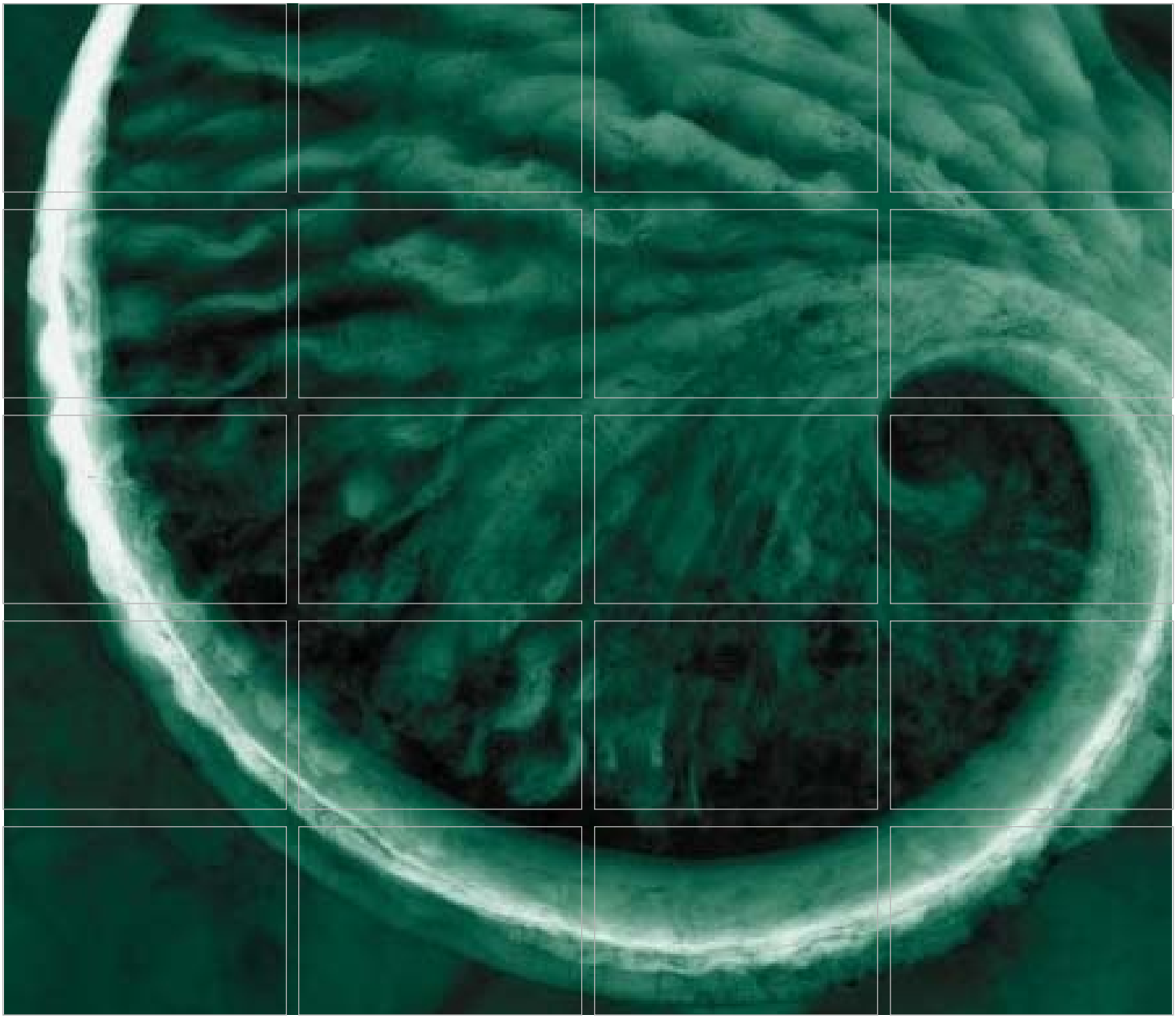

Draft Initial Study and Mitigated Negative Declaration

New Porterville Courthouse

300 East Olive Avenue
Porterville, California

Prepared for:
Administrative Office of the Courts

3 June 2009

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LIST OF ACRONYMS

AOC	Administrative Office of the Courts
ADOC	Administrative Director of the Courts
AASHTO	American Association of State Highway and Transportation Officials
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CNEL	Community noise equivalent level
dB	Decibels
dBA	Decibels adjusted
EDR	Environmental Data Resources, Inc.
EIR	Environmental Impact Report
ERM	ERM-West, Inc.
Ldn	Day-night average sound level
LEED	Leadership in Energy and Environmental Design
LOS	Level of Service
NAHC	Native American Historic Commission
NPDES	National Pollutant Discharge Elimination System
$PM_{2.5}$	Particulate matter smaller than 2.5 micrometers in aerodynamic diameter
PM_{10}	Particulate matter smaller than 10 micrometers in aerodynamic diameter
RWQCB	Regional Water Quality Control Board
SHPO	State Historic Preservation Officer
SWPPP	Storm Water Pollution Prevention Plan
USEPA	United States Environmental Protection Agency

1.0 INTRODUCTION

The Administrative Office of the Courts (AOC) is the staff agency of the Judicial Council of California. The AOC is responsible for implementation of the Trial Court Facilities Act of 2002, landmark legislation that shifts governance of California courthouses from California counties to the State of California.

The AOC proposes to construct a new approximately 90,000-square foot courthouse facility containing nine courtrooms in the City of Porterville (City) for the Superior Court of California, County of Tulare (Superior Court). The site is at 300 East Olive Avenue (See Figures 1 and 2). The City currently owns the site.

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the Judicial Council typically acts as the CEQA Lead Agency for courthouse projects. The Judicial Council has delegated its project approval authority to the Administrative Director of the Courts (ADOC). The ADOC considers a project's potential environmental impacts in its evaluation of the proposal project. If the ADOC finds that there is no evidence that the project (either as proposed or modified to include mitigation measures) may cause a significant effect on the environment, then the ADOC will find that the proposed project will not have a significant effect on the environment and will adopt a Negative Declaration for the project. Alternatively, if the ADOC finds evidence that any aspect of the proposed project may cause a significant environmental effect (after addition of mitigation measures); the ADOC will determine that an environmental impact report (EIR) is necessary to analyze project-related and cumulative environmental impacts. A lead agency can make a determination to prepare a mitigated negative declaration rather than an EIR only if "there is no substantial evidence in light of the whole record before the Lead Agency" that such impacts may occur (Public Resources Code Section 21080).

The purpose of the environmental documentation is to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not a policy document and its approval

and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals will be required.

The environmental documentation and supporting analysis are subject to a public review period. During this review, stakeholder and public agency comments on the document relative to environmental issues shall be addressed to the AOC. Following review of any comments received, the AOC will consider these comments as a part of the project's environmental review and include them with the Initial Study documentation.

1.2 PURPOSE

The purposes of this Initial Study are to:

1. Identify environmental impacts;
2. Provide the AOC with information to use as the basis for deciding whether to prepare an EIR or Negative Declaration;
3. Enable the AOC to modify the proposed project, to mitigate adverse impacts before preparation of an EIR is required;
4. Facilitate environmental assessment early in the design of the project;
5. Provide documentation of the factual basis for the finding in the Negative Declaration that the proposed project will not have a significant environmental effect;
6. Eliminate needless EIRs;
7. Determine whether a previously prepared EIR could be used for the project; and
8. Assist in the preparation of an EIR, if required, by focusing the EIR on effects determined to be significant, identifying the effects determined not to be significant, and explaining the reasons for determining that potentially significant effects will not be significant.

Section 15063 of the CEQA Guidelines identifies specific disclosure requirements for inclusion in an Initial Study. To comply with those requirements, an Initial Study shall include:

1. A description of the project, including the location of the project;
2. An identification of the environmental setting;

3. An identification of environmental effects by use of a checklist, matrix or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries;
4. A discussion of ways to mitigate significant effects identified, if any;
5. An examination of whether the project is compatible with existing zoning, plans, and other applicable land-use controls; and
6. The name of the person or persons who prepared or participated in preparation of the Initial Study.

1.3 INCORPORATION BY REFERENCE

Pertinent documents relating to this Initial Study/Mitigated Negative Declaration have been cited and incorporated in accordance with Sections 15148 and 15150 of the CEQA Guidelines, to eliminate the need for inclusion for voluminous engineering and technical reports within the Initial Study. This Initial Study/Mitigated Negative Declaration has incorporated by reference the *City of Porterville 2030 General Plan (*City of Porterville, 2008a). This document was utilized throughout this Initial Study/Mitigated Negative Declaration and is available for review on the City's website under the Community Development Department.

1.3.1 Porterville 2030 General Plan

The City adopted its *City of Porterville 2030 General Plan* ("General Plan") on 4 March 2008. The General Plan is a comprehensive, long-range plan that lays out policies and implementation strategies for the next two decades. The General Plan also focuses on current needs within the community, including neighborhood character, economic development opportunities, and mixed-use and infill development. The General Plan elements reviewed in the preparation of this document include Land Use; Health and Safety; and Open Space, Youth, and Recreation.

1.3.2 Downtown Porterville Design Guidelines Review Draft

The City is in the process of developing a new zoning ordinance for the Downtown Area. As part of this effort, the City completed the *Downtown Porterville Design Guidelines Review Draft* (Design Guidelines), dated 7 November 2008. The Design Guidelines include lot, density, and block standards for the downtown districts; building form, location, and street design; and building design. The City intends that the Design Guidelines

will assist with implementing new use regulations and standards in the Downtown Area.

2.0 PROJECT DESCRIPTION

The AOC proposes to acquire several parcels from the City, construct a new nine-courtroom courthouse on the consolidated parcels, and operate the courthouse for the Superior Court of California, County of Tulare (Superior Court). As noted above, the new courthouse will become the South Justice Center for Tulare County and will replace the existing three-courtroom courthouse in Porterville and the existing one-courtroom Tulare Division Courthouse. The new Porterville Courthouse will provide five new additional courtrooms for proposed new judgeships; court support space for court administration, court clerk, court security operations, and holding areas for in-custody detainees; and building support space. Figure 3 provides a proposed site layout map.

2.1 PROJECT LOCATION

The project site is in Porterville, Tulare County, and it is approximately 1.5 miles north of State Route 190 and 1.5 miles east of State Route 65. The site is at 300 East Olive Street and is west of the United States National Guard Armory, south of East Garden Avenue, north of East Olive Avenue, and immediately east of a recreational trail and former railroad alignment. Figure 1 provides a site vicinity map.

2.2 ENVIRONMENTAL SETTING

2.2.1 Existing Land Uses

The project site is approximately 7.4 acres and is developed with a baseball field (including a batting cage and a spectator stand) and a recreational field in the western portion of the site and buildings associated with the Porterville Fairgrounds in the eastern portion of the site. The Porterville Fairgrounds also includes existing landscaping consisting of grassy areas, shrubs, and several trees. A current site layout map is provided as Figure 2.

The City owns the property, and it identifies the property as the Porterville Fairgrounds - Municipal Ball Park. The baseball and recreational fields are currently used by residential neighbors and other Porterville residents for sports practices and games. The baseball field

includes bleachers and a small structure previously used as a concession building (Tetra Tech EM, Inc. [Tetra Tech], 2008). Temporary board structures are placed in the outfield of the baseball field for youth soccer games. The athletic fields are lit for night events with overhead lights and power lines. The project site is also the site of the annual Porterville Fair and other large group events.

A non-profit organization, the Tulare County Junior Livestock and Community Fair, Inc., leases the property. There are currently 11 permanent structures on the site for fairground activities (Tetra Tech, 2008).

The City has notified the AOC that if the AOC acquires the proposed courthouse site from the City, then the City will relocate the fairgrounds near the City's airport. If the AOC purchases the land for the new Porterville Courthouse, the AOC will demolish the property's existing structures and remove the associated debris from the site.

2.2.2 *Surrounding Land Uses*

The following land uses are immediately adjacent to the project site:

- North: East Garden Avenue and a residential neighborhood;
- East: The U.S. National Guard Armory and Plano Street;
- South: East Olive Avenue and vacant land owned by the California Junior Livestock Association; and
- West: A recreational trail and former railroad alignment (see Figure 2) and residential buildings and North Fourth Street.

The nearest water bodies are the Pioneer Ditch adjacent to the north of the site, the Porter Slough adjacent to the southwest, and the Tule River approximately 0.6 mile south of the project site. Lake Success is located approximately 8 miles east of the project site.

2.3 *EXISTING GENERAL PLAN AND ZONING DESIGNATION*

As presented in the General Plan (see Figure 2-2, *General Plan Land Use Diagram*), the project site is designated as Public/Institutional. The project site is currently zoned as Open Area (O-A). This classification includes a variety of uses such as community playhouses, golf courses/country

clubs, libraries, museums/art galleries, public and private parks, and public buildings.

