Comment I23-48 and I11-73.

Response to Comment I23-63:

The County has selected and used an appropriate methodology that provides information with sufficient accuracy to inform the public and decision makers. Analysis in the RDEIR utilizes the TCAG Regional Travel Demand Forecast Model. The TCAG model includes number of households, number of employees per traffic analysis zones, as well as the future roadway system (RDEIR, p. 3.2-21). The future population projections are established by the Department of Finance. Regardless of the zoning, populations will choose to move and or continue to live in Tulare County. The zoning dictates the placement but not the quantity of incoming population. Future population distribution within the County is accounted for in the TCAG model, because the Tulare County road system, along with the General Plan 2030 Update Land Use and Circulation Diagram, identify the areas for future population growth (RDEIR, p. 2-21). The RDEIR makes reasonable assumptions regarding projected population growth (See RDEIR pp. 2-24 – 2-25.) Thus the method of analysis in the RDEIR adequately evaluates traffic and circulation impacts. Please see Response to Comment A8-7 for discussion of the County's Land Use Designations. Please see Response to comment I23-38 and Master Response #5 information describing the build out assumptions of the General Plan.

Response to Comment I23-64:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a discussion of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Although the proposed project is intended to be a self-mitigating document, many of the impacts remain significant and unavoidable despite the implementation of mitigating policies and implementation measures found in the General Plan 2030 Update and those modified through the environmental analysis. The County strives for 75% development in the existing communities and 25% rural growth; which is an adequate distribution of population in this primarily rural county. Please see Response to Comment I23-8 and Master Response #9 for discussion of alternatives. Please see individual responses to other comments in this letter regarding suggested mitigation.

Furthermore, as discussed on RDEIR page 4-22 focusing growth within confined areas (Alternative 2) is expected to result in more traffic within existing urban areas which would see reductions in their local roadway levels.

Response to Comment I23-65:

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas (e.g. UDBs, HDBs, etc). Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Concentration of development in these areas is the most efficient use of resources, will contain employment and other trips that will reduce VMT and encourage growth that builds on existing infrastructure systems. Please see Response to Comment A8-7 for discussion of New Towns and Corridors. The average commuter in Tulare County has a commute

time of less than 20 minutes, one of the lowest in the State. Approximately 50% of the commuters in the County have a commute of less than 15 minutes. Please see Response to Comment I23-60 for discussion of water supply. As noted in this comment, New Towns are not the source of increased water demand, rather increased water demand results from development with community areas such as UDBs and HDBs (See RDEIR pages 3.9-4 and 3.9-36). See the response to Comment I23-46.

The comment also suggests infill policies as mitigation. The proposed General Plan already contains numerous policies designed to cluster development and provide for infill at or above the population densities and building intensities described in their previous comments (see proposed Policies PF-2.2, PF-3, and PF-1.2. PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance].

The comment suggests new development should not go forward until there is adequate public sewer water, and other services. Please see RDEIR Section 3.9 for discussion of infrastructure requirements, in particular this chapter discusses Policy PF-1.4 which provides already provides that "...The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available, and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies [New Policy]." Furthermore, as discussed under Response to Comment under I11-37, impacts are based upon changes in existing conditions. As documented in recent CEQA case law in which the Sierra Club was a party, while existing problems are important issues for the County, they are beyond the scope of the RDEIR to solve (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 ["The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope"]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

Response to Comment I23-66:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Please see RDEIR pages 3.9-24 and 3.9-59 for discussion of fire services, pages 3.9-27 and 3.9-65 for discussion of libraries, and pages 3.9-23 and 3.9-61 for discussion of law enforcement. As noted in these sections the additional personnel and materials costs would be offset through the increased revenue (taxes), and fees, generated by future development. In Tulare County General Plan 2030 Update addition, future projects will be reviewed by the County on an individual basis and will be required to comply with requirements (i.e., impact fees, etc.) in effect at the time building permits are issued as well as reviewed for consistency with General Plan Policies such as those discusses in Response to Comment I23-65.

Response to Comment I23-67:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR.

As more fully described under Master Response #9, the alternatives have been analyzed at the appropriate level of detail for a General Plan under CEQA. The alternatives analysis requires less detail than the analysis of the project's impacts and it need not be exhaustive (CEQA Guidelines, § 15126.6(d); *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523). It is sufficient if it allows the relative merits and impacts of the project and the alternatives to be comparatively assessed (*Del Mar Terrace Conservancy, Inc. v. City Council* (1992) 10 Cal.App.4th 712; *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143). The RDEIR provides a narrative description of each alternative and a discussion of the impacts of each as compared to the proposed project as well as several tables comparing the alternatives with the proposed project (RDEIR Chapter 4). The RDEIR's level of analysis for each alternative, including the no project alternative, is sufficient to allow meaningful evaluation, analysis, and comparison with the proposed project and therefore meets the requirements of CEQA (CEQA Guidelines, §15126.6(d)). Consequently, as noted under CEQA Guidelines Section 15131 a "fiscal impact report" is beyond the scope of the RDEIR in this instance. Please see Master Response #4 for discussion of project implementation, including fee studies.

Response to Comment I23-68:

This comment does not address the content or adequacy of the RDEIR. The commenter is directed to Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR. Please see Response to Comments I23-65 through I23-67 for more detailed responses.

Response to Comment I23-69:

The RDEIR contains an adequate description of the existing environmental setting for land use. According to CEQA Guidelines §15125, "[a]n EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published . . . [which] will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives."

Consistent with this requirement the individual resource chapters in Section 3 provide sections labeled "Environmental Setting" which provides the requested information (for example see RDEIR page 3.3-9). A more detailed description of the existing conditions in Tulare County, including maps, is contained in the Background Report, which was incorporated by reference and included as Appendix B of the RDEIR. To comply with the CEQA Guidelines requirement that

the environmental setting be no longer than necessary, some of the baseline information is found in that Appendix. Only the information relevant to understanding the environmental impacts analysis was included in the body of the RDEIR. Additional information was provided throughout the RDEIR to establish the existing conditions in the County as needed. This information represents the actual existing condition of the County. See RDEIR Section 3.0, and in particular, page 3-5, for an explanation of how the existing conditions were determined. Please see Master Response #5 for further explanation of the land use development patterns as they currently exist in Tulare County, and as the development patterns that would occur under the General Plan 2030 Update.

Response to Comment I23-70:

The commenter is referred to Master Response #9 for a discussion of the range of alternatives analyzed in the RDEIR. Also, see Master Response #3 and #4 regarding the enforceability of general plan policies and the appropriate level of detail for the general plan EIR.

The comment also states that each proposed alternative assumes that all of the proposed policies and implementation measures contained in the Goals and Policies Report for the General Plan 2030 Update would be included as part of (this) alternative.” This language is incomplete and taken out of context (See RDEIR page 4-18 for full text related to Alternative 2). While there are some policy similarities, Alternative 2 also states:

“New development (i.e., residential/commercial growth) would be concentrated in areas already committed to a degree of urban development and have provisions for some utility/road infrastructure or adequate levels of public services. This alternative assumes that incorporated cities would increase the density of development within the city and develop contiguous land adjacent to the city to accommodate growth.

In order to accomplish this land use goal, several revisions to the Goals and Policies Report (Part I of the General Plan 2030 Update) would be required, in particular those included in the Planning Framework Element that are designed to manage growth near existing city boundaries (see Table 4- 4). Revised policies would incorporate land use strategies that would require greater land use efficiency standards for development on important farmlands within the CACUDBs (20 year boundary) for unincorporated communities and hamlets. Additional strategies that could be integrated into the policies and implementation measures of the Goals and Policies Report (Part I of the General Plan 2030 Update) to direct growth within existing CACUDBs for the incorporated cities in the County include:

- Cities accept significant growth and accommodate it through infill development, higher densities, and transportation infrastructure.
- County limits rural residential development.
- County continues to improve quality of life and services in unincorporated communities but does not make growth inducing infrastructure improvements.
- County limits commercial development to local serving in unincorporated communities.

- County continues to focus on facilitating/managing agricultural development.
- County and cities need to evaluate revenue-sharing agreement.
- Under this alternative, slower development patterns are assumed to continue through the entire 2030 planning horizon, with the unincorporated population being slightly lower (206,880 individuals by 2030 versus 222,580) than that anticipated under the proposed project (see Table 4-1)."

Response to Comment I23-71:

The commenter is referred to Response to Comment I23-70 and Master Response #9 for a discussion of the range of alternatives analyzed in the RDEIR.

Response to Comment I23-72:

The commenter is referred to Master Response #9 for a discussion of the level of detail appropriate for an alternatives analysis under CEQA.

Response to Comment I23-73:

The commenter is referred to Master Response #9 for a discussion of the range of alternatives analyzed in the RDEIR. The comment suggests that the alternatives analysis is inadequate "because it provides only a superficial assessment of the degree to which each proposed Alternative would meet the stated objectives of the General Plan update..." CEQA does not require discussion of the alternatives ability to meet project objectives in the RDEIR, rather CEQA Guidelines Section 15126.6 only requires that the RDEIR choose alternative that are capable of meeting most project objectives. Additional information on feasibility of alternatives and the proposed project (including the ability to meet project objectives) will be provided in the CEQA Findings, if necessary.

Response to Comment I23-74:

The purpose of an EIR is to inform project decision makers and the public of the significant environmental effects of the project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project (CEQA Guidelines, §15121).