2.4 *PROJECT BACKGROUND*

The County of Tulare currently has five court locations serving the northern and southern portions of the County:

- The Tulare County Courthouse and the Juvenile Justice Facility in Visalia;
- The Tulare Division Court Building in the City of Tulare;
- The Porterville Courthouse in Porterville; and
- The Dinuba Court Building in Dinuba.

The Tulare County Courthouse in Visalia is the main facility, and the other facilities serve as branch court locations. Due to significant projected population growth in the Porterville area over the next 20 years, the Court has recognized the need to create two main service regions: a North Justice Center in Visalia and a South Justice Center based in Porterville.

The new Porterville Courthouse will become the South Justice Center and will replace the two inadequate court facilities currently serving the County's southern communities—the Porterville Courthouse and the Tulare Division Court Building. These existing facilities are functionally deficient, overcrowded, and have poor security and physical conditions. Operating two separate court facilities in the south county area is relatively inefficient, and the existing facilities will remain incapable of meeting the region's current demand for court services due to the recent and projected high population growth in the County (Judicial Council of California, 2007).

The Tulare County Board of Supervisors and the City adopted resolutions in October 2007 to express support of the need to replace the existing Porterville courthouse with a new facility in Porterville and to pledge to work with the State to develop the project. The AOC has been working collaboratively with the County of Tulare (County) and City to develop a project that meets the goals of the local community (Judicial Council of California, 2007).

2.5 *PROJECT PURPOSE AND OBJECTIVES*

The purpose of the project is to provide a new courthouse facility for the Superior Court. The project's objectives are to:

- Consolidate judicial operations from other facilities into one facility;
- Replace outdated, worn, and undersized buildings,
- Relieve the Court's current shortage of space, and
- Provide space for new judicial services and improved facilities with better internal security and access for judicial staff and the public.

2.6 *PROJECT CHARACTERISTICS*

The new Porterville Courthouse will be a four-story building plus a roof-top machinery room with a total height of approximately 75 feet and a gross floor area of approximately 90,000 square feet. As noted above, the courthouse will have nine courtrooms; support space for court administration, court clerk, court security operations and holding; and building support space. The building will face East Olive Avenue, and the primary public driveway will be accessible from East Olive Avenue in the southeastern portion of the site. The project will include a center turn lane on East Olive Avenue for vehicles turning into the courthouse's public driveway to Olive Avenue. The courthouse will have a gated secondary driveway in the northwestern portion of the site to restrict access from East Garden Avenue to the court staff parking area and the sallyport and another driveway connection to Murray Street. Driveway sight lines will comply with American Association of State Highway and Transportation Officials (AASHTO) standards. The AOC's development of the project site will conform to recommendations of the Superior Court, the Tulare County Sheriff's Department, and the City Fire Department to ensure adequate emergency access.

The proposed project will include approximately 320 on-site surface parking spaces for court staff and visitors, 11 secured basement parking spaces for judicial officers and court executives, and a secured basement sallyport (secure passageway or tunnel) for transport of in-custody detainees to the northwestern portion of the building. A drop-off area with a turnaround will be located in the southeastern portion of the site. Landscaped areas with trees will be present along the western and southern perimeter of the project site and in the central portion of the site. In addition, spaced landscaping is proposed throughout the parking lot.

Since the AOC is the project's lead agency and is acting for the State of California on behalf of the Judicial Council of California, local governments' land use planning and zoning regulations do not apply to the proposed courthouse project. The AOC will base the design of the new courthouse on its Principles of Design for California Court Buildings (AOC 2008d). The AOC adapted these principles from the *Guiding Principles for Federal Architecture* by Daniel Patrick Moynihan, Hon. AIA and on the *Excellence in Public Buildings Initiative*, by Stephan Castellanos, FAIA, and former State Architect of California. These principles include:

- Court buildings shall represent the dignity of the law, the importance of the activities within the courthouse, and the stability of the judicial system;
- Court buildings shall represent an individual expression that is responsive to local context, geography, climate, culture, and history, and shall improve and enrich the sites and communities in which they are located;
- Court buildings shall represent the best in architectural planning, design, and contemporary thought, and shall have requisite and adequate spaces that are planned and designed to be adaptable to changes in judicial practice;
- Court buildings shall be economical to build, operate, and maintain;
- Court buildings shall provide a healthy, safe, and accessible environment for all occupants; and
- Court buildings shall be designed and constructed using proven best practices and technology, with careful use of natural resources.

The AOC will apply the following codes and standards: California Building Code (edition in effect as of the commencement of schematic design phase of a particular court project); California Code of Regulations, Title 24; California Energy Code, Americans with Disabilities Act; American Disability Act Accessibility Guidelines (Section 11); and Division of the State Architect's Access Checklist. As part of the AOC's compliance with the California Building Code, the project will include preparation of a geotechnical report and utilization of the report's recommendations to prepare design criteria that will ensure that the project's design meets requirements of the California Building Code for geological and soil issues.

The AOC's design will incorporate features that comply with the requirements for Leadership in Energy and Environmental Design (LEED)

Silver Certification features. The LEED system includes criteria for green practices that incorporate sustainability, water efficiency, energy and atmosphere, materials and resources, indoor environmental quality, and innovation and design processes. Points are awarded for attaining criteria listed in the LEED checklist (Appendix A). The project's features will include drainage features such as vegetated swales and other best management features to retard and filter storm runoff and promote runoff percolation, and the project's design will prevent on-site flooding and direct runoff to the City's existing storm drain facilities. The AOC will also implement a lighting plan that complies with LEED requirements. The requirements (US Green Building Council 2003) relevant to lighting include:

- Meet or provide lower light levels and uniformity ratios than those recommended by the *Illuminating Engineering Society of North America (IESNA) Lighting for Exterior Environments: An IESNA Recommended Practice* (Illuminating Engineering Society of North America 1999);

- Design exterior lighting such that all exterior luminaries with more than 1,000 initial lamp lumens are shielded and all luminaries with more than 3,500 initial lamp lumens meet the Full Cutoff Illuminating Engineering Society of North America Classification;

- The maximum candela value of all interior lighting shall fall within the building (not out through windows) and the maximum candela value of all exterior lighting shall fall within the property; and

- Any luminary within a distance of 2.5 times its mounting height from the property boundary shall have shielding such that no light from that luminary crosses the property boundary.

The AOC plans to acquire the site in 2009, begin construction in February 2011, complete construction in July 2012, and begin operation in August 2012. The AOC's construction contract will include provisions that require the construction contractor to acquire the Central Valley Regional Water Quality Board's approval of a Storm Water Pollution Prevention Plan and to implement the plan. Prior to construction of the courthouse, the AOC will demolish the property's existing structures that have been used for the Porterville Fairgrounds. After completion of the new courthouse, the Superior Court will vacate the current Porterville and Tulare facilities.

2.7 *PROJECT APPROVALS*

The ADOC is responsible for approving this project. The State of California's Public Works Board must also approve the selection and acquisition of real property for the location or expansion of State of California facilities.

The AOC must acquire the proposed site's title from the City. The City may rely on the AOC's Mitigated Negative Declaration for the fee acquisition. The City must also approve utility connections and street connections for the project.

3.0 INITIAL STUDY CHECKLIST

3.1 BACKGROUND

1.	**Project title:** New Porterville Courthouse
2.	**Lead agency name and address:** Judicial Council of California Administrative Office of the Courts 2860 Gateway Oaks Drive, Suite 400 Sacramento, CA 95833-3509
3.	**Contact person and phone number:** Jerome Ripperda, Environmental Analyst Phone: (916) 263-8865 Fax: (916) 263-8140 Email: Jerry.Ripperda@jud.ca.gov
4.	**Project location:** The project site is located in Porterville, California near the intersection of East Olive Avenue and Plano Street.
5.	**Project sponsor's name and address:** Judicial Council of California Administrative Office of the Courts 2860 Gateway Oaks Drive Sacramento, CA 95833-3509
6.	**General plan designation:** Public/Institutional
7.	**Zoning:** Open Area (O-A), with a Land Use Designation of Public/Institutional; the project site is also listed in the Downtown Public and Semi-Public (D-PS) District in the *Downtown Porterville Design Guidelines Review Draft.*
8.	**Description of project: (Describe the whole action involved, including, but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)** Refer to Section 2.6, Project Characteristics.
9.	**Surrounding land uses and setting: Briefly describe the project's surroundings.** The following land uses are immediately adjacent to the project site: North—East Garden Avenue and residential buildings, East—The U.S. National Guard Armory and Plano Street;, South—East Olive Avenue and vacant land owned by the California Junior Livestock Association, and West—A recreational trail and former railroad alignment and residential buildings and North Fourth Street.

10.	**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**
	None needed at this time.

3.2 *EVALUATION OF ENVIRONMENTAL IMPACTS*

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

As a preliminary environmental assessment, this Initial Study determines whether there are potentially significant impacts that warrant additional analysis and comprehensive mitigation measures to minimize the level of impact. On-site, off-site, long-term, direct, indirect, and cumulative impacts are analyzed for the construction and operation of the proposed project. The Initial Study poses questions with four possible responses for each question:

- **No Impact.** The environmental issue in question does not apply to the project, and the project will therefore have no environmental impact;
- **Less Than Significant Impact.** The environmental issue in question does apply to the project site, but the associated impact will be below thresholds that are considered to be significant;
- **Potentially Significant Unless Mitigated.** The project will have the potential to produce significant impacts with respect to the environmental issue in question. However, mitigation measures modifying the operational characteristics of the project will reduce impacts to a less than significant level; and

- **Potentially Significant Impact.** The project will produce significant impacts, and further analysis will be necessary to develop mitigation measures that could reduce impacts to a less than significant level.

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
1. AESTHETICS–Will the project:				
a) Have a substantial adverse effect on a scenic vista? (Section 4.1a)			✓	
b) Substantially damage scenic resources such as trees, rock outcroppings, historic buildings, and other features? (Section 4.1b)			✓	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?(Section 4.1c)			✓	
d) Create a new source of substantial light or glare that will adversely affect day or nighttime views in the area? (Section 4.1d)			✓	
2. AGRICULTURAL RESOURCES–Will the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Section 4.2a)				✓
b) Conflict with existing zoning for agricultural use or a Williamson Act contract? (Section 4.2b)				✓
c) Involve other changes in the existing environment that could result in conversion of farmland to non-agricultural use? (Section 4.2c)				✓
3. AIR QUALITY–Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Will the project:				
a) Obstruct implementation of the applicable air quality plan? (Section 4.3a)		✓		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Section 4.3b)		✓		
c) Result in a cumulative considerable net increase of any criteria pollutant for which the project region has non-attainment status under an applicable federal or state ambient air quality standard? (Section 4.3c)		✓		

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations? (Section 4.3d)		✓		
e) Create objectionable odors affecting a substantial number of people? (Section 4.3e)			✓	
f) Substantially conflict with the State's goal of reducing greenhouse gas emissions in California to 1990 levels by 2020 as set forth by the timetable established in Assembly Bill 32, the California Global Warming Solutions Act of 2006? (Section 4.3f)			✓	
4. BIOLOGICAL RESOURCES–Will the project:				
a) Have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Section 4.4a)				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Section 4.4b)				✓
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act? (Section 4.4c)				✓
d) Interfere substantially with the movement of any native resident fish or wildlife species, native migratory fish or wildlife species, established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (Section 4.4d)				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Section 4.4e)				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Section 4.4f)				✓
5. CULTURAL RESOURCES–Will the project:				
a) Cause a substantial adverse change in the significance of a historic resource? (Section 4.5a)			✓	

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource? (Section 4.5b)			✓	
c) Disturb any human remains? (Section 4.5c)			✓	
6. GEOLOGY AND SOILS–Will the project:				
a) Expose people or structures to potential substantial adverse effects involving the rupture of a known earthquake fault? (Section 4.6a)			✓	
b) Expose people or structures to potential substantial adverse effects involving strong seismic ground-shaking? (Section 4.6b)			✓	
c) Expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction? (Section 4.6c)			✓	
d) Expose people or structures to potential substantial adverse effects involving landslides? (Section 4.6d)				✓
e) Result in substantial soil erosion or the loss of topsoil? (Section 4.6e)			✓	
f) Expose people or structures to potential substantial adverse effects involving expansive soil? (Section 4.6f)			✓	
g) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Section 4.6g)				✓
h) Destroy a unique paleontological resource or site or unique geologic feature? (Section 4.6h)			✓	
7. HAZARDS AND HAZARDOUS MATERIALS–Will the project:				
a) Create a significant hazard to the public or the environment through routine transport, use, emission, or disposal or accidental release of hazardous materials? (Section 4.7a)		✓		
b) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and will it create a significant hazard to the public or the environment? (Section 4.7b)				✓