The comment states that the RDEIR does not adequately describe why any of the project alternatives are not feasible as required by CEQA (Public Resources Code Section 21001)." Contrary to the comment, CEQA requires an EIR to analyze a reasonable range of potentially feasible alternatives (CEQA Guidelines Section 15126.6). The decision on the feasibility of the proposed project and the alternatives is considered after completion of the Final EIR and addressed in the CEQA Findings (See CEQA Guidelines Section 15092 ["*After considering the final EIR and in conjunction with the findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project*"]).

Response to Comment I23-75:

The commenter is referred to Master Response #9 for a discussion of the level of detail appropriate for an alternatives analysis under CEQA. As discussed therein, CEQA Guidelines state that “the significant effects of the alternative shall be discussed but in less detail than the significant effects of the project as proposed” (CEQA Guidelines Section 15126.6(d)). The analysis of alternatives is based upon the same significance thresholds in the individual resource chapters as shown in Table 4-3. The rationale for alternative comparisons is provided for each alternative (see page 4-13 for discussion of Alternative 1 comparison).

The comment suggests that a fiscal impact analysis should be done to assess and compare the feasibility of traffic improvements and public facilities and services under each alternative. Please see Response to Comment I23-74. Financial cost is not an environmental impact under CEQA and need not be analyzed in an EIR (CEQA Guidelines, §15360).

Response to Comment I23-76:

The commenter is directed to Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR.

Response to Comment I23-77:

The commenter is directed to Response to Comments I23-69 through I23-75 and Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR. Please see Response to Comment A8-7 for discussion of New Towns and Growth Corridors.

Response to Comment I23-78:

See Master Response #5, RDEIR Section 2.4 (RDEIR page 2-24) and Chapter 5 of the RDEIR for an explanation of the population growth assumptions and a discussion of growth inducing effects of the proposed project. The commenter is also referred to Response to Comment I11-60 and I14-6 for more information and growth assumptions and build-out.

Response to Comment I23-79:

The RDEIR discusses the growth inducing effects of the project as required by CEQA Guidelines section 15126.6 (d). See Chapter 5 of the RDEIR for this discussion. The direct and indirect growth inducing impacts of the General Plan 2030 Update are considered to be significant and unavoidable. Also, see Master Response #5 for a discussion of the various planning boundaries and Master Response #8 for a discussion of the Foothill Growth Management Plan.

Please see Response to Comment A8-7 for discussion of New Towns.

Response to Comment I23-80:

The commenter summarizes their comment letter and makes a closing statement; consequently this comment does not address the content or adequacy of the RDEIR. No further response provided.

Letter I24. Wuksachi Indian Tribe

Response to Comment I24-1:

The commenter acknowledges their support for the Southern Sierra Archaeological Society and their desire to protect culturally sensitive areas around the County. Please see Responses to Comments I22-1 through I22-24 for responses to the Sierra Archaeological Society comments.

Letter I25. Kathleen Seligman

Response to Comment I25-1:

The commenter's introductory comments are noted.

Response to Comment I25-2:

The commenter describes their appreciation on how the RDEIR addresses the threat of wildland fires; this comment is in support of the RDEIR. No further response required.

Response to Comment I25-3:

The commenter provides an opinion or criticism on the General Plan 2030 Update (i.e. on policies, implementation measures, etc.) without providing suggestions on how to improve the plan; consequently this comment does not address the content or adequacy of the RDEIR. The commenter is also directed to Master Response #3 and #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #1 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I25-4:

Background Report Figure 8-2 contained in RDEIR Appendix B, "Fire Threat" shows that the Very High Fire Threat areas are located in the eastern portion of the County, largely in foothill and mountain areas. Large areas of land in the Very High Fire Threat zone are managed by other agencies such as the U.S. Forest Service and the California Department of Forestry; therefore the County has no authority over them. Additionally, large scale residential development within these areas (in particular the Mountain Framework Plan area) is heavily regulated and would be required to conform with Federal land management guidelines (i.e., United States Forest Service, Bureau of Land Management, etc.). For the Foothill Growth Management Plan area, development is focused within areas that are describes as "development corridors" and "Foothill Extensions". For Very High Fire Threat areas under the County's authority, the policies included on page 3.8-34 of the RDEIR would apply. Part IV, Chapter 11 of the Tulare County Code contains provisions to protect the lands, fields, lots, buildings and homes within the County from the danger of fire. Also, fire risks are addressed by policies HS 6.1 through HS 6.15 in the General Plan 2030 Update.

With implementation of those policies and implementation measures, this impact would be less than significant. The commenter is also directed to Master Response #4 regarding the appropriate level of detail in a programmatic EIR.

Response to Comment I25-5:

The RDEIR analyzes buildout of the General Plan at the 2030 horizon year as discussed on RDEIR page 2-24 and described in greater detail in Master Response #5. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The commenter is also referred to the response prepared for Comment I25-4. Furthermore, as discussed under Response to Comment I11-37, impacts are based upon changes in existing conditions. As documented in recent CEQA case law, while existing problems are important issues for the County, they are beyond the scope of the RDEIR to solve (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

Response to Comment I25-6:

The commenter is directed to the wildland fire analysis provided in Chapter 4 “Alternatives to the Proposed Project” for an analysis of the wildfire impacts of each of the alternatives. Several of the commenter’s suggestions have been incorporated into the various policies (shown below) of the General Plan 2030 Update. As more fully described in the response to Comment I11-20, the RDEIR acknowledges the potential impacts associated with wildland fires and indicates potential threats to the people and structures of the County, in particular those residing in the Foothill Growth Management Plan and Mountain Framework Plan Areas, which are more susceptible to wildland fires due to potential fuel loads (grassland and other vegetation). Pages 3.8-33 through 3.8-35 of the RDEIR also identify the range of General Plan 2030 Update policies designed to address wildland fire impacts. A summary is provided below:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Health & Safety Element		Planning Framework, Public Facilities & Services Elements and Foothill Growth Management Plan	
Policies and implementation measures designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:			
HS-1.4	Building and Codes	PF-5.2	Criteria for New Towns (Planned Communities)
HS-1.5	Hazard Awareness and Public Education	PFS-1.3	Impact Mitigation
HS-1.6	Public Safety Programs	PFS-2.1	Water Supply
HS-1.8	Response Times Planning in GIS	PFS-7.1	Fire Protection
HS-1.9	Emergency Access	PFS-7.2	Fire Protection Standards
HS-1.10	Emergency Services Near Assisted Living Housing	PFS-7.3	Visible Signage for Roads and Buildings
HS-1.12	Addressing	PFS-7.4	Interagency Fire Protection Cooperation
HS-6.1	New Building Fire Hazards	PFS-7.5	Fire Staffing and Response Time Standards
HS-6.2	Development in Fire Hazard Zones	PFS-7.6	Provision of Station Facilities and Equipment
		PFS-7.7	Cost Sharing

Health & Safety Element	Planning Framework, Public Facilities & Services Elements and Foothill Growth Management Plan
Policies and implementation measures designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:	
HS-6.3 Consultation with Fire Service Districts HS-6.4 Encourage Cluster Development HS-6.5 Fire Risk Recommendations HS-6.6 Wildland Fire Management Plans HS-6.7 Water Supply System HS-6.8 Private Water Supply HS-6.9 Fuel Modification Programs HS-6.10 Fuel Breaks HS-6.11 Fire Buffers HS-6.12 Weed Abatement HS-6.13 Restoration of Disturbed Lands HS-6.14 Coordination with Cities HS-6.15 Coordination of Fuel Hazards on Public Lands HS-7.1 Coordinate Emergency Response Services with Government Agencies HS-7.2 Mutual Aid Agreement HS-7.3 Maintain Emergency Evacuation Plans HS-7.4 Upgrading for Streets and Highways HS-7.5 Emergency Centers HS-7.6 Search and Rescue HS-7.7 Joint Exercises HS Implementation Measure #15 HS Implementation Measures #16	PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations FGMP-10.2 Provision of Safety Services FGMP-10.3 Fire and Crime Protection Plan
Public Facilities & Services Element	
Public Facilities and Services Implementation Measures designed to ensure funding for County services to provide adequate service levels include the following:	
Public Facilities & Services Implementation Measure #1 Public Facilities & Services Implementation Measure #2 Public Facilities & Services Implementation Measure #3 Public Facilities & Services Implementation Measure #12	

The comment also suggests the RDEIR analyze the “financial burden to the county.” While economic considerations are important to the County, such economic analysis is beyond the scope of CEQA and this RDEIR (See CEQA Guidelines Section 15131 [“Economic or social effects of a project shall not be treated as significant effects on the environment”]).

Letter I26. Law Offices of Babak Naficy

Response to Comment I26-1:

The commenter’s introductory statement and request to re-circulate the RDEIR are noted. Please also note that the comment was received after the close of the comment period. As discussed in the Notice of Availability “The RDEIR has a public review period of 60 days, starting on March 25, 2010 and ending on May 27, 2010 at 5:30.” Available at:

<http://generalplan.co.tulare.ca.us/documents/GeneralPlan2010/NoticeofAvailability.pdf>

Response to Comment I26-2:

The comment suggests that the RDEIR did not provide a sufficiently detailed project description. CEQA Guidelines Section 15124 provides that project description “should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.” Consistent with CEQA requirements the RDEIR describes the proposed project in the Project Description (Section 2.0) and includes text of the General Plan in Appendix C. The RDEIR goes on to describe the secondary indirect effects associated with Buildout and Population Growth under the proposed General Plan starting on RDEIR page 2-24. As discussed in Master Response #4, this is a program level EIR and the level of detail provided in the project description is appropriate. The comment also requests that the County determine where the actual development can occur. While population growth and the associated development under the horizon year (2030) of the General Plan is reasonably foreseeable, development on any particular parcel is largely speculative (see *Rio Vista Farm Bureau Center et al. v. County of Solano* (1992) 5 Cal.App.4th 351). However, the RDEIR Table 2-11 (RDEIR page 2-25) provides population growth and distribution assumptions and the location of these areas can be viewed in RDEIR Figure 2-2.