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
c) For a project located within an airport land-use plan, within 2 miles of a public airport or public use airport, or within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area,? (Section 4.7c)				✓
d) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Section 4.7d)			✓	
e) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires? (Section 4.7e)			✓	
8. HYDROLOGY AND WATER QUALITY–Will the project:				
a) Violate any water quality standards or waste discharge requirements? (Section 4.8a)			✓	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level? (Section 4.8b)			✓	
c) Substantially alter the existing drainage pattern of the site or area in a manner that will result in substantial erosion or siltation? (Section 4.8c)			✓	
d) Substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner that will result in flooding? (Section 4.8d)			✓	
e) Create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (Section 4.8e)			✓	
f) Otherwise substantially degrade water quality? (Section 4.8f)			✓	
g) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Section 4.8g)				✓
h) Place structures within a 100-year flood hazard area that will impede or redirect flood flows? (Section 4.8h)			✓	

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? (Section 4.8i)			✓	
j) Expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow? (Section 4.8j)			✓	
9. LAND USE AND PLANNING–Will the project:				
a) Physically divide an established community? (Section 4.9a)			✓	
b) Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project(Section 4.9b)				✓
10. MINERAL RESOURCES–Will the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? (Section 4.10a)				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan? (Section 4.10b)				✓
11. NOISE–Will the project:				
a) Produce a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Section 4.11a)		✓		
b) Produce a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Section 4.11b)			✓	
c) Expose persons to or generation of excessive groundborne vibration or groundborne noise levels? (Section 4.11c)		✓		
d) Expose people residing or working in the project area to excessive airport-related noise levels or excessive private airstrip-related noise levels? (Section 4.11d)				✓
12. POPULATION AND HOUSING–Will the project:				
a) Induce substantial population growth in an area? (Section 4.12a)			✓	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Section 4.12b)				✓

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Section 4.12c)				✓
13. PUBLIC SERVICES–Will the project result in substantial adverse physical impacts associated with the provision of new or physically altered:				
a) Fire protection facilities or the need for new or physically altered fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives? (Section 4.13a)			✓	
b) Police facilities or the need for new or physically altered police facilities in order to maintain acceptable service ratios, response times, or other performance objectives? (Section 4.13b)			✓	
c) School facilities or the need for new or physically altered school facilities in order to maintain other performance objectives? (Section 4.13c)			✓	
d) Other public facilities or the need for new or physically altered public facilities in order to maintain performance objectives? (Section 4.13d)			✓	
14. RECREATION–Will the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated? (Section 4.14a)			✓	
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? (Section 4.14b)		✓		
15. TRANSPORTATION/TRAFFIC–Will the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system? (Section 4.15a)			✓	
b) Exceed a level of service standard established by the county congestion management agency for designated roads or highways? (Section 4.15b)			✓	
c) Result in a change in air traffic patterns that produces substantial safety risks? (Section 4.15c)				✓
d) Substantially increase hazards due to a design feature? (Section 4.15d)			✓	
e) Result in inadequate emergency access? (Section 4.15e)			✓	

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
f) Result in inadequate parking capacity? (Section 4.15f)			✓	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Section 4.15g)			✓	
16. UTILITIES AND SERVICE SYSTEMS–Will the project:				
a) Have service from a wastewater treatment provider that has adequate capacity to serve the project's projected demand? (Section 4.16a)			✓	
b) Exceed wastewater treatment requirements of the applicable RWQCB? (Section 4.16b)			✓	
c) Require the construction of new water or wastewater treatment facilities or expansion of existing facilities? (Section 4.16c)			✓	
d) Require the construction of new storm water drainage facilities or expansion of existing facilities? (Section 4.16d)			✓	
e) Have sufficient water supplies available from existing entitlements and resources? (Section 4.16e)			✓	
f) Have service from a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Section 4.16f)			✓	
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Section 4.16g)			✓	
17. MANDATORY FINDINGS OF SIGNIFICANCE–Will the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? (Section 4.17a)			✓	
b) Have impacts that are individually limited, but cumulatively considerable? (Section 4.17b)		✓		
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Section 4.17c)		✓		

4.0 ENVIRONMENTAL ANALYSIS

4.1 AESTHETICS

a) Will the project have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The project site is mapped on the U.S. Geological Survey 7 ½-minute Porterville, California Topographic Quadrangle at an approximate location of 36.0661° north latitude, and 119.0116° west longitude (United Stated Geological Survey, 1951). According to the topographic map, the site and surrounding area are flat and at an elevation of approximately 479 feet above mean sea level. Evaluation of aesthetics was based on a site visit of the project area performed by ERM-West, Inc. (ERM), aerial photographs of the site (Google, Inc., 2008), and the Porterville General Plan (City of Porterville, 2008a). Based on the above, scenic resources in the vicinity of the project site include the Tule River approximately 0.6 mile south of the site, and Rocky Hill (a mountain summit reaching 1,775 feet above sea level) approximately 3 miles northeast of the site. The Tule River is not visible from the project site or immediate vicinity.

Rocky Hill and several other hillsides in the surrounding area are currently visible from a public viewpoint adjacent to the project site, which is a recreational trail/railroad alignment (Rails-to-Trails bike and pedestrian trail) adjacent to the west of the project site. Construction of the proposed courthouse project will affect views of surrounding hills from a portion of the adjacent recreational trail. Given the new courthouse's proposed footprint of approximately 35,000 square feet and a height of 75 feet, however, the proposed project will not significantly block views of scenic vistas or other scenic resources in the vicinity of the site. Therefore, the proposed project will have a less than significant impact on scenic vistas.

Mitigation Measures: No mitigation measures are required.

b) Will the project substantially damage scenic resources such as trees, rock outcroppings, historic buildings, and other features?

Less Than Significant Impact. Other than existing landscaping (grassy areas, shrubs) and trees, there are no natural rock outcroppings or other

scenic resources on the site, based on observations from the site visit and aerial photographs. The existing trees on the site are common landscape trees and are not scenic features. The project will remove the site's existing trees, but the project will plant new trees along the perimeter of the site and in the parking lot. The AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

c) *Will the project substantially degrade the existing visual character or quality of the site and its surroundings?*

Less Than Significant Impact. The project site is currently used as the Porterville Municipal Ball Park and Grounds and leased by the nonprofit organization, the Tulare County Junior Livestock and Community Fair, Inc., for the Porterville Fair and other large group events. The site is also developed with baseball and recreational fields and buildings associated with the Porterville Fairgrounds. The proposed project will result in visual changes to the site due to the demolition of these existing features, and the construction of the new, four-story Porterville Courthouse and approximately 320-space parking lot. As observed during the site visit and from review of the Porterville General Plan (Cultural Resources, Section 6.8), the existing buildings do not have unique architectural features and are not City-designated historic resources. Therefore, the demolition of the existing site buildings will not be a significant visual quality impact.

The proposed Olive Avenue site is in an urban setting, and surrounding buildings include a wide variety of styles and materials. The proposed four-story, approximately 75-foot-high courthouse will be taller than surrounding buildings and will therefore have greater visibility from public streets and sidewalks within the general vicinity of the project site. The courthouse's design will represent the dignity of the law, the importance of the activities within the courthouse, and the stability of the judicial system. The design will be responsive to local context, geography, climate, culture, and history. The AOC expects the courthouse's features to be generally consistent with development standards of the City's Development Code. The AOC concludes that the project will not substantially degrade the existing visual character or aesthetic quality of the site's surroundings.

The AOC expects to begin construction in February 2011 and complete the project in July 2012. During this period, construction debris, demolition and construction activities, and typical construction equipment such as

tractors and cranes will cause short-term visual impacts, but the construction-related visual impacts will occur for only an approximately 15-month period. These visual impacts will no longer exist after project completion. Therefore, the AOC concludes that construction-related impacts to visual character or quality will be less than significant.

Mitigation Measures: No mitigation measures are required.

d) *Will the project create a new source of substantial light or glare that will adversely affect day or nighttime views in the area?*

Less Than Significant Impact. The project site is currently developed with lighted baseball and recreational fields and several existing fairgrounds-related buildings. The site currently does not produce substantial glare, but the site's recreational-related lighting does produce substantial light when evening recreational activities occur.

Most of the building's interior lighting will be limited to the Superior Court's typical weekday operational hours and the periods immediately before and after the Superior Court's operations. As noted in Section 2.6, the AOC will shield all light sources to minimize light on surrounding properties, and landscaping will also block light from the project's lights to other properties. Furthermore, light sources are already present on the project site from the existing parking lot and neighboring buildings. The courthouse's security lighting will not be substantially different from nearby commercial buildings' lighting, so the project's security lighting will be a very minor additional source of substantial light. Implementation of these measures and other LEED guidelines will reduce both the generation of exterior light and the potential for light trespass to affect off-site areas. Because the project will comply with LEED criteria for reducing light pollution, the AOC concludes that the project will not create a new source of substantial light that will adversely affect day or night-time views in the area.

The California Trial Court Facilities Standards (Judicial Council of California, 2006) emphasize that the State's courthouse buildings will be appropriate to the surroundings and will not have substantial metallic finishes. Therefore, the project will not add building features such as metallic finishes that generate substantial glare.

Mitigation Measures: No mitigation measures are required.

4.2 *AGRICULTURAL RESOURCES*

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

No Impact. According to the Porterville General Plan (see Figure 6-2, *Farmlands, 2030)* ; source: California Department of Conservation, 2002, as cited in the General Plan), the site of the proposed project is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed project site is surrounded by land developed for commercial and residential uses. Therefore, the proposed project will not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

Mitigation Measures: No mitigation measures are required.

b) *Will the project conflict with existing zoning for agricultural use or a Williamson Act contract?*

No Impact. The proposed project site has a Public/Institutional designation in the Porterville General Plan and Open Area (O-A) zoning designation, which includes public buildings as a permitted use. The Open Area district is not set aside for agricultural uses. Furthermore, according to the Porterville General Plan *Farmlands 2030 Map,* there are no lands under the Williams Act contract in the vicinity of the project site. The proposed project does not conflict with existing zoning for agricultural use or a Williamson Act contract, and the project will have no impact.

Mitigation Measures: No mitigation measures are required.

c) *Will the project involve other changes in the existing environment that could result in conversion of farmland to non-agricultural use?*

No Impact. The proposed project is consistent with the General Plan and does not involve any changes to the existing environment that might convert farmland to non-agricultural use. The development of the new courthouse will have no impact on conversion of farmland to non-agricultural use.

Mitigation Measures: No mitigation measures are required.

4.3 *AIR QUALITY*

a) *Will the project conflict with or obstruct implementation of the applicable air quality plan?*

Potentially Significant Impact Unless Mitigated. The project site is located in the San Joaquin Valley Air Basin. The San Joaquin Valley Air Pollution Control District (Air Pollution Control District) has the primary responsibility for ensuring that the San Joaquin Valley Air Basin attains and maintains compliance with federal and state ambient air quality standards. The region currently has a nonattainment status for the federal 8-hour ozone standard, state 8-hour and 1-hour ozone standards, and the standard for particulate matter smaller than 2.5 micrometers in aerodynamic diameter ($PM_{2.5}$). Based on measurements of particulate matter smaller than 10 micrometers in aerodynamic diameter (PM_{10}, which includes $PM_{2.5}$) from 2003-2006, the U.S. Environmental Protection Agency (USEPA) found that the San Joaquin Valley Air Basin had met the PM_{10} standard (San Joaquin Valley Air Pollution Control District , 2008a). As a result, the area has air quality plans that address attainment of the ozone and $PM_{2.5}$ standards (San Joaquin Valley Air Pollution Control District, 2008b, 2007b, and 2004), and maintenance of the PM_{10} (San Joaquin Valley Air Pollution Control District, 2007a) standards.

The proposed project will not significantly conflict with or obstruct the implementation of the ozone, $PM_{2.5}$, or PM_{10} air quality plans. Construction of the proposed project will generate short-term emissions of ozone precursors, $PM_{2.5}$, and PM_{10} through the use of construction equipment burning fossil fuels. According to the Air Pollution Control District's Guide for Assessing and Mitigation Air Quality Impacts (Guide) (San Joaquin Valley Air Pollution Control District, 2002), emissions of these pollutants can be reduced to less than significant levels with the implementation of the measures identified in Air Pollution Control District's Regulation VIII and listed below. In addition, the Air Pollution Control District has determined that short-term emissions of ozone precursor from construction equipment will not cause significant impacts on air quality except for very large or intense construction projects.

As part of the proposed project, the AOC will construct a courthouse where an existing ball park and fairgrounds are located. The project will generate new vehicle trips and create new air emissions; however, the overall increases in trips and emissions are small. The Air Pollution Control District's Guide specifies that ozone precursors, which include nitrogen oxides and reactive organic gases, are of concern when

examining operational emissions and that an increase of 10 tons per year of ozone precursors is a significant impact. However, as shown in Appendix B, the Guide shows that ozone precursor emissions are less than significant if total new trips are less than 1,400 trips per day. As discussed in Section 4.15, analysts predict that the proposed project will generate 305 new trips per day, which is well below the Guide's threshold for ozone precursors. Therefore, the associated small increase in vehicle trips will not significantly impede the attainment or maintenance of the ozone standards, and the project's ozone impacts are less than significant.