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas, such as in UDBs and UABs. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR (see also Response to Comment A8-8). As discussed under CEQA Guidelines Section 15204(a), “reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters” (see also CEQA Guidelines Section 15151). Furthermore, the Supreme Court has acknowledged that “[a] project opponent or reviewing court can always imagine some additional study or analysis that might provide helpful information. It is not for them to design the EIR. That further study [] might be helpful does not make it necessary” (*Laurel Heights Improvement Association of San Francisco, Inc. v. The Regents of the University of California* (1988) 47 Cal.3d 376, 415).

Response to Comment I26-3:

The commenter is referred to the response prepared for Comment A8-7.

Response to Comment I26-4:

The commenter is referred to the response prepared for Comment A8-7.

Response to Comment I26-5:

See General Plan, Part I, page 2-4 – 2-5, Policy PF-2.6. However the comment is incorrect that “this designation would essentially permit the construction of any type of development...without regard to the character of the neighborhood or adjacent land uses.”

As discussed in Master Response #3 general plan policies or land use designations should be viewed in a vacuum, but are instead should be interpreted as part of a comprehensive system (i.e. the whole General Plan). The General Plan contains numerous policies related to all the resource areas analyzed in the RDEIR (for example see “Mitigating Policies and Implementation Measures” discussion on page 3.1-20). The mixed use land use designation is defined on page 4-20 (Part I) of the General Plan 2030 Update. Furthermore, the General Plan is implemented through various other actions which will need to be consistent with the General Plan as a whole as well as existing zoning rather than simply consistent with the one land use designation. As discussed in Master Response #3 and #4 the General Plan will be implemented through various other actions including preparation of Community Plans, zoning ordinances, and project review by County staff, Planning Commission, and the Board of Supervisors. As noted in the draft General Plan and the Government Code, implementation of the General Plan will take time, it is simply not feasible to provide every potential implementation measure at the time of adoption (see General Plan, Part I, page 1-11; Government Code 65400).

Response to Comment I26-6:

The County’s Housing Element is included in the General Plan Update by reference and was adopted on March 23, 2010. Impacts related to the Housing Element were analyzed in a separate Initial Study and Mitigated Negative Declaration that was also adopted on March 23, 2010. The County anticipates that there will be changes to the Housing Element through a separate tract as a General Plan Amendment. Changes to the Housing Element are not proposed as part of the proposed project in the RDEIR and hence not reviewed as part of this RDEIR.

Response to Comment I26-7:

Please see Response to Comment I26-2 for discussion of focusing development within established community areas. The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I26-8:

The RDEIR analyzes impact of buildout under the General Plan as described on RDEIR page 2-24 and in Master Response #5. Additional changes to the proposed project (i.e. modification of the UDBs) are beyond the scope of the RDEIR and are considered speculative. General Plan policy AG-1.10 provides that “the County shall oppose extension of urban services, such as sewer lines, water lines, or other urban infrastructure into areas designated for agriculture use unless necessary to resolve a public health situation.” Furthermore, the RDEIR does not base its water supply analysis upon UDB constraints, as suggested in the comment, but is instead based upon projected buildout at the 2030 horizon year.

Furthermore, as discussed under Response to Comment under I11-37, impacts are based upon changes in existing conditions. As documented in recent CEQA case law in which the Sierra Club

was a party, while existing problems are important issues for the County, they are beyond the scope of the RDEIR to solve (See *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42); 190 Cal.App.4th 324).

As discussed in RDEIR page 3.9-47, because of conversion of agricultural land to urban uses, water use is expected to remain the same, if not slightly lowered below existing levels. Furthermore, the water supply analysis on page 3.9-43 provided several different scenarios which involved changes in water supply. Scenario 2 provides the typical CEQA analysis in comparison to baseline conditions (i.e. historical supply). However, Scenarios 3 and 4 go beyond this requirement and provide information related to constrained future water supplies below baseline levels, including future restraints resulting from groundwater overdraft, San Joaquin River Restoration Settlement Agreement, Population Growth Within and Near Tulare County, Joint Management of Shared Aquifers, Groundwater Adjudications, Water Transfers and Exchanges, Delta Supply Issues, Climate Change and Variability, Institutional Issues Affecting Water Supplies. See also RDEIR Appendix G Section 3.3.

The commenter is referred to Master Response #6 and the response prepared for Comment I11-41.

Response to Comment I26-9:

Please see Response to Comment I26-8 and Master Response #1. The commenter discusses the cost and availability of infrastructure; consequently this comment doesn't point to a specific inadequacy within the RDEIR. No further response is required (CEQA Guidelines Section 15204(a)).

Response to Comment I26-10:

The commenter is referred to the response prepared for Comment I26-5 and Master Response #3 which describe how the General Plan will be implemented and the enforceability of the General Plan policies. As discussed therein, if approved, the policies within the General Plan will be applicable to future projects. Furthermore, this will start implementation of the General Plan, which is outlined in part in the Implementation measures, which includes revisions to the County Ordinance code which will be more detailed.

Response to Comment I26-11:

The commenter is referred to the response prepared for Comment I26-5 and Master Responses #3 and #4.

Response to Comment I26-12:

As discussed in Master Response #3, individual policies should not be reviewed in a vacuum as projects and implementation measures will be implemented consistent with the whole of the General Plan. For example, General Plan Policy AG-1.7 provides “the County shall promote

preservation of its agricultural economic base and open space resources *through the implementation of resource management programs such as the Williamson Act, Rural Valley Lands Plan, Foothill Growth Management Plan or similar types of strategies and identification of growth boundaries for all urban areas located in the County*” (Emphasis Added). Furthermore, there are existing regulations designed to address conservation of agricultural resources as described in the “Regulatory Setting” discussed on RDEIR page 3.10-1.

While some of the policies may have some flexibility, CEQA does not require the County to assume a worst case scenario (i.e. that they will not be implemented); (*Towards Responsibility in Planning v. City Council* (1988) 200 Cal.App.3d 671; *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437; CEQA Guidelines Sections 15064 and 15358; see similar NEPA requirements *Robertson v. Methow Valley Citizens Council* (1989) 490 U.S. 332).

Response to Comment I26-13:

The commenter is referred to the response prepared for Comment I26-12. Also, see Master Response #3 and #7 for a discussion of project implementation measures. Please also note that the County did not rely upon the self mitigating policies to reduce Impact 3.10-1 (Conversion of Important Farmlands) to less than significant.

Response to Comment I26-14:

The commenter is referred to the response prepared for Comment I26-12. Also, see Master Response #3, #4, #7 for a discussion of project implementation measures. The level of detail requested by the comment is beyond the scope of the General Plan. Such details will be implemented through various implementation measures (see pages 3.10-14 and 3.10-15 of the RDEIR for more information), such as zoning ordinances and Conservation Easement Plans.

Response to Comment I26-15:

The commenter is referred to the response prepared for Comment I26-12.

Response to Comment I26-16:

Contrary to the comment, the RDEIR concludes that there would be significant and unavoidable impacts associated with vehicular traffic (see Impact 3.2-1).

As discussed in Response to Comment I26-8, existing conditions such as the state of the County’s rural roads are an important issue, they are beyond the scope of the RDEIR to solve. Nevertheless the General Plan contains several policies which address this issue, including TC-1.2, TC-1.3, TC-1.5, TC-1.14, TC Implementation Measure #1, #2, #3, #5, #9, #10, #11. While there are additional existing programs designed to handle maintenance of roadways (such as the County’s Pavement Management System (PMS) that identifies maintenance requirements on County roadways), the commenter also suggests that the RDEIR must discuss future availability of funds. The TCAG Regional Transportation Plan includes available funds for a variety of transportation projects (including roadways). The commenter is referred to the TCAG website at <http://www.tularecog.org/> for

additional information. Measure R, Tulare County Traffic Impact Fee program and improvements made by substantial development projects will address the most severe intersections and roadway segments. Policies described on RDEIR page 3.2-31 are also provided which will address funding, including Policy TC-1.4, TC-1.13, TC-1.14, TC-1.15, TC Implementation Measures #2, #5, #8, #9, #14, #18. Additional discussion of existing State and Federal Funding is provided in the Background Report, RDEIR Appendix B, Section 5.2.

Response to Comment I26-17:

The local physical and environmental constraints are major factors when roadways are to be widened or constructed. Also a majority of the existing roadways do not meet current guidelines due to inadequate base material or limited right of way. The commenter is correct in that the RDEIR makes an incorrect reference to Policy TC-1.6; page 3.2-26 of the RDEIR will be amended to read as follows:

It should be noted that the LOS standard for Tulare County is “D” as stated in Policy TC-1.16-County LOS Standard.

The commenter is referred to Chapter 2, Minor Revisions to the Recirculated Draft EIR, of this Final EIR which includes the revised text. The revision does not change the analysis or conclusions in the RDEIR. Please refer to Master Response #4.