Mitigation Measures: The following mitigation measures recommended by the Air Pollution Control District will reduce construction-related PM_{10} impacts to a level that is less than significant:

AIR QUALITY 1

> In all disturbed areas, including storage piles that are not being actively utilized for construction purposes, the construction contractor shall be effectively stabilize dust emissions using water, chemical stabilizer/suppressant, covering with a tarp or other suitable cover or vegetative ground cover;

AIR QUALITY 2

> Use water or chemical stabilizer/suppressant materials to effectively stabilize dust emissions on all on-site unpaved roads;

AIR QUALITY 3

> All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall include application of water to effectively control fugitive dust emissions;

AIR QUALITY 4

> If materials are transported off-site, the construction contractor shall cover all material or effectively wet all materials to limit visible dust emissions and maintain at least 6 inches of freeboard space from the top of the container;

AIR QUALITY 5

All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday;

AIR QUALITY 6

Following the addition of materials to outdoor storage piles or the removal of materials, the construction contractor shall effectively stabilize the surface of outdoor storage piles utilizing sufficient water or chemical stabilizer/suppressant to prevent fugitive dust emissions; and

AIR QUALITY 7

Install sandbags or other erosion control measures to prevent silt runoff to public roadways from areas with a slope greater than 1 percent.

b) *Will the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Potentially Significant Impact Unless Mitigated. Although the construction of the proposed project will produce temporary, short-term emissions of criteria pollutants, as stated previously in part (a) the emissions of ozone precursors, $PM_{2.5}$ and PM_{10} from construction activity will be minor and will not impede the attainment or maintenance of the ozone, $PM_{2.5}$, or PM_{10} standards with appropriate mitigation measures. Construction activities may produce a temporary increase in localized concentrations of PM_{10} (which includes $PM_{2.5}$) that may impact nearby sensitive receptors (e.g., nearby residences). PM_{10} is primarily generated through ground disturbance activities such as grading and vehicles traveling on paved and unpaved roads. These PM_{10} impacts can be reduced to less than significant levels by applying the mitigation measures Air Quality 1 through Air Quality 7 identified in part (a).

Construction of the proposed project will also involve demolition of existing fairgrounds structures. The buildings were constructed in the 1960s and 1970s (Tetra Tech, 2008). Due to the construction date of the buildings, there is a possibility that asbestos materials may have been used in building construction. Besides the generation of PM_{10}, demolition may result in the release of asbestos into the air if not properly handled. As long as the proposed project complies with Air Pollution Control District regulations, which require compliance with asbestos demolition

and renovation requirements developed by the USEPA in the National Emission Standards for Hazardous Air Pollutants regulation, Title 40 of the Code of Federal Regulations, Part 61, Subpart M, impacts from potential asbestos releases are not considered significant. The Air Pollution Control District's regulations require appropriate notification and the application of measures to control potential releases of asbestos.

As discussed in part (a), the increase in ozone precursor emissions will not likely significantly impact the attainment of ozone standards. Also, at nearby intersections, the additional vehicles may increase local carbon monoxide concentrations, which are affected by not only the number of vehicles, but by the level of congestion. Congestion at intersections can be characterized by the level of service (LOS). LOS is a qualitative description of intersection operations and is reported using an "A" through "F" rating system, with "A" indicating little or no delay and F indicating excessive delay. However, according to the Air Pollution Control District's Guide, violations of the carbon monoxide standard are not expected at intersections where the LOS with the proposed project is D or better. As described in Section 4.15, the LOS is predicted to be C or better at the nearby intersections analyzed. Therefore, any carbon monoxide concentration increase is anticipated to be less than significant.

Mitigation Measures: Implement mitigation measures AIR QUALITY 1 through AIR QUALITY 7.

c) *Will the project result in a cumulative considerable net increase of any criteria pollutant for which the project region has a non-attainment status under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Potentially Significant Impact Unless Mitigated. The region currently has a nonattainment status with the federal ozone standard and $PM_{2.5}$ standards. As discussed previously, the Air Pollution Control District does not consider ozone precursor emissions from short-term construction activity to be significant. The project will contribute PM_{10} and $PM_{2.5}$ emissions from construction activities; after incorporation of the mitigation measures identified in part (a) the cumulative impacts from short-term PM_{10} and $PM_{2.5}$ emissions from construction activities will be less than significant.

The courthouse itself will not produce additional population growth; therefore, the project will not directly produce a net increase in pollutants. The slight increase in emissions represented by the project will

cumulatively add to the emissions from existing and future development in the region. In addition, the proposed courthouse will be consistent with the current Public/Institutional land use designation. Considering the expected small increase in emissions associated with the proposed project, the cumulative impacts are less than significant.

Mitigation Measures: Implement mitigation measures AIR QUALITY 1 through AIR QUALITY 7.

d) Will the project expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact Unless Mitigated. The proposed project is located near residences to the north and west. Of particular concern to nearby sensitive receptors are PM_{10}, $PM_{2.5}$, and carbon monoxide concentrations. During construction, the proposed project may result in an increase in PM_{10} and $PM_{2.5}$ concentrations for these nearby sensitive receptors. However, with the application of the mitigation measures identified in part (a) above, the impacts are considered less than significant. Also, after construction, local carbon monoxide concentrations may increase at nearby intersections. As discussed in part (b), the minimal increase in vehicles and congestion will not likely result in significant impacts to nearby sensitive receptors.

Mitigation Measures: Implement mitigation measures AIR QUALITY 1 through AIR QUALITY 7.

e) Will the project create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. During construction, odors may be generated from the exhaust of diesel-powered equipment. However the odors will be temporary in nature and are not expected to significantly affect a substantial number of people. Once the proposed project is constructed, no new significant sources of odors will be generated. Therefore, the overall impacts from odors will be less than significant.

Mitigation Measures: No mitigation measures are required.

f) Will the project substantially conflict with the State's goal of reducing greenhouse gas emissions in California to 1990 levels by 2020, as set forth by the timetable established in Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006?

Less Than Significant Impact. In 2006, the State Legislature passed Assembly Bill 32 that charged the California Air Resources Board (Board) to develop regulations on how the State will address global climate change. There are currently no published thresholds for measuring the significance of a project's cumulative contribution to global climate change. The Board's Draft Scoping Plan (California Air Resources Board 2008a) presented a comprehensive set of actions designed to reduce overall carbon emissions in California, improve California's environment, reduce dependence on oil, diversify California's energy sources, save energy, and enhance public health while creating new jobs and enhancing the growth in California's economy. For State of California agencies, the Draft Scoping Plan emphasized the State's role of setting an example to meet improved energy standards for new State buildings. The Board concluded that the State of California should set an example by requiring all new State buildings to exceed existing energy standards and meet nationally recognized building sustainability standards such as Leadership in Energy and Environmental Design Silver Certified ratings. In response, the California Building Standards Commission on July 17, 2008, adopted green building standards, amending the 2007 California Green Building Standards Code, CCR, Title 24, Part 11.

The Board updated the set of actions with a Proposed Scoping Plan (California Air Resources Board 2008b) The Proposed Scoping Plan repeated the Board's emphasis that the State of California, as an owner-operator of key infrastructure facilities, has the ability to ensure that the most advanced, cost-effective environmental performance requirements are used in the design, construction, and operation of State facilities. The Plan continues the Board's emphasis on a green building strategy to achieve significant reductions in greenhouse gas emissions through the design and construction of new green buildings as well as the sustainable operation, retrofitting, and renovation of existing buildings.

The AOC's design will incorporate features that conform with the achieving a LEED Silver certification, which complies with the Board's Draft Scoping Plan for AB 32 compliance (California Air Resources Board 2008d) and the Proposed Scoping Plan (California Air Resources Board 2008e); and the California Building Standards Commission's green

building standards in the 2007 California Green Building Standards Code, CCR, Title 24, Part 11.

In addition, the proposed courthouse site is in downtown Porterville near existing local government offices and transit facilities, minimizing vehicle miles traveled by passenger vehicles. Therefore, the AOC concludes that the project is consistent with the State's plan for reducing greenhouse gas emissions and has less than significant impacts on the State's goal of reducing emissions of greenhouse gases.

Mitigation Measures: No mitigation measures are required.

4.4 BIOLOGICAL RESOURCES

a) Will the project have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?

No Impact. The proposed 7.4-acre site is currently developed with baseball and recreational fields and buildings associated with the Porterville Fairgrounds. According to the General Plan (Figure 6-4, *Special Status Species and Sensitive Vegetation Map)*, the project site is located in an area where a special status plant species, *Fritillaria striata* (striped adobe lily), may be present (sources as cited in General Plan, 2008a: California National Diversity Database, 2007; California Gap Analysis, 1998; US Fish & Wildlife Service Wetlands Geodatabase, 2007; California Department of Fish and Game, 2007; Sequoia Riverlands Trust, 2007; City of Porterville, 2007).

During the site visit, analysts observed that the majority of the site area that is not developed with buildings consisted of landscaped, grass-covered areas. The past grading activities at the site for development of the recreational fields and fairground facilities, soil compaction from pedestrian and vehicle movements on the site, regular irrigation of the site, and regular mowing of the site make the potential presence of *Fritillaria striata* very unlikely. Therefore, the AOC concludes that the project will have no impacts on candidate, sensitive, or special status species.

Mitigation Measures: No mitigation measures are required.

b) *Will the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

No Impact. According to the General Plan (see Figure 6-4, *Special Status Species and Sensitive Vegetation Map)*, no riparian habitat or other sensitive natural community has been identified on the project site or within the vicinity of the proposed project site. Therefore the proposed project will have no impact on riparian or other sensitive natural community.

Mitigation Measures: No mitigation measures are required.

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

No Impact. As previously mentioned, the proposed project site consists of a mixture of parcels developed with baseball and recreational fields and buildings associated with the Porterville Fairgrounds. According to the General Plan (see Figure 6-4, *Special Status Species and Sensitive Vegetation Map)*, the project site does not contain any wetlands. Therefore the project will have no impact on wetlands.

Mitigation Measures: No mitigation measures are required.

d) *Will the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

No Impact. The parcels proposed for development contain existing buildings, mowed lawns, and recreational fields. No wildlife corridors or wildlife nursery sites are on the site. Therefore the proposed project will not interfere with the movement of any wildlife species or the use of native wildlife nursery sites.

Mitigation Measures: No mitigation measures are required.

e) *Will the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

No Impact. The site includes vegetated areas that are in baseball and recreational fields. The Porterville General Plan indicates that the City currently does not have a tree preservation ordinance. Therefore, the project will have no impact.

Mitigation Measures: No mitigation measures are required.

f) *Will the project conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Impact. The parcels proposed for development contain existing buildings, lawn areas, and baseball and recreational fields. According to the Porterville General Plan, there is no adopted Habitat Conservation Plan or other approved plan that applies to the proposed site. The proposed project will therefore not conflict with Habitat Conservation Plan provisions, and there will be no impact.

Mitigation Measures: No mitigation measures are required.

4.5 CULTURAL RESOURCES

a) *Will the project cause a substantial adverse change in the significance of a historic resource as defined in § 15064.5?*

Less Than Significant Impact. The proposed project involves demolishing existing structures associated with the recreational fields and buildings associated with the Porterville Fairgrounds. Based on a Phase I Environmental Site Assessment conducted for the site, and as confirmed by the site visit, there are 11 permanent structures on the site (Tetra Tech, 2008). The site buildings/structures include:

- A one-story building for the fairgrounds main office (construction date unknown);
- A large canopy structure serving as the main fairgrounds display area (in place since 1967);
- A one-story structure for poultry display during fairgrounds events;
- Four, one-story buildings for concessions and vending services during fairgrounds events (in place since 1976);

- A one-story structure for non-livestock display during fairgrounds events;
- A one-story building for display of smaller animals during fairgrounds events;
- A theater/stage structure; and
- A restroom facility.

The Porterville Fairgrounds has reportedly occupied the site since the 1950s (Tetra Tech, 2008). Prior to development of the fairgrounds, the site was undeveloped land.

The Porterville General Plan Land Use element does not list the site structures as City-designated historic resources. The criteria of the California Register of Historic Resources' criteria (Public resources Code Section 5024.01) specifies that buildings, structures, and objects 45 years or older may be of historic value. Although the development of the fair facilities began in the 1950s, the Porterville Fairgrounds buildings are less than 45 years old, and the buildings therefore are not be considered historic on the basis of age.

To preserve historic resources, the State Historic Resources Committee conducts the Historic Resources Inventory and maintains the California Register of Historic Resources identifying historic landmarks and points of interest. The statewide Historic Resources Inventory database is included in the California Historic Research Information System and is maintained by the Office of Historic Preservation. The Southern San Joaquin Valley Information Center (Information Center) maintains records for the Porterville area. The Information Center conducted a search of the California Historic Research Information System database to determine if the project site has listed historic resources in the Historic Resources Inventory. Mr. Brian E. Hemphill, Ph.D., coordinator at the Information Center, indicated (see Appendix C) that there are no cultural resources within the project area or the immediate vicinity that are listed in the National Register of Historic Places, the California Register, California State Historic Landmarks, California Inventory of Historic Resources, or the California Points of Historical Interest. Therefore, the AOC concludes that the projects' impacts are less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Will the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less Than Significant. Based on aerial photographs and observations from the site visit, the project site is currently developed with recreational fields and related structures and with buildings associated with the Porterville Fairgrounds. Areas surrounding the project site are also developed with residential and commercial uses. Therefore, the possibility that archaeological resources exist on the site is remote.

A request for a Sacred Lands File records search and Native American Contacts list was submitted on 16 September 2008 to Mr. David Singleton, Program Analyst with the Native American Heritage Commission (NAHC) (see Appendix C, Cultural Resources Search). Mr. Singleton responded on 24 September 2008, through written notification, that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the immediate project area. However, Mr. Singleton stated that the absence of specific site information in the Sacred Lands File did not guarantee the absence of cultural resources in the project area, and early consultation with Native American tribes in the area is recommended. Mr. Singleton provided a list of eight Native American contacts, who were contacted by certified mail on 26 September 2008 to inquire about information on cultural resources in the project area. Responses from the Native American contacts have not been received as of the writing of this report.

A search was also conducted of the California Historic Research Information System to determine if cultural resources have been recorded in the project area. Mr. Brian E. Hemphill, Ph.D., coordinator at the Information Center, indicated (see Appendix C that there are 13 recorded archaeological sites within a 0.5 mile radius of the project area; however, no cultural resources have been recorded within the project area. Mr. Hemphill's letter states that if the property is already developed or underground utilities exist, no further investigation regarding the potential for cultural resources to exist on the project site is needed at this time, since, at the time of installation of utilities, cultural resources would have been identified, if they were present. During the site visit, ERM observed that the project site is currently developed with recreational fields and related structures, and existing fairgrounds buildings, including restroom facilities at northern site locations. ERM observed indications of underground utilities on the property (i.e., sewer lines through the presence of a manhole in the southwestern corner of the site). Therefore, it

is unlikely that archaeological resources exist on the site, and the AOC concludes that the project's impacts are less than significant.

Mitigation Measures: No mitigation measures are required.

c) *Will the project disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant Impact. No recorded prehistoric archaeological sites were identified on or in the vicinity of the project site, and no evidence exists to indicate that burials occurred within the project area. Therefore, the AOC concludes that the project will have less than significant impacts on disturbance of human remains.

In the event that any human remains are encountered during site disturbance, Section 7050.5 of the California Health and Safety Code requires cessation of all ground–disturbing work in the vicinity of the remains until the coroner of San Joaquin County has investigated the remains and made a determination in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code. If the coroner concludes that the human remains are of Native American origin, the Native American Heritage Commission must be contacted within 24 hours, and the project sponsor will comply with state laws relating to the disposition of Native American burials, regulated by the Native American Heritage Commission (Public Resource Code Section 5097).

Mitigation Measure: No mitigation measures are required.

4.6 GEOLOGY AND SOILS

a) *Will the project expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

Less Than Significant Impact. Surface rupture is considered most likely to occur along an active or potentially major fault trace. According to the United States Geological Survey California-Nevada Active Fault Maps, the closest active faults to the project site are the Sierra Nevada fault zone (approximately 50 miles east), an unnamed fault zone (approximately 40 miles south), and the San Andreas fault zone (approximately 80 miles

west) (United States Geological Survey, 2008). Given the distances of these faults from the proposed project site, the probability of ground rupture at the project site is highly unlikely. Therefore, the proposed project is not expected to expose people or structures to significant adverse effects from ground rupture.

As stated in Section 2.6, the AOC will conduct a geotechnical investigation of the proposed project site to assess the ground's capability to withstand anticipated ground-shaking and other geologic hazards. Based on the geotechnical report's recommendations, the AOC will include design measures to meet the California Building Code's minimum requirements to mitigate seismic shaking and other geologic hazards. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Will the project expose people or structures to potential substantial adverse effects involving strong seismic ground-shaking?*

Less Than Significant Impact. Ground-shaking intensity is measured on the Modified Mercalli Scale, which ranges from I (not felt) to XII (widespread devastation) experienced by people, structures, and earth materials. The degree of shaking an earthquake will have on the proposed project site and associated structures depends on a number of factors such as the location of the fault, distance to the epicenter, size of the earthquake, the geology of the area, and the quality of building construction. The closest active faults are located within 50 miles of the project site, as mapped by the United Stated Geological Survey and shown in *USGS California-Nevada Active Faults Map* (United Stated Geological Survey, 2008). The Modified Mercalli Rating for the Porterville area is estimated to be between VII (ranging from considerable damage in poorly designed or constructed buildings to negligible damage in buildings of good design and construction) and VIII (ranging from great damage in poorly designed or constructed buildings to slight damage in specially designed structures) (City of Porterville, 2008a). The following mitigation measures will ensure that potential impacts in regards to ground-shaking will be reduced to a less than significant level.

As stated in Section 2.6, the AOC will conduct a geotechnical investigation of the proposed project site to assess the ground's capability to withstand anticipated ground-shaking and other geologic hazards. Based on the geotechnical report's recommendations, the AOC will include design measures to meet the California Building Code's minimum requirements

to mitigate seismic shaking and other geologic hazards. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

c) *Will the project expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including subsidence or liquefaction-induced lateral spreading?*

Less Than Significant Impact. Liquefaction occurs when saturated, loose, fine-grained sediment temporarily transforms to a fluid-like state due to strong earthquake ground-shaking of Modified Mercalli intensity of VII or greater. Sandy and silty soils are most prone to liquefaction. Soils underlying the project site have been classified as sand with high infiltration rates (Tetra Tech, 2008). Given the proximity of the site to three water bodies, (the Pioneer Ditch adjacent to the north of the site, the Porter Slough adjacent to the southwest, and the Tule River approximately 0.6 mile south of the project site), the sediment beneath the site is prone to becoming saturated, and therefore has moderate liquefaction potential. The following mitigation measure will reduce this impact to a less than significant level.

As stated in Section 2.6, the AOC will conduct a geotechnical investigation of the proposed project site to assess the ground's capability to withstand anticipated ground failure and other geologic and soil hazards. Based on the geotechnical report's recommendations, the AOC will include design measures to meet the California Building Code's minimum requirements to avoid ground failure hazards. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

d) *Will the project expose people or structures to potential substantial adverse effects involving landslides?*

No Impact. Areas that are susceptible to landsliding include steep slopes underlain by weak bedrock. Due to the site's flat terrain, the proposed project site is not in an area prone to landslides. Based on the site visit and review of topographic maps, the terrain of the proposed project site and surrounding areas is generally flat and there are no unusual geographical features. Therefore, the project has no impacts regarding landslide potential.

Mitigation Measures: No mitigation measures are required

e) Will the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The proposed project will involve extensive site preparation and excavation prior to construction. These activities may temporarily expose soils to erosion potential. Construction activities are expected to occur for a limited time, beginning in February 2011 and ending in July 2012 (an approximately 15-month period). Due to the proximity of the project site to water bodies, including the Pioneer Ditch adjacent to the north of the site and the Porter Slough adjacent to the southwest, temporary soil erosion impacts on these nearby water bodies during construction of the project could be significant. These potential water quality impacts are addressed in Section 4.8 of this report under Hydrology and Water Quality. However, the proposed project site has flat terrain with a low potential for soil erosion. In addition, the site is not shown as having a high erosion susceptibility index, according to Porterville General Plan (see Figure 7-1, *Geologic and Soil Hazards;* source as cited in General Plan: California Division of Mines and Geology). Also, the AOC will require its construction contractor to prepare a SWPPP, obtain the Central Valley RWQCB's approval of the SWPPP, and implement and maintain the SWPPP; the SWPPP will include soil erosion best management practices to limit soil erosion. Therefore, the AOC expects that the project will not have substantial soil erosion or loss of topsoil, and these impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

f) Will the project expose people or structures to potential substantial adverse effects involving expansive soil?

Less Than Significant Impact. As mapped in the Porterville General Plan (*Figure 7-1, Geological and Soil Hazards;* source as cited in General Plan: California Division of Mines and Geology), the soils underlying the project site have high soil expansion potential. As stated in Section 2.6, the AOC will conduct a geotechnical investigation of the proposed project site to assess the site's expansive soil risk and other geologic hazards. Based on the geotechnical report's recommendations, the AOC will include design measures to meet the California Building Code's minimum requirements to mitigate expansive soil and other geologic hazards. Therefore, the AOC concludes that the project's impacts with the incorporation of the geotechnical report's recommendations will be less than significant.

Mitigation Measures: No mitigation measures are required.

g) *Will the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

No Impact. The proposed project does not intend to use septic tanks or alternative waste disposal systems. Sanitary sewer services in the area are currently supplied by the City of Porterville. No further analysis is required.

Mitigation Measures: No mitigation measures are required.

h) *Will the project destroy a unique paleontological resource or site or unique geologic feature?*

Less Than Significant Impact. As stated above, the project site is flat and developed with recreational fields and related structures and with buildings associated with the Porterville Fairgrounds. Therefore, there are no unique geologic features on the proposed project's site. No recorded prehistoric archaeological sites were identified on or in the vicinity of the project site, and no evidence exists to indicate that unique paleontological resources occur within the project area. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

4.7 HAZARDS AND HAZARDOUS MATERIALS

a) *Will the project create a significant hazard to the public or the environment through routine transport, use, emission, or disposal, or accidental release of hazardous materials?*

Potentially Significant Impact Unless Mitigated. The project proposes the construction of a new courthouse facility that will not require the routine transport, use, emission, or disposal of hazardous materials in construction or operational activities. The use of hazardous materials will be limited to cleaning products, building machinery chemicals, and pesticides and herbicides that will be infrequently applied to landscaped areas.

Due to the ages of the existing buildings, it is likely that the existing buildings may contain asbestos and lead-based paint. Asbestos was

banned in most friable building materials (spray-applied fireproofing and pipe insulation) in 1978, but the Occupational Safety and Health Administration deems these materials as "presumed asbestos-containing materials" if they are present in pre-1980 buildings (Title 29 of the Code of Federal Regulations, Parts 1910.1001 and 1926.1101). Materials that can be considered presumed asbestos-containing materials include thermal system insulation and surfacing materials (including spray-on ceiling material). In addition, lead-based paint was used widely throughout the interiors and exteriors of buildings prior to 1978, primarily due to its strength and overall durability. Historical records indicate that the Porterville Fairgrounds has occupied the site since the 1950s and that at least two of the buildings on the site were constructed in 1967 and 1976 (Tetra Tech, 2008). Due to the ages of the buildings and the date of occupancy of the Porterville Fairgrounds, it is likely that asbestos and lead-based paint may be present in the buildings.

Due to the potential that hazardous waste, including asbestos and lead-based paint waste, could be generated during the demolition of the buildings, the following mitigation measures would reduce potential hazard impacts to the environment.

Mitigation Measures: The following mitigation measures will reduce hazards and hazardous materials impacts to less than significant levels during construction:

HAZARDS AND HAZARDOUS MATERIALS 1

> During demolition of the structures, a qualified environmental professional shall evaluate paint that is separated from the building material to determine its proper management, and the AOC's construction contractor will dispose of the materials in the manner determined by the environmental professional and in compliance with all applicable laws.

HAZARDS AND HAZARDOUS MATERIALS 2

> Prior to demolition activities, the AOC's construction contractor will have a qualified environmental professional conduct an asbestos survey to determine the presence or absence of asbestos. If asbestos materials are present, the construction contractor will perform asbestos removal by a State-certified asbestos containment contractor in accordance with both the Toxic Substances Control Act, Title 15 of the United States Code, Section 2601 et seq.), and

Title 2 – Asbestos Hazardous Emergency Response for Handling Asbestos.

HAZARDS AND HAZARDOUS MATERIALS 3

The AOC's contractor documents will require the construction contractor to ensure that a licensed hauler transports hazardous waste for disposal at an appropriate facility in compliance with applicable laws and regulations.

b) *Will the project be located on a site that is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and will it create a significant hazard to the public or the environment?*

No Impact. The project site is not included on a list of hazardous materials sites provided by the USEPA and the California Department of Toxic Substances Control. In addition, Environmental Data Resources, Inc. (EDR) provided a recent database search for the project site, which is provided in a Phase I Environmental Site Assessment conducted for the site in March 2008 (Tetra Tech, 2008). The site was not listed in any of the database searched by EDR. There has been no notice of violation, cease and desist order, or the like issued for the site. No corrective action, restoration, or remediation has been planned, is currently taking place, or has been completed at the site. The subject site has not been under investigation for violation of any environmental laws, regulations, or standards identified in the databases. Therefore, the construction or operation impacts of the proposed courthouse facility will be less than significant.