Response to Comment I26-18:

The RDEIR uses the TCAG travel demand model as discussed on page 3.2-21 which is the best quantitative tool for determining future congested roadways and intersections. The comment states that the RDEIR failed to discuss the results of the model runs.” The results of the model run are provided in RDEIR Table 3.2-7. The comment also states that the RDEIR did not quantitatively address interchanges but it would be important for the EIR to address interchanges in Tulare. The RDEIR discusses proposed regional interchange projects in Table 3.2-5. Furthermore, CEQA does not require quantitative analysis of all impacts. As discussed under CEQA Guidelines Section 15064.7 “a threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect...” As discussed in the RDEIR on page 3.2-25, such quantitative analysis for interchanges would be too specific to analyze in a General Plan. The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. Please see Master Response #4.

Response to Comment I26-19:

The commenter is incorrect that the RDEIR does not provide any quantitative data or analysis as to the “GP Updates’ impact on roadways”, and is referred to Section 3.2 “Traffic and Circulation” which provides quantified analysis identifying the level of service impacts to various roadways in the County in Table 3.2-7. Please also see Response to Comment I26-18.

Response to Comment I26-20:

The comment states that the RDEIR “does not admit...that the Valley is still in nonattainment for PM10 and PM2.5 for State Standards...the EIR fails to note that the Valley remains in nonattainment for PM2.5 Federal Standards”; this is incorrect. The RDEIR correctly states that PM2.5 levels are in nonattainment with state and federal standards, and that PM10 levels are in nonattainment with State Standards in Table 3.3-3. The commenter is directed to the response prepared for Comments I8-4 and I8-7.

Response to Comment I26-21:

The commenter is referred to Master Response #4, which provides information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is also directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

Response to Comment I26-22:

Please see Master Response #3 and #4 regarding the implementation and enforcement of mitigation measures, as well as the level of detail appropriate for the General Plan EIR. As discussed therein, individual policies should not be reviewed independently, but will be interpreted and implemented as part of the entire General Plan. Furthermore, cooperation with other agencies is an important part of the General Plan, particularly for issues related to air quality because the County does not have jurisdiction over every source of air emissions. Furthermore, see Comment A16-1 from the San Joaquin Valley Air Pollution Control District which states that the General Plan is in compliance with air quality requirements contained in AB 170 (Reyes).

In addition, a requirement that a project comply with applicable environmental laws and regulations may serve as mitigation (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296). Compliance with environmental regulations alone may not be adequate to mitigate an impact to a level of less than significant, but may certainly serve as part of a suite of measures that will be implemented to mitigate an impact. See Master Response #4 for further discussion of the appropriate use of compliance with regulatory requirements to help reduce or avoid impacts and RDEIR page 3.3-1 for discussion of existing Federal and State air quality regulations.

The comment raises concerns regarding infill policies. The policy cited in the comment is not the only policy related to infill, the proposed General Plan already contains numerous policies designed to cluster development and provide for infill (see proposed Policies PF-1.2, PF-2.2, PF-3.2, PF 4.6, LU-1.1, LU-1.8, LU-5.4, Land Use Implementation Measure 3 and 7 and 8 and 9, AQ-3.2, Air Quality Implementation Measure 11, PFS-1.15, PFS Implementation 4 [including density bonuses and financial assistance]). The commenter is also referred to RDEIR page 3.3-22 for a full listing of Air Quality related policies.

Response to Comment I26-23:

Please see Master Response #3 and #4 for discussion of General Plan implementation, enforceability, and the appropriate level of detail. The policies referenced in the comment require future development proposed under the General Plan 2030 Update to meet certain standards related to air quality (see RDEIR page 3.3-22 including policies AQ-1.5, AQ-2.2). The General Plan and General Plan EIR cannot provide project-specific mitigation measures for future development projects because these measures will depend on the details of each project, including what the project is and where it is located. The programmatic EIR for the General Plan cannot, and is not expected to analyze site-specific impacts. The General Plan consists of goals and policies that will guide future development decisions. It does not include site-specific development proposals. When development projects are proposed, they will undergo the appropriate CEQA review and mitigation measures will be required as necessary. If the payment of air impact fees is an appropriate and feasible mitigation measure for a proposed development project, it will be considered at that time. See Master Response #5 for a description of the development patterns under the General Plan 2030 Update.

Response to Comment I26-24:

The RDEIR water supply analysis (RDEIR Sections 3.6 and 3.9) and Water Supply Evaluation (RDEIR Appendix G) provide an analysis of the impact of the project on groundwater. Contrary to the assertions in the comment, the RDEIR provides a quantitative analysis of water supply. See RDEIR discussion starting on page 3.9-7 and 3.9-46; see also RDEIR Appendix G Section 2.2. This analysis also includes net water demand changes as well as discussion by community areas (i.e. CACUDB, CACUAB, and Hamlets). This level of detail goes beyond the requirements of CEQA as discussed in recent case law “subbasin boundaries may be determined in part by political boundaries and institutional considerations [such as community area boundaries]... Borders of groundwater basins and sub basins as delineated by DWR do not necessarily provide sensible boundaries for evaluating the sufficiency of groundwater supply” (*O.W.L. Foundation v. City of Rohnert Park* (2008) 168 Cal.App.4th 568).

As also detailed in Master Response #4, the RDEIR is a Program EIR, serving as a first-tier document to assess the broad environmental impacts of the program. Detailed site-specific environmental review would likely be required to assess future projects implemented under the program.

The commenter is referred to Master Response #6 and #7 and the response prepared for Comment I11-41.

Response to Comment I26-25:

The commenter is referred to the response prepared for Comment I26-24 and I11-82. The approach taken in the RDEIR is consistent with CEQA, as documented in recent CEQA case law in which the Sierra Club was a party (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“While the FEIR did not attempt to predict with precision exactly how much each water conservation measure would reduce water usage, the detail provided about

the nature of these measures and the uncertainties inherent in such long-term forecasts provide adequate support for the FEIR's predictions, particularly in light of the FEIR's detailed calculations supporting its conclusion that most of the increased water usage associated with the new development would be offset by conversion of farmland. Even if the City's conservation efforts do not produce the hoped-for 1,000 AFY reduction in usage, the FEIR could reasonably conclude that the new development's increased water usage that is not offset by the conversion of farmland would be offset by even a modest reduction in usage attributable to the City's conservation efforts."]).

The comment also states that the County may not legally approve a General Plan 2030 Update without identifying reliable water sources. As discussed in the *Watsonville* case [General Plan EIR], "The FEIR's discussion of the overdraft situation and its analysis of the steps that the City would take to address this situation satisfy the standards set forth by the California Supreme Court in *Vineyard*. It is not necessary for an EIR for a general plan to establish a 'likely source of water.'"

It should also be noted that the proposed project is expected to reduce water use below existing levels (baseline), as described on RDEIR pages 3.9-11 and 3.9-47. Existing groundwater overdraft and existing water quality issues, are beyond the EIR to fix (see *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 ["The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope"]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324).

Response to Comment I26-26:

As discussed in Response to Comment I26-25 the approach taken in the RDEIR is consistent with CEQA, as discussed in recent case law in which Sierra Club was a party.

As stated in the RDEIR, "(F)uture development in Tulare County will be driven by population growth needs and the manner in which the distribution of growth will be directed and managed. The General Plan Update assumes that a majority of this growth will occur within the incorporated cities (established Urban Development Boundaries); with a lesser amount (up to 170,615 people) occurring within the County's unincorporated communities and hamlets" (RDEIR p. 3-6). Furthermore, as presented in the RDEIR (see p. 3-7) the County has 756,474 acres of important farmland within the entire County, of which 81,864 acres are within Boundaries (UDBs, UABs, HDBs and Foothill Development Corridors). With this basis and based on the information in Table 2.2 of the Water Supply Evaluation (see Appendix G, p. 7), the Water Supply Evaluation (WSE) determined the existing demand associated with the irrigated agricultural crops on the designated acres that may likely see the distribution of growth. The WSE further assessed the future demand were these lands converted to urban uses as a result of projected growth. This comparison indicated that urban demand would be slightly less than the irrigated agricultural land it replaced. However, as a conservative estimate, the future demand was assumed to be equivalent to the existing demand. As discussed in Section 4 of the WSE, this land-use conversion would not result in additional groundwater demands outside of the ranges of groundwater historically used. However, the WSE also provided several scenarios that assessed

the shortfall of surface water with and without potential demand reductions from conservation. Under these additional scenarios, more or less groundwater may be used. The commenter is also referred to Master Response #6.

Response to Comment I26-27:

The analysis contained in the Water Supply Evaluation was focused on the RDEIR's representation of the potential distribution of growth primarily within UDBs, UABs, and HDBs and occurring on the estimated 81,864 acres of important farmland that exists within these boundaries. The commenter is directed to Master Response #6 for a discussion of water supply issues related to the proposed project. The comment is also referred to Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, as the proposed General Plan focuses future growth within established urban areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. As discussed under Response to Comment A8-1, the County is entitled to make these reasonable assumptions regarding the locations of future growth.