Mitigation Measures: No mitigation measures are required.

c) *For a project located within an airport land-use plan, within 2 miles of a public airport or public use airport, or within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?*

No Impact. According to the Porterville General Plan (see Figure 2-2, *General Plan Land Use Diagram*), the land use designation of the project site is Public/Institutional, and the project site is not designated within an airport land-use plan area. In addition, the project site is not within 2 miles of any airport, as the nearest airport is the Porterville Municipal Airport, approximately 3 miles to the southwest of the project site (as mapped on Google Earth). The project site is also not in the vicinity of a

private airstrip, as observed during the site visit. Therefore, the project will have no impact.

Mitigation Measures: No mitigation measures are required

d) *Will the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact. The Porterville General Plan includes a map showing evacuation routes and emergency response services in the project area (see Figure 7-6, *Emergency Services*). According to the map, the nearest City Fire Station and Police Station are approximately 1.5 miles northwest of the project site, and the nearest County Fire Station is approximately 0.85 mile southeast of the project site. A new fire station is proposed approximately 0.40 mile north of the project site. In addition, the map indicates that the nearest evacuation routes include State Route 190, 1.5 miles south of the project site, and Main Street located 0.5 mile west of the project site.

The project will not block streets or create access problems. Given the size of the proposed project and the duration of the construction period (approximately 15 months), potential impacts on emergency vehicle access in the vicinity of the project site will be temporary. Furthermore, given the availability of emergency services and evacuation routes in various locations around the project site, emergency vehicles will have multiple access routes during an emergency event and will not be obstructed by the proposed project. Therefore, the proposed project will have a less than significant impact on emergency response and evacuation.

Mitigation Measures: No mitigation measures are required.

e) *Will the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires?*

Less Than Significant Impact. The potential for wildland fires is dependent on the vegetation, or surface fuel, that exists in the area. Based on observations at the time of ERM's site visit on 16 October 2008, the majority of the project site that is not developed by buildings consists of landscaped, grass-covered areas. Surface fuel at the project site is limited to several mulberry trees and other bushes located around the perimeter of the site, and an approximately 50-foot-tall oak tree in the northwestern portion of the site. The Porterville General Plan includes a Wildland Fire Hazards Map (see Figure 7-4, *Wildland Fire Hazards*; source as cited in

General Plan: California Department of Forestry and Fire Protection, 2004), which indicates that the project site has moderate level of fire hazard severity, based on a surface fuel analysis conducted by California Department of Forestry and Protection. The proposed project will involve the construction of a courthouse and a parking lot, in place of recreational fields and structures and fairgrounds buildings. Since the proposed project to meet the California Building Code's fire Code provisions, and the State Fire Marshall will review the proposed project for conformance to the provisions, and the project site is within the Porterville urban area, the project's potential wildland fire impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

4.8 HYDROLOGY AND WATER QUALITY

a) Will the project violate any water quality standards or waste discharge requirements?

Less Than Significant Impact. The Central Valley Regional Water Quality Control Board (RWQCB) regulates waste discharges into waters of the State through the National Pollutant Discharge Elimination System (NPDES) permit system. An NPDES permit is required for any project that results in the creation or replacement other than maintenance of at least 1 acre of impervious surface area and has the potential to discharge storm water to a water body of the US. The proposed project falls into the category of projects requiring NPDES permits. Dischargers are required to incorporate facilities to treat runoff before it is discharged to storm drains or creeks. To protect creeks from erosion, projects may also be required to detain or infiltrate runoff so that peak flows and durations match pre-project conditions. With the implementation of an appropriate NPDES permit under RWQCB oversight, potential water quality impacts from the proposed project will be sufficiently protective of water quality standards and are expected to be less than significant.

During construction, short-term water quality impacts can potentially occur. Extensive site preparation and excavation may expose loose soil to potential erosion, which, if not controlled, could potentially be transported to local waterways and result in an increase in suspended sediment load. As the proposed project is greater than 1 acre, the Central Valley RWQCB will require a Storm Water Pollution Prevention Plan (SWPPP) to identify sources of sediments and pollution that could potentially affect storm water quality. The SWPPP will also identify and implement storm water prevention measures to reduce pollution. The

AOC will require its construction contractor to prepare a SWPPP, obtain the Central Valley RWQCB's approval of the SWPPP, and implement and maintain the SWPPP. Therefore, the AOC concludes that potential water quality and waste discharge impacts from the proposed project will be less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Will the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater level?*

Less Than Significant Impact. The proposed project site and surrounding area are generally developed with existing buildings and landscaped surfaces. Since the site is currently occupied by a ballpark and recreational fields, the proposed project will create additional paved surfaces at the project site than existing conditions. However, the proposed project covers only approximately seven acres, and it also proposes landscaped surfaces that will allow groundwater recharge. Furthermore, the project will not intercept an aquifer since the project's basement will not require substantial excavation. Since the project will cover only a very minor portion of the local groundwater recharge area and will not include new housing or result in a major increase in jobs, the AOC concludes that the project's potential groundwater impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

c) *Will the project substantially alter the existing drainage pattern of the site or area in a manner that will result in substantial erosion or siltation?*

Less Than Significant Impact. The nearest water body to the project site is the Pioneer Ditch, located adjacent to the north of the project site. A portion of the ditch also extends beneath the northwestern portion of the site. The project's boundary is immediately south of the Pioneer Ditch, and the project will not disturb the Pioneer Ditch.

Based on site visit observations in October 2008, the project site is predominantly flat with a slope to the south toward East Olive Avenue. Near the proposed project East Olive Avenue driveway, runoff from the site flows toward the street into City storm drains located beneath the street curbs along East Olive Avenue. The southwestern corner of the parcel is lower than the parcel's southeastern corner, and a former embankment and East Olive Avenue's elevated roadway contributes

runoff onto the site and restrict runoff. The construction of the proposed courthouse and parking lot will involve excavation for the courthouse's basement and foundation footings and some grading. The project's final site grading will raise the parcel's southwestern corner so that runoff from the southwestern corner flows toward storm drain inlets near the project's East Olive Avenue driveway. However, the project's final slope will be relatively flat; the project's surfaces will be covered by structures, pavement, or landscaping; and the project's design will include vegetated swales to slow runoff flow and trap sediment. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

d) *Will the project substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner that will result in flooding?*

Less Than Significant Impact. As previously stated, the project site currently slopes to the south toward East Olive Avenue, and runoff drains into storm sewers located beneath the street curbs. The project site includes only approximately 7 acres. The construction of the proposed project will not involve significant grading since the project includes no substantial underground structures, and the slope of the site will continue to be to the south toward East Olive Avenue. The project's storm drain facilities will connect to the City's storm drain line along Olive Avenue. Therefore, the proposed project will not alter existing drainage patterns at the site.

The proposed project includes construction of a parking lot and courthouse on an existing, unpaved ball field and a fairgrounds site that is largely unpaved in areas not occupied by buildings. Therefore, the project will increase the amount of impervious surface and associated surface runoff. However, the project will be designed to prevent on-site and off-site flooding through the construction of storm sewers in the proposed courthouse parking lot. The project will also adopt best management practices to incorporate inlet filtration devices to capture potential pollutants from the storm drain runoff and utilize landscape areas for percolation of runoff. Therefore, the project will have a less than significant impact in this regard.

Mitigation Measures: No mitigation measures are required.

e) *Will the project create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

Less Than Significant Impact. The proposed project site covers only approximately 7.4 acres. The project does not propose an increase in impervious surfaces of a magnitude that will substantially increase the amount of runoff from the site. In addition, as stated above, the proposed project will adopt best management practices to incorporate inlet filtration devices to capture potential pollutants from the storm drain runoff and utilize landscape areas for percolation of runoff.

Mitigation Measures: No mitigation measures are required.

f) *Will the project otherwise substantially degrade water quality?*

Less Than Significant Impact. For the project's construction phase, the AOC will require its construction contractor to prepare a Storm Water Pollution Prevention Plan (SWPPP), obtain the Central Valley RWQCB's approval of the SWPPP, and implement and maintain the SWPPP. For the project's operational period, Section 2.6 describes the proposed project's site drainage facilities to control and treat runoff. The AOC does not expect the proposed project to create additional impacts that will further degrade water quality. Therefore, potential impacts will be less than significant.

Mitigation Measures: No further mitigation measures are required.

g) *Will the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

No Impact. Flood zone mapping conducted by the Federal Emergency Management Agency indicates that approximately 6 percent of the total Planning Area is located within the 100-year floodplain, and another 5 percent is located within the 500-year floodplain (City of Porterville, 2008a). However, the proposed project does not include housing. Therefore, the project will have no impacts.

Mitigation Measures: No mitigation measures are required.

h) *Will the project place structures within a 100-year flood hazard area that will impede or redirect flood flows?*

Less Than Significant Impact. As discussed above, the southwestern corner of the project site is located in the 100-year floodplain. The project will add a landscaped area for this corner of the project site, and the project might add excavated soil material from the proposed courthouse area to raise the elevation of the ground surface. However, the elevated former railway embankment (the location of the Rails to Trails Parkway shown in Figure 3) and the East Olive Avenue embankment along the southern side of the project site already impede and direct flood flows at the project site. The project's grade changes and structures will not modify the existing embankments' effect on flood flows. Therefore, the proposed project will have less than significant impacts.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. As shown on Figure 7-3, *Flood Hazards,* of the Porterville General Plan, the project site is located in an area that could be inundated from a breach or overflow event at Lake Success Dam. The figure also shows that large portions of the City of Porterville are located within the inundation area. The United States Army Corps of Engineers is proposing to reconstruct and widen the dam to bring it up to federal safety standards with construction beginning in 2009. Therefore, the AOC concludes that there is no substantial risk of failure of the dam, and the potential impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

j) *Will the project expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche or mudflow?*

Less Than Significant Impact. Based on site visit observations and review of aerial photographs, the project site is not located near a water body that could potentially create seiche hazards. The nearest water bodies are the Porter Slough and the Pioneer Ditch which do not have significant water volume to create a seiche or tsunami hazard. The site is located in a generally flat area (United Stated Geological Survey, 1951) and is therefore not prone to mudflows. Ground failure is dependent on topography and

underlying geologic materials. Potential mudflow impacts from the hill east of the project site caused by ground failure are considered unlikely because of the relatively stable geological formation underlying the area[1]. Therefore, impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

4.9 LAND USE AND PLANNING

a) *Will the project physically divide an established community?*

Less Than Significant Impact. The proposed courthouse site is currently occupied by recreational fields and related structures and buildings associated with the fairgrounds. Residential areas occur to the north across East Garden Avenue, to the east across North Plano Street, and to the west beyond the abandoned railway embankment. There is a commercial/retail area and a vacant field to the south. However, since the proposed courthouse site already existing and the project will not obstruct existing streets, the project will not divide the residential existing community. Therefore, the project will have a less than significant impact in this regard.

Mitigation Measures: No mitigation measures are required.

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

No Impact. Since the AOC is the project's lead agency and is acting for the State of California's Judicial Council, local governments' land use planning and zoning regulations do not apply to the proposed courthouse project. Therefore, the project has no impacts. However, the proposed courthouse project is consistent with the City's General Plan and the parcel's zoning classification.

Mitigation Measures: No mitigation measures are required.

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[1] Porterville 2030 General Plan: Dr aft Environmental Impact Report

4.10 MINERAL RESOURCES

a) *Will the project result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?*

No Impact. The Porterville General Plan includes Figure 7-1, *Geologic and Soil Hazards* (source as cited in General Plan: California Department of Mines and Geology, Tulare County, 2007), which indicates the locations of State-designated Mineral Resource Zones or areas possessing minerals which are of state-wide or regional significance. According to the map, the project site is not located in a Mineral Resource Zone. The nearest Mineral Resource Zone is located along the Tule River, approximately 0.6 mile south of the project site. Therefore, the proposed project will have no impact on mineral resources.

Mitigation Measures: No mitigation measures are required.

b) *Will the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan?*

No Impact. A Mineral Resource Recovery Zone is an area designated by the Solid Waste Management Board or by a local ordinance for resource recovery and recycling, such as a recycling center at a solid waste disposal site. The Porterville General Plan does not delineate the site as a Mineral Resource Recovery Zone. Therefore, the proposed project will have no impact in this regard.

Mitigation Measures: No mitigation measures are required.

4.11 NOISE

a) *Will the project produce a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Potentially Significant Impact Unless Mitigated. Noise is the term generally given to the "unwanted" aspects of sound and generally characterized in terms of decibels (dBA). Because environmental noise fluctuates over time, most descriptors average the sound level over the time of exposure, and some add "penalties" during the times of day when intrusive sounds would be more disruptive to listeners. The most commonly-used descriptors are:

- Day-night average sound level (Ldn). The Ldn is a 24-hour average sound level, but for the night hours between 10:00 p.m. and 7:00 a.m., 10 dBA is added to the average. This additional 10 dBA accounts for the tendency of people to perceive noise more loudly at night.
- Community noise equivalent level (CNEL). The CNEL is similar to the Ldn except that it adds a 5 dBA penalty to noise levels occurring from 7:00 p.m. to 10:00 p.m. in addition to the 10:00 p.m. to 7:00 a.m. 10 dBA penalty.

These two descriptors are roughly equivalent.

The Porterville Municipal Code contains general limitations on noise in several ordinances, but does not quantify levels that should not be exceeded. For example, the Municipal Code limits the use of construction equipment during excavation between the hours of 10 p.m. and 7a.m.

Adjacent to the proposed project are residential developments, commercial uses, and vacant land. There are two residences north of the project site that are within 300 feet of the proposed courthouse building's location (see Figure 3). Additional residences are west of the building's location, but the abandoned railroad embankment will screen the westward residences from construction noise. During construction, the residential sensitive receptors may be exposed to short-term noise generated from workers traveling in their vehicles to and from the site and from the use of construction equipment. While the noise contribution from worker vehicles will be temporary and small, the noise from construction equipment may be appreciable. The operation of construction equipment is generally expected to result in maximum short-term noise levels ranging from 80 to 95 dB. These levels may be significant depending on the duration, but mitigation measures will minimize the impacts. Given the short-term nature of the noise, the impacts will be less than significant with the mitigation measures below.

Mitigation Measures: The following mitigation measures will reduce construction noise impacts to less than significant levels:

NOISE 1

> Restrict construction activities that generate substantial noise to the hours between 7 a.m. and 5 p.m. on Monday through Saturday. No activities that generate substantial noise shall occur on Sundays or holidays;

NOISE 2

Locate staging area and stationary equipment as far as possible from sensitive receptors (such as the homes north and west of the project site); and

NOISE 3

Ensure all construction equipment is properly maintained and operated and equipped with mufflers.

b) *Will the project produce a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Less Than Significant Impact. The Municipal Code references noise standards described in the Porterville General Plan. In particular, the Porterville General Plan contains noise policies and identifies degrees of acceptable usage for new development depending on land use and noise levels as shown on Table 4.11-1. In this table, an acceptable noise exposure to a new courthouse is not specifically identified. However, the most similar land use to the proposed project would be the "office buildings, businesses commercial, and professional" where normally acceptable noise exposure is 70 dBA or less.

Appendix D contains a summary of noise measurements collected on 16 October 2008, at the project site to characterize the existing noise levels near the roadways. For example, a monitor near the Oliver Avenue entrance to the proposed parking lot (approximately 15 feet from the edge of the major travel lane) measured a day-night average noise (Ldn) of about 73 dBA. Noise from a roadway typically decreases by about 3 dBA for every doubling of distance between the noise source and noise receptor. The courthouse building will be located about 100 feet from the roadway. Therefore, day-night average noise levels near the courthouse building would be under 65 dBA. This noise level would fall under the "normally acceptable" noise level for similar land use as shown in Table 4.11-1.

The proposed project will result in a minor increase to nearby traffic and therefore add to the existing noise levels. The increase will originate primarily from passenger vehicles that do not generate as much noise as large transport trucks. These vehicles will likely travel to and from the site during limited times of the day. Most of the arriving vehicles associated with operational conditions (i.e., after courthouse construction) will come

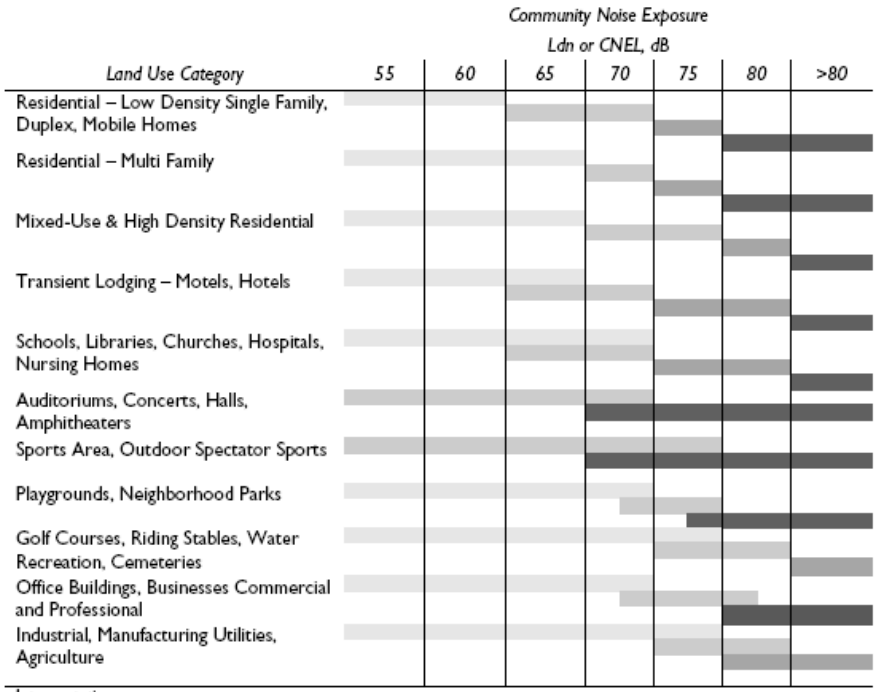
during the peak morning traffic hour. These vehicles are expected to leave gradually throughout the afternoon. The traffic assessment discussed in Section 4.15 identifies approximately 305 new AM peak hour trips (round trip) generated by the proposed project. The small increases in traffic will not result in significant increases in noise levels. For example, a cautious noise estimate can be made with the following assumptions:

- 95 percent of the new vehicles trips are passenger cars and 5 percent are heavy-duty trucks traveling on the same roadway (in reality, the vehicles traveling to the proposed site will not all take the same road);
- All vehicles are traveling 45 mph; and
- Existing noise levels at nearby residences is 60 dBA. The General Plan specifies an overall existing noise level of at least 60 dBA in the area adjacent to Olive Avenue.

Based on these assumptions, the day-night noise level at about 50 feet would increase by less than 1 dBA. As specified in the General Plan, an increase of 1 dBA is typically not perceivable. Therefore, the AOC concludes that the permanent increase in average daily noise levels will be less than significant.

Mitigation Measures: No mitigation measures are required.

Table 4.11-1 Land Use Compatibility for Community Noise Environments



Interpretation:

Normally Acceptable	Specified land use is satisfactory, based upon the assumption that any building involved is of normal conventional construction, without any special noise insulation requirements.
Conditionally Acceptable	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
Normally Unacceptable	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
Clearly Unacceptable	New construction or development should not be undertaken.

Source: City of Porterville, 2006.

c) *Will the project expose persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Potentially Significant Impact Unless Mitigated. During construction, groundborne vibration and noise may be generated by large trucks and other heavy equipment during demolition, grading, and construction of buildings. Generally, the groundborne vibration and noise would have a minimal impact on nearby sensitive receptors. However, at particular phases of construction (e.g., demolition), it is generally expected that groundborne vibration may be noticeable. These vibrations will end when construction is complete. Given the short-term nature of the vibrations, construction impacts to vibration levels are expected to be less than significant with the application of Mitigation Measure NOISE 1, which limits construction hours.

Mitigation Measures: Implement Mitigation Measures NOISE 1.

d) *Will the project expose people residing or working in the project area to excessive airport-related noise levels or excessive private airstrip-related noise levels?*

No Impact. The proposed project is not located within an airport land-use plan or within 2 miles of a public airport, and the project is not located in the vicinity of a private airstrip. The project will therefore not expose people residing or working in the project area to excessive airport-related noise levels or excessive private airstrip-related noise levels.

Mitigation Measures: No mitigation measures are required.

4.12 POPULATION AND HOUSING

a) *Will the project induce substantial population growth in an area?*

Less Than Significant Impact. The proposed project does not include residential development or extension of residential development-related infrastructure, and it will not involve a significant increase in employment. Therefore, the AOC concludes that the project will not induce substantial population growth. Therefore, no further analysis is required.

Mitigation Measures: No mitigation measures are required.

b) *Will the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The proposed project involves construction of a courthouse on a site that is currently occupied by recreational fields and buildings associated with the Porterville Fairgrounds. There are no residential buildings on the site; therefore, the proposed project will have no impact.

Mitigation Measures: No mitigation measures are required.

c) *Will the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

No Impact. See Response 4.12(b).

Mitigation Measures: No mitigation measures are required.

4.13 PUBLIC SERVICES

a) *Will the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities or the need for new or physically altered fire protection facilities in order to maintain acceptable service ratios, response times or other performance objectives?*

Less Than Significant Impact. The Porterville General Plan includes a map showing the locations of fire stations in the City (Figure 7-6, Emergency Services). According to the map, the nearest City Fire Station is approximately 1.5 miles northwest of the project site, and the nearest County Fire Station is approximately 0.85 mile southeast. The City has proposed construction of a new fire station approximately 0.40 mile north of the project site.

The City Fire Department will also inspect the project plans and provide comments to ensure optimal access of emergency vehicles and maximize the performance objectives of emergency service personnel. The State Fire Marshall will review the AOC's plans for the proposed courthouse to ensure compliance with fire-related portions of the California Building Code (California Code of Regulations Title 24). The AOC's courthouse design will include measures such as:

- The project will include automatic fire sprinklers,

- The project will include a supervised fire alarm system located in an accessible location with an annunciator,
- The project will be designed so that access to and around structures will meet all City Fire Department and California Fire Code requirements.
- The project will be designed so that all rooms and buildings will be clearly marked with addresses, and a site directory will be posted at the front entrance to the facility.

Since the project will meet the requirements of the California Building Code and the proposed courthouse is near existing fire department facilities, the AOC concludes that the proposed project will have a less than significant impact on fire protection services even if the City does not construct a new fire station.

Mitigation Measures: No mitigation measures are required.

b) *Will the project result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities or the need for new or physically altered police facilities in order to maintain acceptable service ratios, response times or other performance objectives?*

Less Than Significant Impact. The City of Porterville Police Department will provide police protection services to the new courthouse facility. The Department's headquarters are located at 350 North D Street, approximately 1.5 miles northwest of the project site. The Porterville General Plan states that the current operating ratio is approximately 1.3 police officers per 1,000 residents, and expects that a ratio of 1.2 police officers to 1,000 residents will support adequate law enforcement efforts at buildout. The General Plan estimates that this will require a total of 72 additional sworn officers by 2030.

The Tulare County Sheriff's Department and private security personnel currently provide protection services at the existing Porterville courthouse and will provide security protection services at the proposed courthouse. The new courthouse will have enhanced courthouse security features for its sallyport area, in-custody detainee holding area, detainee access corridors, Sheriff's center, and public screening area. Due to the consolidation of Superior Court facilities and the proposed courthouse's security features, the AOC concludes that the project will not substantially degrade service ratios, response times, or other performance objectives. The proposed project will not rely on City's Police Department staff for

security, so it will not affect the amount of police protection services that has been planned for the future buildout of the City. Therefore, the project will have a less than significant impact.

Mitigation Measures: No mitigation measures are required.

c) *Will the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities or the need for new or physically altered school facilities in order to maintain other performance objectives?*

Less Than Significant Impact. Residential development is not a part of the project, and there are no residences currently on the parcel. Furthermore, the project will not affect changes in the number of residences in the surrounding area. Therefore, the project will not create a change in needed school services based on increases or decreases in the number of residents on the parcel or in its vicinity. As explained above, the AOC concludes that the project will not induce substantial population growth. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

d) *Will the project result in substantial adverse physical impacts associated with the provision of new or physically altered other public facilities or the need for new or physically altered public facilities in order to maintain performance objectives?*

Less Than Significant Impact. The proposed project is to construct a courthouse that will become the South Justice Center, replacing two inadequate court facilities currently serving the south county communities. The proposed courthouse will combine the services currently being provided by two facilities, and is expected to be a more efficient use of resources. The proposed project will not substantially increase the need for assistance from public facilities or agencies. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

4.14 RECREATION

a) *Will the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

Less Than Significant Impact. As stated above, the proposed courthouse project does not include any residential units, so it will not increase the City's population and the related use of recreational facilities. Therefore, the AOC concludes that impacts of the proposed project on park facilities will be less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Will the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?*

Potentially Significant Impact Unless Mitigated. The proposed courthouse site is currently partly occupied by the Porterville Fairgrounds-Municipal Ball Park and Grounds. Construction of the project will eliminate these facilities, which cover approximately 3.6 acres (City of Porterville 2008a). The AOC concludes that the project's impact will be potentially significant.