Response to Comment I26-28:

The agricultural lands assumed to be displaced were those identified in the RDEIR (see p. 3-5) designated by the California Department of Conservation as either Prime Farmland, Farmland of Statewide Importance and Unique Farmland. Both Prime Farmland and Farmland of Statewide Importance are definitions used for irrigated lands. Unique Farmland is usually associated with irrigated land but sometimes include non-irrigated orchards. The RDEIR described its agricultural conversion assumptions on page 3.9-7 the RDEIR, which assumed that some of the agricultural land converted to urban uses would be orchards:

“To estimate the change in applied agricultural water demand (i.e., acre-feet of water per acre of crop) based upon the elimination of irrigated agricultural land, a weighted unit demand was developed using an assumed crop mix, estimated crop evapotranspiration of applied water (ETAW) and assumed irrigation efficiencies. As shown in Table 3.9-3, the future demand analysis divides irrigated crops into five broad categories – Citrus, Field Crops-Other, Field Crops-Alfalfa/Pasture, Orchards and Vineyards. For each crop category an ETAW measurement is provided. For the Field Crop and Orchard categories, ETAW is reported as the average of multiple crops in each category (Tully and Young, page 6, 2009).”

As further shown on Table 2.2 in the Water Supply Evaluation (WSE), the Unique Farmlands identified represent less than one half of a percent of the 59,645 acres listed on the table. For ease of the evaluation, this very small percentage was assumed to also be irrigated, but would not change the conclusions of the WSE should they have been assumed to be non-irrigated orchards. The commenter is directed to Master Response #6 for a discussion of water supply issues related to the proposed project.

Response to Comment I26-29:

It is unclear what the commenter means by the term ‘water portfolio. However, the RDEIR only used the City of Fresno’s UWMP to estimate unit demand (i.e. water use per acre) for mixed-use land uses as discussed on RDEIR page 3.9-9 (RDEIR Appendix G Table 2.6). As discussed in RDEIR Appendix G page 9, “the unit demand factors are consistent with observed unit demand factors in other Central Valley communities.” Furthermore, use of these assumptions is considered conservative because urban unit water demand factors in Tulare County for new developments and densities will likely be less than values represented in urban water planning documents from other cities. This lower values will likely result from several factors that are occurring or will occur related to new urban developments, including but not limited to: trends toward higher density single family housing developments (e.g. less landscaped area); State mandated “green building” standards resulting in lower water-using devices in homes and businesses; State mandated Model Efficient Landscape Water Ordinance (directing landscaping in new developments), and State mandated reductions in per-capita water use (SBX7 7). To be conservative, the Water Supply Evaluation developed a mixed-use unit demand factor that reflects unit demands absent these additional mandates and trends. Furthermore, even though the WSE estimated the urban demand that may replace the agricultural demand as a result of projected growth, the reduction was not recognized in that the overall future demand matched the existing baseline (see WSE p. 11). The commenter is directed to Master Response #6 for a discussion of water supply issues related to the proposed project.

Response to Comment I26-30:

Please see Response to Comments I26-25, I26-28 and I26-29. For purposes of the Water Supply Evaluation, the acres of each category of important farmland presented in Table 2.2 (see p. 7) were converted to urban mixed-use, as shown in Table 2.5. The values in Table 2.2 provide a representation of growth within the UDBs, UABs, and HDBs, as discussed in the RDEIR that may shift from irrigated agricultural land-use to urban land. The values were provided to the consultant performing the Water Supply Evaluation as representative of lands potential converted from irrigated agriculture to urban use and consistent with the RDEIR. The commenter is directed to Master Response #6 for a discussion of water supply issues related to the proposed project. The commenter is also directed to Master Response #4 regarding the appropriate level of detail for the RDEIR.

Response to Comment I26-31:

Please see Response to Comment I26-25, I26-26, I26-29 for discussion of the water supply methodology used in the RDEIR and in the WSE. The Water Supply Evaluation (WSE) provides an initial County-wide analysis of the programmatic level growth presented by the proposed project and the RDEIR. The WSE used readily available information on irrigated agricultural acres, baseline County-wide supply and demand representation and distribution among classifications of “important farmland” from reliable sources including: the California Department of Water Resources, the California Department of Conservation, and the County of Tulare. The information in the WSE is a reliable source to inform the analysis of impacts as

presented in the RDEIR. The commenter is directed to Master Response #6 for a discussion of water supply issues related to the proposed project.

Response to Comment I26-32:

The Water Supply Evaluation provides factual representations and evaluations of baseline and future water supply and demand conditions at the programmatic level. As discussed in the WSE, the water budget information provided by the California Department of Water Resources (DWR) identifies that approximately 50% of the water supplies used to meet the demands of Tulare County are derived from groundwater resources. Considering the vast majority of demand is for irrigated agriculture, it is reasonable to conclude that most of the groundwater used in the County is for irrigated agriculture. Thus, the replacement of currently irrigated lands with urban development – as contemplated by the General Plan 2030 Update – will result in a reduction of groundwater extractions where those lands were previously irrigated with groundwater.

To further provide protections to groundwater resources, the County included several policies, including WR-1.1 and WR-1.4, which will address potential impacts to groundwater resources that may occur with any specific land use change. Furthermore, any impact would be assessed and addressed in a project-specific CEQA analysis and likely accompanying SB 610 Water Supply Assessment.

The WSE also contemplated water supply scenarios with increased groundwater use resulting from decreased surface water resources (see Section 4 of the WSE). Under these contemplated scenarios, the WSE concludes that the potential increased use of groundwater under future demand conditions (even absent anticipated agricultural and urban conservation) would still be within the range of groundwater use identified in the DWR water budgets (i.e., the increased groundwater use is still less than the County’s identified groundwater use under historic conditions).

The commenter is also directed to Master Response #6 and #7 for further information. Note also that, as detailed in Master Response #4 (Programmatic Nature of the EIR), the RDEIR is a Program EIR, serving as a first-tier document to assess the broad environmental impacts of the program. Detailed site-specific environmental review – including site-specific water supply assessments – would likely be required to assess future projects implemented under the program.”

Response to Comment I26-33:

As discussed in the RDEIR, the proposed project is expected to reduce water use below existing levels (baseline), as described on RDEIR pages 3.9-11 and 3.9-47. Existing groundwater overdraft and existing water quality issues are beyond the EIR to fix (See *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal. App. 4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]; See also *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (4th Appellate Dist. November 22, 2010) 2010 S.O.S. 6565 (pages 31-42), 190 Cal.App.4th 324).

Nevertheless, the RDEIR discusses water supply alternatives, as discussed on RDEIR 3.9-38. In addition, the RDEIR provides two different scenarios in which baseline water use would be reduced below existing levels (see RDEIR page 3.9-45). Furthermore, the RDEIR discusses continued water sources as including groundwater, as discussed on RDEIR page 3.9-47. Secondary impacts of continuing the use of these water resources are discussed under Impacts 3.6.2 (i.e. that there would be significant and unavoidable impacts associated with groundwater use resulting in overdraft). Such an approach is also consistent with the *Watsonville* case [“the FEIR did identify the likely source of water for new development: the Basin’s groundwater”]. Please see Response to Comment I11-119 for discussion of delta supply issues.

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and Master Response #6 regarding the water supply evaluation.

Response to Comment I26-34:

As represented in the Water Supply Evaluation (Appendix G), the contemplated land-use changes would likely not adversely affect current water supply conditions given the policies discussed with Impact 3.6.2 (see pages 3.6-45 to 3.6-46) and Impact 3.9-1 (see pages 3.9-36 to 3.9-49). The commenter is directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and Master Response #6 regarding the water supply evaluation.

The comment suggests that the RDEIR ignores the fact that the General Plan 2030 Update will cause a significant increase in the overall population of the County. This comment is incorrect as the RDEIR analyzes growth inducing impacts in Section 5.2. As discussed on RDEIR page 2-24, while the RDEIR describes buildout and analyzes the impacts of buildout, population growth and the associated development is controlled by numerous factors, many of which are unrelated to the General Plan.

Please see Response to Comments I26-25 through I26-33 for discussion of water supply and overdraft. Please also see Master Response #5.

Response to Comment I26-35:

Land-use based estimates were used in the Water Supply Evaluation (see Appendix G) instead of population projections to calculate potential future urban water demand associated with the program described in the General Plan 2030 Update. A value of 3.1 acre-feet per acre of urban mixed use per year was estimated to represent any acre of new urban land-use. The commenter is directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and Master Response #6 regarding the water supply evaluation. Please see Master Response #4, #5, and #6.

Response to Comment I26-36:

The commenter is referred to the response prepared for Comment I26-35 and I11-82 for discussion of water conservation.

Response to Comment I26-37:

Contrary to the methodology described in the comment, the RDEIR impact analyses are based upon a comparison to existing conditions. As noted above, this approach is consistent with the *Watsonville* case. The commenter is referred to the response prepared for Comment I26-25.

Response to Comment I26-38:

The commenter is referred to the response prepared for Comment I26-25.

Response to Comment I26-39:

Impacts to groundwater (Impact 3.6-2) were determined to be significant and unavoidable. The commenter is also referred to the response prepared for Comment I26-33.

Response to Comment I26-40:

Please see Master Response #4. As noted in the comment, the RDEIR did disclose the secondary impacts associated with continued overdraft. As discussed in the *In re Bay-Delta* case, over a 30-year period, it is “impracticable to foresee with certainty specific source of water and their impacts...The PEIS/R complied with CEQA by identifying potential sources of water and analyzing the associated environmental effects in *general terms*” (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1173; emphasis added). The level of detail provided in the RDEIR was appropriate. The commenter is referred to the response prepared for Comment I26-25.

Response to Comment I26-41:

The commenter is referred to the response prepared for Comment I26-25 through I26-40. The comment also references language on page 3.6-42. This language refers to project specific impacts (i.e. “localized...cones of depression”). Please see Master Response #5 which states that while the RDEIR analyzes projected buildout, development on any individual parcel (such as localized well) is speculative.

Response to Comment I26-42:

The commenter is directed to Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR. As explained in the Master Response, an alternative should be able to meet most of the basic project objectives, but need not be able to meet all of them (CEQA Guidelines, §15126.6; *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477). Moreover, an alternative that is incompatible with the fundamental project objectives, or cannot achieve a fundamental goal of the project need not be considered in an EIR (*In re Bay-Delta Programmatic Environmental Impact Report Coordinated*

Proceedings (2008) 43 Cal.4th 1143). Also, the comparative impacts of each RDEIR project alternative are presented in Table 4-3 of the RDEIR. As indicated in the Table, the alternatives are able to reduce some, but not all of the proposed project's significant and unavoidable impacts. This does not indicate an inadequacy in the range of alternatives considered. Alternatives need be environmentally superior to the project in only some respects (*Sierra Club v. City of Orange* (2008) 163 Cal. App. 4th 523).

Response to Comment I26-43:

The Healthy Growth Alternative need not be analyzed in the EIR because it is a variation on RDEIR Alternative 5 and does not offer significant environmental advantages in comparison with the alternatives presented in the EIR (*Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal. App. 3d 1022 [an EIR need not analyze multiple variations on the alternatives selected for analysis]; *Save San Francisco Bay Ass'n v. San Francisco Bay Conservation and Development Commission* (1992) 10 Cal. App. 4th 908; *Sequoiah Hills Homeowners Ass'n v. City of Oakland* (1993) 23 Cal. App. 4th 704 [an EIR does not need to analyze alternatives that do not offer significant advantages over the alternatives presented in the EIR, or that constitute an alternative version of an alternative presented in the EIR]). The commenter is directed to Master Response #9 further discussion of this issue.

Response to Comment I26-44:

As discussed in the RDEIR, under Impact 3.8-6, the impact of the proposed project and associated wildfire risk is considered less than significant with implementation of a variety of policies and implementation measures designed to address wildfire prevention and exposure. The listed policies and implementation measures identified in the RDEIR include the following:

MITIGATING POLICIES AND IMPLEMENTATION MEASURES

Health & Safety Element		Planning Framework, Public Facilities & Services Elements and Foothill Growth Management Plan	
Policies and implementation measures designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:			
HS-1.4	Building and Codes	PF-5.2	Criteria for New Towns (Planned Communities)
HS-1.5	Hazard Awareness and Public Education	PFS-1.3	Impact Mitigation
HS-1.6	Public Safety Programs	PFS-2.1	Water Supply
HS-1.8	Response Times Planning in GIS	PFS-7.1	Fire Protection
HS-1.9	Emergency Access	PFS-7.2	Fire Protection Standards
HS-1.10	Emergency Services Near Assisted Living Housing	PFS-7.3	Visible Signage for Roads and Buildings
HS-1.12	Addressing	PFS-7.4	Interagency Fire Protection Cooperation
HS-6.1	New Building Fire Hazards	PFS-7.5	Fire Staffing and Response Time Standards
HS-6.2	Development in Fire Hazard Zones	PFS-7.6	Provision of Station Facilities and Equipment
HS-6.3	Consultation with Fire Service Districts	PFS-7.7	Cost Sharing
HS-6.4	Encourage Cluster Development	PFS-7.11	Locations of Fire and Sheriff Stations/Sub-stations
HS-6.5	Fire Risk Recommendations	FGMP-10.2	Provision of Safety Services
HS-6.6	Wildland Fire Management Plans	FGMP-10.3	Fire and Crime Protection Plan
HS-6.7	Water Supply System		
HS-6.8	Private Water Supply		
HS-6.9	Fuel Modification Programs		
HS-6.10	Fuel Breaks		
HS-6.11	Fire Buffers		
HS-6.12	Weed Abatement		

Health & Safety Element	Planning Framework, Public Facilities & Services Elements and Foothill Growth Management Plan
<p>Policies and implementation measures designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:</p> <p>HS-6.13 Restoration of Disturbed Lands HS-6.14 Coordination with Cities HS-6.15 Coordination of Fuel Hazards on Public Lands HS-7.1 Coordinate Emergency Response Services with Government Agencies HS-7.2 Mutual Aid Agreement HS-7.3 Maintain Emergency Evacuation Plans HS-7.4 Upgrading for Streets and Highways HS-7.5 Emergency Centers HS-7.6 Search and Rescue HS-7.7 Joint Exercises HS Implementation Measure #15 HS Implementation Measures #16</p>	
Public Facilities & Services Element	
<p>Public Facilities and Services Implementation Measures designed to ensure funding for County services to provide adequate service levels include the following:</p> <p>Public Facilities & Services Implementation Measure #1 Public Facilities & Services Implementation Measure #2 Public Facilities & Services Implementation Measure #3 Public Facilities & Services Implementation Measure #12</p>	

In response to this comment, the commenter is referred to Table 4-3 of the RDEIR which identifies that this impact would also be less than significant because the same mitigating policies and implementing measures would also be required. The comparison of alternatives in the RDEIR appropriately considers significant impacts, and need not compare less than significant impacts. CEQA requires comparison of the significant impacts of the alternatives.

Response to Comment I26-45:

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas, such as in UDBs and UABs not within the “foothills and mountains.” Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. See also Response to Comment A8-8.

The RDEIR concluded that Alternative 2 (City-Centered Alternative) would have similar hydrology and water quality impacts as the proposed project because although there would be an increase in impervious surfaces, which would increase runoff and reduce groundwater recharge potential, there would be less land conversion overall. The commenter does not state why he believes Alternative 2 would result in greater hydrology and water quality impacts than the proposed project, so no further response can be provided. The commenter is directed to Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR.

Response to Comment I26-46:

The commenter is directed to Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR. As discussed therein, "...the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed."

Response to Comment I26-47:

The commenter is directed to Master Response #9 for a description of the alternatives analysis conducted for the General Plan 2030 Update and RDEIR.

Response to Comment I26-48:

Comment noted. The RDEIR has included all feasible mitigation to reduce the project's impact on climate change. The commenter is referred to Master Response #10 regarding the County's Climate Action Plan.

Response to Comment I26-49:

The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Also, see Master Response #10 for a discussion of the Climate Action Plan.

Response to Comment I26-50:

The commenter is referred to Master Response #10 regarding the County's Climate Action Plan and greenhouse gas mitigation measures.

Response to Comment I26-51:

The commenter is referred to Master Response #10 regarding the County's Climate Action Plan and greenhouse gas mitigation measures.

Response to Comment I26-52:

The comment suggests that a fiscal impact analysis should be done to assess the feasibility of greenhouse gas mitigation measures. Please see Response to Comment I23-74. Financial cost is not an environmental impact under CEQA and need not be analyzed in an EIR (CEQA Guidelines §15360). Financial and economic costs are, however, factors that can be considered in determining whether mitigation measures and alternatives are feasible under CEQA (CEQA Guidelines §15364). Please also see Response to Comment I11-229 for discussion of the Sierra Club's suggested mitigation measures. As explained in Response to Comment I23-74, additional information on feasibility will be provided in the CEQA Findings and properly supported in the record.

Response to Comment I26-53:

The commenter's closing remarks are noted. .

Letter I27. Sequoia Riverlands Trust

Response to Comment I27-1:

The commenter's introductory remarks are noted.

Response to Comment I27-2:

As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within and around established community areas, such as in UDBs and UABs. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. The commenter is also referred to page 1-2 through 1-7 to be found in the RDEIR Appendix D for a full copy of the proposed General Plan. Please also refer to Master Response #4.

Response to Comment I27-3:

Please see Response to Comment A8-7 for discussion of Land Use Designations. The commenter is also referred to Master Response #3 and #7 for a discussion of project related implementation measures.

The Implementation Measures are part of the proposed project and analyzed appropriately in the RDEIR. Please see Master Response #3 for discussion of General Plan implementation. As noted in the General Plan "Implementation can take time, especially when needed resources are limited and required for more than one Implementation Measure...Because implementation will take time and will be costly, the County will need to prioritize Implementation Measures. It is contemplated that this ongoing process is part of the County's annual general policy-making function and budget cycle...While the Plan policies identify specific programs, Implementation Measures may be adjusted over time, without amending the General Plan, based on new information, changing circumstances, and evaluation of their effectiveness, so long as they remain consistent with the intent of the General Plan and adopted mitigation measures" (General Plan, Part I, page 1-11). This approach is consistent with the content requirements of Government Code Section 65302 and the implementation requirements of Government Code Section 65400, which recognize that implementation of the General Plan will take time.

As noted in Master Response #3, some of these actions, such as the adoption or revisions to County Ordinances, are outlined in the "Implementation" Sections of the proposed General Plan (see also Master Response #7). While the County has listed numerous implementation measures as part of the proposed project, and noted in the RDEIR, it is simply not feasible to list every potential implementation measure which will be adopted over the 20 year horizon of the General Plan, nor to provide the text of every potential ordinance that will be adopted as a result of General Plan implementation.

Response to Comment I27-4:

This comment is on the Foothill Growth Management Plan (FGMP); the commenter is referred to Master Response #8 for a discussion of the FGMP. Please note that the dates referenced in

Chapter 1 “Introduction” to the General Plan 2030 Update represent estimated dates of adoption. Once the General Plan 2030 Update has been adopted these dates will also be updated to reflect the appropriate date and year.

The General Plan 2030 update has not been adopted yet. This timeframe represents an approximate date of the adoption. The General Plan document has been under public review for well over two years. The FGMP area policies have been updated as part of review, to delete outdated policies and others updated to insure compatibility with Part I of the General Plan. No substantive changes have been made. Please see changes identified in Master Response #8.

Response to Comment I27-5:

The commenter is referred to the response prepared for Comment I27-4 and Master Response #5 for discussion of buildout at the 2030 horizon year. Please also note that future subdivisions would be subject to separate environmental review under CEQA as well as Government Code Section 66474.

The existing FGMP only calls for a foothill agricultural zone to preserve intensive and extensive agriculture. The original A-1 zone allowed parcels to be divided into five acre lots. The Foothill Agricultural zone was adopted in 1982. The GP Land Use designation is actually more restrictive than the zoning ordinance or the previous FGMP by limiting one residence for every 80 acres, then one additional unit every 40 acres above 160 acres lot. The previous FGMP and the existing Foothill Agriculture zone allows 2 units for the first 40 acres and one additional unit for each additional 40 acres. This would be a grand total of 5 units for the first 160 acres or 9 units for a 360 acre lot. The proposed FGMP policy would limit this to 2 and 6 units respectively.

The existing FGMP allows for all those uses, see Goal 3 New Development. You will see recreation, commercial, light industrial and others. These policies are still within the FGMP (Goal 3 #11: FGMP 3.2, #6: FGMP 1.6, #7: FGMP 1.7, #10: FGMP 1.9 etc. Furthermore, Under Section 18.7 page 5 of the Zoning Ordinance, Foothill Combining Zone the uses listed are allowed with the FGMP Development Corridors. This zone was adopted as implementation to the FGMP and allowed these types of uses are allowed to in the existing plan today: Residential, Recreation, Commercial, Light Industrial, Public, Extractive (mining) and Public Utilities.

Response to Comment I27-6:

The commenter is referred to the response prepared for Comment I27-4. Please also see RDEIR Section 3.11 for discussion of riparian habitat. Please see Master Response #3 and #7 for discussion of implementation of the General Plan.

There is no 100 foot riparian protection zone required in the 1981 FGMP. The example stated in this paragraph comes from the development standards in the 1981 FGMP and is copied word for word from the old plan into the new plan. The FGMP policies in the GP update are very close to word for word to the existing 1981 FGMP. There is a development standard within the 1981 FGMP that delineates a 50’ buffer for intermittent waterways and 100’ buffer for perennial

watercourses. This standard is also in the General Plan 2030 Update word for word and is #26 on page part II, 3-30.

Response to Comment I27-7:

The commenter is referred to the response prepared for Comment 127-4.

Response to Comment I27-8:

The commenter is referred to Master Response #4 regarding the appropriate level of detail for the General Plan and the programmatic nature of the RDEIR and implementation of the General Plan. Master Response #4 also describes the appropriate use of general plan policies as mitigation measures for the analysis provided in the RDEIR. Please also see Response to Comment I27-3 for discussion of General Plan Implementation Measures.

Response to Comment I27-9:

The commenter's suggestions regarding smart growth policies will be forwarded to County decision makers for consideration. Please see Response to Comment I27-3 and Master Response #3 and #4 for discussion of implementation measures and the appropriate level of detail.

Response to Comment I27-10:

Please see Response to Comment I27-3 for discussion of General Plan Implementation. The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR.

As noted in these Master Responses individual policies should not be reviewed in a vacuum. The commenter is directed to RDEIR Section 3.11 for discussion of oak woodlands and RDEIR page 3.11-37, for discussion of General Plan policies and implementation measures related to riparian areas. As discussed on RDEIR page 3.11-34 "Policies ERM-1.1 through ERM-1.6, ERM-1.8, and ERM-1.12 require the County to protect key sensitive habitats (i.e., riparian, wetlands, and oak woodlands, etc.) by encouraging future County growth outside these sensitive habitat areas." Please also see ERM Implementation Measure 15 for discussion of adopting an Oak Woodlands Management Plan.

Response to Comment I27-11:

The commenter expresses disappointment with the language contained in the Oaks Woodland Conservation Act. Please see Master Response #3 and #7 for discussion of implementation of enforceability of the proposed General Plan. The commenter's suggestions will be forwarded to County decision makers for consideration.

Response to Comment I27-12:

The commenter is also directed to Master Response #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As noted in the General Plan, Implementation Measure #9 requires revisions to the County zoning ordinances. The commenter is directed to Master Response #3 for a description of the implementation and enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Further we note that most of the implementation measures proposed by ERME regarding mineral resources were developed in the 1990 by Mr Pack as part of a five year project to address policy within state designated mineral resource zones. the Tulare County Mineral Resources Policy Advisory Committee. This technical advisory committee was reconvened in mid-2000 for the purpose of recommending which policies and implementations should be included in the General Plan Update. Accordingly the policies and impls for this area are more detailed than other areas addressed by the ERME.

The mining policies and implementation measures are recommendations from MRPAC. Mining can have serious consequences on the environment and therefore should have a substantial amount of policies and implementation. However, again number of measures came through the recommendations of MRPAC.

Implementation #30 regards to uses that conflict with mining operation such as residential development etc. So as that the residences would not limit or restrict the extraction of minerals. This is very different then IM #9 buffers used for riparian areas. Mining would be required through CEQA to address any riparian areas or buffers necessary.

Response to Comment I27-13:

The commenter is also directed to Master Response #3 and #4, which provides additional information regarding the programmatic nature of the RDEIR and the appropriate use of general plan policies/implementation measures to mitigate the impacts of the General Plan 2030 Update. As noted therein, individual policies in the General Plan should not be reviewed in a vacuum. Please see RDEIR Section 3.9 for discussion of water related infrastructure requirements, in particular this chapter discusses Policy PF-1.4 which provides provides that "...The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available, and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies [*New Policy*]." The commenter is also directed to Master Response #6 and Response to Comment I11-37.

Response to Comment I27-14:

The use of the word "major" allows flexibility to ensure that the County is able to review a variety of project proposals in context of the policy. Please see Response to Comment I27-3 and I27-13 and Master Response #3 for discussion of implementation and enforceability.

Response to Comment I27-15:

The commenter's support of the implementation measures is noted. As noted in Response to Comment I27-3, implementation measures are part of the Proposed Project. Please see Master Response #3 for discussion of implementation of the General Plan and Master Response #4 regarding the level of detail in a General Plan.

Response to Comment I27-16:

Background Report Figure 8-2, "Fire Threat" shows that the Very High Fire Threat areas are located in the eastern portion of the County, largely in foothill and mountain areas. As discussed in Master Response #5 and RDEIR pages 2-17, 2-24, and 2-25, the proposed General Plan focuses future growth within established community areas. Many of the goals and policies used to accomplish focused growth are discussed in the Table on page 3.10-15 of the RDEIR. Large areas of land in the Very High Fire Threat zone are managed by other agencies such as the U.S. Forest Service and the California Department of Forestry; therefore the County has no authority over large portions of these areas. For Very High Fire Threat areas under the County's authority, the policies included on page 3.8-34 of the RDEIR would apply. The commenter is directed to Master Response #3 for a description of the enforceability of the various policies outlined in the General Plan 2030 Update and RDEIR. Please also see Response to Comment I27-5 for discussion of subdivisions.

As noted in Master Response #4, the General Plan does not stand alone; there are numerous existing Federal, State, and local regulations which address fire hazards and development requirements. For example, Tulare County Ordinance code Section 7-15-1115 adopts the Uniform Fire Code. The Fire code is included in Title 24 of the California Code of Regulations (also referred to as the California Building Code). Title 24, Chapter 7 addresses Fire-Resistances-Rated Construction, Chapter 7A addresses Materials and Construction Methods for Exterior Wildfire Exposure, Chapter 8 addresses fire related Interior Finishes, and Chapter 9 addresses Fire Protection Systems, and Chapter 10 addresses fire related Means of Egress.

Response to Comment I27-17:

Please see Response to Comments I27-1 through I27-16. No further response is required as this comment does not address the adequacy of the RDEIR.

Response to Comment I27-18:

The commenter's closing statements are noted.

Letter I28. Tulare County Farm Bureau**Response to Comment I28-1:**

The commenter's introductory statements are noted.

Response to Comment I28-2:

Comment Noted. This comment does not address the content or adequacy of the RDEIR. No further response is needed.

Response to Comment I28-3:

Comment Noted. This comment does not address the content or adequacy of the RDEIR. No further response is needed.

Response to Comment I28-4:

Comment is noted. The commenter's suggestion to use the Rural Valley Lands Plan scoring criteria in the evaluation of these permits is noted. The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration. Please also see Master Response #4 for discussion of the appropriate level of detail in the General Plan. As recognized by the comment, the level of detail suggested in the comment is appropriate for an ordinance rather than the General Plan. In addition, the County has adopted an amendment to the Zoning Ordinance adding Section 16.V which pertains to the assemblage of people for educational and/or entertainment purposes (October 5, 2010). The provisions of Section 16 (Variances and Special Use Permits) require discretionary review thereby requiring projects subject to the ordinance to undergo their own environmental review.

Response to Comment I28-5:

Comment noted. This comment does not address the content or adequacy of the RDEIR. The commenter is referred to Master Response #1 and #4. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I28-6:

Comment noted. This comment proposes three policies for the General Plan Update, but does not address the content or adequacy of the RDEIR. This suggestion will be forwarded to County decision makers for their consideration. Please see Response to Comment I28-5 and Master Response #1. Please also see Response to Comment I21-2 for policies in the proposed General Plan related to infill.

Response to Comment I28-7:

The comment is directed to RDEIR Section 3.10 which addresses agricultural resources (including agricultural conservation easement program under Policy AG-1.6), as well as Response to Comment I21-2 which explains how the County focuses growth and promotes infill development. This comment will be forwarded to County decision makers for their consideration. Please see Master Response #1.

Response to Comment I28-8:

The comment addresses concerns related to zoning rather than the proposed General Plan. The commenter is directed to Master Response #3 and #4 which discusses the appropriate level of detail for the General Plan and how the General Plan will be implemented (i.e. through future ordinances and zoning). The commenter is also directed to the discussion of permissible uses for the General Plan agricultural designations in General Plan, Part I, page 4-15 (see Valley Agriculture, and Foothill Agriculture). The comment is also directed to the Part II of the General Plan which includes the RVLP (Policy RVLP-1.4 – which precludes re-zoning parcels unless they meet certain criteria) and FGMP (Policy FGMP-1.10, FGMP-5.1, and FGMP Implementation Measure #12, #17, #18). This comment will be forwarded to County decision makers for their consideration. Please see Master Response #1.

Response to Comment I28-9:

This comment expresses support of a policy and does not address the content or adequacy of the RDEIR. Please see Master Response #1. This comment will be forwarded to County decision makers for their consideration. The commenter is also directed to General Plan Policy LU-2.2 which also limits agricultural parcel splits.

Response to Comment I28-10:

This comment does not address the content or adequacy of the RDEIR. Please see Master Response #1. This comment will be forwarded to County decision makers for their consideration. The comment is also directed to RDEIR Section 3.10 which discusses applicable policies related to agricultural resources and Williamson act contracts. Please also see Response to Comment I21-59 and I23-45 for discussion of ranchettes.

Response to Comment I28-11:

The commenter is directed to Master Response #1 and #3. The comment does not address the content or adequacy of the RDEIR. This comment will be forwarded to County decision makers for their consideration

Response to Comment I28-12:

The commenter suggests revisions to text on page 3-3 of the Goals and Policies Report to refine the criteria for Williamson Act - Prime Agricultural Land. Please see Master Response #1. This comment does not address the content or adequacy of the RDEIR. No further response provided. This comment will be forwarded to County decision makers for their consideration.

Response to Comment I28-13:

The commenter suggests revising the language in Policy AG-2.11, consistent with its policy views regarding compatibility between Williamson Act contracted lands and energy support facilities. The intent of Policy AG-2.11 is to encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste and

solar or wind farms. As the primary use indicated in the policy is to be an agricultural use, the policy as written meets the intent of the commenter's suggestion. Additionally, any proposed new use on a Williamson Act parcel must ensure consistency with the requirements of the Williamson Act. Furthermore, as discussed in Master Response #3, individual policies should not be reviewed in a vacuum, other policies and land use designations address the concerns of the commenter. For example, the Valley Agricultural Designation provides that "Uses typically allowed include irrigated crop production, orchards and vineyards; livestock; resource extraction activities and facilities that directly support agricultural operations..." (See also criteria under Policy AG-1.13). Please see Master Response #1. This comment will be forwarded to the County decision makers for their consideration.

Response to Comment I28-14:

The commenter is referred to the response prepared for Comment I28-13 and Master Response #3 and #4 for discussion of the appropriate level of detail for the General Plan.

Response to Comment I28-15:

Please see Master Response #1. This comment will be forwarded to the County decision makers for their consideration. The commenter encourages to define the term "water courses" more precisely, to address the commenter's concern that use of this term in ERM-5.7 implicates private property rights. The definition of "watercourse" provided on page 8-4 Draft General Plan 2030 Update (Revised Draft) for the term water courses is appropriate for the level of detailed required for a general plan. The comment also expresses concerns about Policy ERM-5.7 and property rights. The comment is directed to language in General Plan Part I, page 1-4 which explains that "In reading every provision of the General Plan, one should infer that it is limited by the principle: "to the extent legally permitted." The General Plan 2030 Update includes a number of implementation measures which more specifically address the issue of park land acquisition. These include the following which can be found on page 8-30 (Part I) of the General Plan 2030 Update:

- **Environmental Resource Management Implementation Measure #41.** When appropriate, based on the size of the development or if new park facilities are installed as part of an approved residential project, the County shall require the creation of a service district or landscaping and lighting district to maintain the park and its facilities [*New Program*].
- **Environmental Resource Management Implementation Measure #42.** The County Board of Supervisors shall establish and adjust, as appropriate, a park development impact fee based on a level of service to provide for funding that meets the actual cost, park acquisition, and development [*New Program*].
- **Environmental Resource Management Implementation Measure #43.** Access to suitable recreation land shall be obtained through various types of acquisition and public-private joint agreement arrangements, as applicable. Maximum efforts should be concentrated upon acquisition of recreation sites within one hour's travel time from urban concentrations throughout the County and sites that can be developed for intensive use [*ERME; Recreation; Issue 10; Recommendation 8*] [*ERME; Pg 31, Modified*].

Response to Comment I28-16:

The commenter's suggestion to modify Policy ERM-5.18 to provide certain exemptions for nighttime agricultural operations is noted. The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration. It should be noted, Policy ERM-5.18 (as currently written) is referenced as a mitigating policy in the analysis of aesthetic impacts for the RDEIR. The inclusion of the suggested policy revision has the potential to reduce the effectiveness of the mitigating effects of the policy.

Response to Comment I28-17:

The commenter requests clarification regarding the intent of the second bullet point in Policy WR-1.4. Policy WR-1.4 reads as follows:

- **WR-1.4 Conversion of Agricultural Water Resources.** For new urban development, the County shall discourage the transfer of water used for agricultural purposes (within the prior ten years) for domestic consumption except in limited circumstances including but not limited to the following:
 - The water remaining for the agricultural operation is sufficient to maintain the land as an economically viable agricultural use,
 - The reduction in infiltration from agricultural activities as a source of groundwater recharge will not significantly impact the groundwater basin [*New Policy*].

The intent of the second bullet is to highlight the condition whereby some change in water use may be appropriate as long as the associated change in use (from agricultural to urban) and the potential reduction in infiltration potential are not substantial enough to result in a significant adverse effect on recharge of the underlying groundwater basin.

Response to Comment I28-18:

The commenter's suggestion to revise the intent of Policy WR-1.10 is noted. Policy WR-1.10 directs the County to discourage channel modification in streams and rivers where the modification would increase the rate of flow, rate of sediment transport, erosive capacity, or have adverse effects on aquatic life or would modify necessary groundwater recharge. The commenter suggests revising this policy to provide exceptions for flood management and maintenance. The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I28-19:

The commenter's expresses concern that Policy WR-2.8 may commit the County to a mitigation and monitoring program that cannot be sustained. The commenter's concern is noted. The commenter is referred to Master Response #1. This suggestion will be forwarded to County decision makers for their consideration.

Response to Comment I28-20:

The commenter suggests that Policy WR-3.7 be revised to include additional detail regarding County operated water systems, and to exclude agricultural pumping from emergency water conservation plans. County water service providers only applies to County owned and operated services

The commenter's suggestion to revise the intent of Policy WR-3.7 is noted. The commenter is referred to Master Response #1. This comment will be forwarded to County decision makers for their consideration.

Response to Comment I28-21:

The commenter recommends adding a Dairy Element to the proposed General Plan 2030 Update.

The current General Plan includes the already adopted Animal Confinement Facilities Plan ("ACFP"). The County is preparing an update to the ACFP that will provide an examination of all potential impacts in a comprehensive manner. The outcome of the update process will impact the way Tulare County addresses dairies and feedlots for greenhouse gas impacts. Moving ahead with actions on greenhouse gas emissions from dairies independently of the other issues related to dairies and feedlots would be inappropriate because of the interrelationship of the issues to be addressed. . Please see response to Comment I11-73 for additional discussion of the ACFP and related environmental review.

Response to Comment I28-22:

The commenter commends the County for continuing to maintain and protect the integrity of the RVLP process and contends that the RVLP should be used to score land application requests that occur in HDBs; this comment does not address the content or adequacy of the RDEIR. See Master Response #1 and #5 for a discussion of the various planning boundaries. This comment will be forwarded to County decision makers for their consideration.

Response to Comment I28-23:

Policy RVLP-1.6 on page 1-4 of the Goals and Policies Report, Part II will be updated to address the typographical error indicated by the commenter. Revised Policy RVLP-1.6 is revised to read:

- **RVLP-1.6 Checklist** The RVLP checklist shall also be applicable to re-zoning applications which change the zoning classification from one agricultural zone to another agricultural zone and which have the effect of reducing the minimum parcel size in the following manner:

1. Less than ten (10) acres in the case of prime agricultural land, or
2. Less than forty (40) acres in the case of land which is not prime agricultural land.

The RVLP checklist is not required for existing parcels which do not meet the minimum parcel size as set forth in (1) and (2) above prior to the adoption of this policy [RVLP. Existing Policy II-C, Modified].

The commenter's suggestion to include a reference to the definition of prime agricultural farmland is noted.

Response to Comment I28-24:

The commenter expresses support for Alternative 5, the Confined Growth Alternative, as the alternative that the commenter believes would most effectively direct growth to areas within established Urban Development Boundaries. The commenter is referred to Master Response #9 for a discussion of project alternatives and Master Response #5 for a discussion of the various planning boundaries and overall project build out.

Response to Comment I28-25:

The commenter's closing statements are noted.