Mitigation Measures: The following mitigation measure will reduce recreation impacts to less than significant levels:

RECREATION 1

The AOC will provide funds directly to the City for the City's development of additional recreational facilities to provide new facilities and/or expand the use of existing facilities to replace the lost recreational facilities.

4.15 *TRANSPORTATION/TRAFFIC*

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

Less Than Significant Impact. Courthouse-related traffic is irregular and variable on a daily basis primarily due to irregular patterns of juror calls. Since jurors typically report to the courthouse in the morning and judicial proceedings typically conclude before the afternoon peak traffic hour, courthouse-related traffic is much higher during the morning traffic peak hour than during the afternoon peak hour. Since the AM peak hour analysis provides a stronger test of courthouse-related intersection congestion and roadway capacity than a PM peak hour analysis, the AOC's traffic analysis is evaluating the morning AM traffic peak and is not evaluating the PM traffic peak. This AM analysis is based on a high traffic day (i.e., concurrent operation of seven trial courts on the same day). (See Appendix E for full Traffic Study).

Based on the Traffic Study performed for this project (Appendix E), the project would be expected to generate, at most, 277 inbound and 28 outbound vehicle trips during the AM commute peak traffic hour of adjacent street traffic.[2] Delay due to project traffic increases will be minimal at study intersections. This volume of traffic is not substantial in relation to the existing traffic load and capacity of the street system. The Traffic Study (see Table 1, Appendix E) found that Year 2012 volumes + project traffic will result in all study intersections operating acceptably at LOS C or better during the AM peak commute traffic hour of ambient traffic on study area roadways. The high traffic day analyzed in this study is representative of a reasonable worst-case scenario. Therefore, the AOC concludes that traffic impacts are less than significant.

Mitigation Measures: No mitigation measures are required.

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[2] Peak hours of adjacent street traffic are based upon November 2008 traffic counts conducted for this project.

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

Less Than Significant Impact. Study area roadways are not included in level of service standards established by the Tulare County Association of Governments. Level of service standards for the subject roadways are established by the City. Therefore, the AOC concludes that traffic level of service impacts for designated roads are less than significant

Mitigation Measures: No mitigation measures are required.

c) *Will the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. Construction of the courthouse will have no impact on air traffic patterns, air traffic levels, or safety risks. Therefore, the project will have no impacts.

Mitigation Measures: No mitigation measures are required.

d) *Will the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less Than Significant Impact. The Traffic Study evaluated the following design features that commonly have the potential to increase hazards: left turn lanes, sight line, and design speed/stopping distance. As noted in Appendix E, analysts concluded:

- *Left Turn Lane Evaluation (Eastbound Olive Avenue Approach To The Project Access*). Olive Avenue runs east-west. The project site has about 300 feet of frontage along Olive Avenue. The roadway is generally level fronting the site, and there is little vegetation to obstruct sight lines. The project site has sufficient frontage to accommodate the planned two-way left turn lane. There are no physical obstructions to prevent addition of a center turn lane to the roadway;
- *Sight Line Evaluation*. Field measurements indicate that from the proposed Project Access driveway, sight lines will exceed 400 feet viewing east and west (viewed from a vehicle waiting to turn onto Olive Avenue from the Project Access);
- *Design Speed and Stopping Sight Distance.* Caltrans uses a term called "Design Speed" in determining appropriate sight lines. The posted

speed limit westbound and eastbound along Olive Avenue in the site access vicinity is 35 mph. Based upon field measurements conducted by Crane Transportation Group at the proposed driveway location, the measured 85th percentile speed through this location was 43 mph eastbound (downgrade) and 39 mph westbound.[3] For purposes of this analysis a conservative 43 mph speed limit is used as the "design speed".

The Caltrans Highway Design Manual indicates that for Private Road Intersections "the minimum corner sight distance shall be equal to the stopping sight distance." (Section 405.1(c)—4 January 2007). Caltrans Table 201.1 provides Stopping Sight Distance (speed/stopping sight distance relationships) for private driveways – these relationships are shown on **Table 2** (Appendix E). At a design speed of 43 miles per hour on wet pavement with a downhill grade, 353 feet of sight distance would be required, viewed from the position of a vehicle waiting to turn onto Olive Avenue from the Project Access driveway. Field measurements indicate that the proposed courthouse driveway will have sight lines that meet and exceed the required sight distances.

The new courthouse's main entrance will connect to East Olive Avenue, and the AOC's design will be consistent with professional engineer traffic standards. Driveway sight lines will comply with American Association of State Highway and Transportation Officials (AASHTO) standards. All vehicular traffic will continue to access the courthouse using existing roadways. Affected intersections have been shown to result in acceptable with-project levels of service for the future (year 2012) scenario when the project will be constructed and occupied. The AOC concludes that the proposed project will not have any increased hazards due to a design feature. Therefore, the project will have less than significant impacts.

Mitigation Measures: No mitigation measures are required.

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[3] The "85th percentile speed" refers to the speed of traffic at or below which 85 percent of the vehicles are moving. As described in *A Policy on Geometric Design of Highways and Streets*, AASHTO, 2004, the 85th percentile measurement would represent the "pace" or "speed range" used by most drivers.

e) Will the project result in inadequate emergency access?

Less Than Significant Impact. The AOC's development of the project site will conform to recommendations of the Superior Court, the Tulare County Sheriff's Department, and the City Fire Department to ensure adequate emergency access. The proposed project does not include closure of any public through street that is currently used for emergency services, and it will therefore not interfere with the adopted emergency response plan. Therefore, the AOC concludes that project's impacts are less than significant.

Mitigation Measures: No mitigation measures are required.

f) Will the project result in inadequate parking capacity?

Less Than Significant Impact. The proposed off-street parking supply for the courthouse is approximately 320 public and staff parking spaces and 11 private (restricted) spaces. The project's Traffic Study (Appendix E) projected maximum total inbound traffic at 277 vehicles, some of which would be drop-offs (i.e., not requiring a parking space). Based on typical day court schedules, the majority of parking demand occurs during the initial hours of the court day. If the vast majority of arrivals, perhaps as many as 90 percent (250) of the 277 inbound vehicles required several hours of parking at the court, there would still be 81 spaces for other, later arrivals. Since the project's on-site parking supply substantially exceeds the projected maximum AM peak hour inbound vehicle trips, the AOC concludes that the project's parking impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

g) Will the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Less Than Significant Impact. The proposed project will not conflict with adopted policies, plans, or programs supporting alternative transportation. Bus transportation is available to the project site today, with a bus stop at the intersection of Olive and Plano and another at B Street and Olive Avenue, about two blocks away from the site. The location of these stops and service schedule is not anticipated to change due to the project.

Bicyclists would have access to the site via the bike lanes provided along Olive Avenue, and bicycle parking would be provided in compliance with City and State standards for bicycle parking. Therefore, the project will have no significant impacts.

Mitigation Measures: No mitigation measures are required.

4.16 UTILITIES/SERVICE SYSTEMS

a) *Will the wastewater treatment provider that serves or may serve the project determine that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less Than Significant Impact. The City will provide sanitary sewer services to the project site. According to the Porterville General Plan, the Porterville Wastewater Treatment Facility, located at the southwest corner of West Grand Avenue and North Prospect Street, has the capacity to treat approximately 8 million gallons per day. Waste water produced by the Proposed Project would be limited to restroom facilities for the courthouse, and is considered negligible in comparison to the daily capacity of 8 million gallons per day. Therefore, the AOC concludes that the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Will the project exceed wastewater treatment requirements of the applicable RWQCB?*

Less Than Significant Impact. The amount of wastewater generated daily on a sustained basis after construction of the new courthouse will likely be greater than that for existing uses (i.e., baseball and other sporting practices and games and the Porterville Fair and other related group events[4]). However, courthouse activities will not result in contaminant emissions that will require a higher wastewater treatment level since sanitary wastewater will only be generated during courthouse operation. Therefore, the existing wastewater system will be capable of handling the

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4 The volume of wastewater associated with fair operations may be significantly greater than that associated with the same period of court operations, but the volume averaged over a given year is likely to be significantly greater for courthouse operations than for current site uses.

wastewater generated from the new facility. Therefore, the project's impacts will be less than significant.

Mitigation Measures: No mitigation measures are required.

c) *Will the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Less Than Significant Impact. The City currently provides wastewater treatment services to the project site, and will also provide such services to the new courthouse facility. Given the sustained, full-day usage throughout the year, the new courthouse facility will require additional wastewater service needs beyond those required under the current land uses. However, as detailed in its adopted 2001 Sewer System Master Plan, the City plans to expand services to meet the needs projected for the General Plan buildout, which includes the new courthouse. Therefore, the project's impacts will be less than significant impact.

Mitigation Measures: No mitigation measures are required.

d) *Will the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which will cause significant environmental effects?*

Less Than Significant Impact. The project site is currently developed with recreational fields and buildings associated with the Porterville Fairgrounds. The new courthouse facility includes a parking lot and will therefore add impervious surfaces to the site. However, as discussed in Section 2.6, the project includes open, landscaped areas that will reduce storm water runoff into the City's storm drain system. Therefore, the proposed project will have a less than significant impact.

Mitigation Measures. No mitigation measures are required.

e) *Will the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Less Than Significant Impact. According to the Porterville General Plan, the City has historically obtained water from 34 active groundwater wells. However, groundwater levels have declined moderately over the last 20 years according to Department of Water Resources hydrographs as cited in the Porterville General Plan. However, the City may rehabilitate some

wells to their previous performance levels, since encrustation of the wells may have caused the decline. In addition, the City has purchased water rights for about 900 acre-feet on an annual basis from the Pioneer Ditch Company and the Porter Slough Ditch Company. Historically, most of this water has not been used by the City.

Porterville expects to update their Water System Master Plan in 2008-2009, with the goals of reducing groundwater pumping to match the aquifer safe yield by 2020, and purchasing surface water and implementing water conservation programs to meet the remaining demand for water. In addition, the Porterville General Plan provides policies to ensure that water supply facilities are constructed in proportion to urban development through 2030. Since the project does not include new housing, and the project's very minor increase in employment will not induce significant population growth, the AOC expects that the proposed project will not require additional water supply needs beyond what has already been anticipated in the General Plan. Therefore, the proposed project will have a less than significant impact.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact: Porterville's Public Works Department collects commercial, residential, and industrial refuse in the City. According to the General Plan, the Tulare County Consolidated Waste Management Authority provides disposal services. Solid waste is currently disposed of at Teapot Dome Landfill, a County-operated Class III landfill. As of 2004, the landfill was at 84.7 percent capacity with an anticipated closure date of 2012. When the landfill reaches capacity, the County anticipates diverting waste through a transfer facility to either the Woodville or Visalia Landfills. The Woodville Landfill is also a County-operated Class III landfill located approximately 15 miles northwest of the city limits. As of 2006, the landfill was at 41.5 percent capacity with an anticipated closure date of 2026. The Visalia Landfill, which was recently expanded, is also a County-operated Class III landfill located approximately 35 miles northwest of the city limits. As of 2006, this landfill was at 13.3 percent capacity with an anticipated closure date of 2024. The Porterville General Plan states that the County expects the estimated closure dates to be worst-case scenarios in the event that waste diversion goals are not met. Therefore, the landfill capacities are expected to be sufficient through the planning horizon of 2030. Given the

availability of the Woodville and Visalia landfills, the AOC concludes that local landfills have enough capacity to receive solid waste from the proposed project site.

Since there is adequate landfill capacity available, the AOC concludes that impacts to solid waste disposal services will be less than significant.

Mitigation Measures: No mitigation measures are required.

g) *Will the project comply with federal, state, and local statutes and regulations related to solid waste?*

Less Than Significant Impact: Adequate solid waste storage areas at the project site will be designated, and waste will be stored in containers in a manner that complies with federal, state, and local statutes and regulations. Solid waste collection vehicles will be given adequate access to the waste storage area. In addition, the AOC will comply with California Code of Regulations, State Department of Health Services, City's Public Works Department, and the Air Pollution Control District requirements for handling and disposal of hazardous materials. Therefore, the AOC concludes that there will be no significant impacts.

Mitigation Measures: No mitigation measures are required.

4.17 MANDATORY FINDINGS OF SIGNIFICANCE

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

Less Than Significant. As discussed in Section 4.4 (Biological Resources) and 4.5 (Cultural Resources), the proposed project has no biological or cultural resource impacts that are potentially significant.

b) *Will the project have impacts that are individually limited, but cumulatively considerable?*

Potentially Significant Impact Unless Mitigated. The proposed project may have potentially significant impacts with regard to Air Quality

(Section 4.3), Hazards and Hazardous Materials (Section 4.7), Noise (Section 4.11), and Recreation (Section 4.14). However, implementation of mitigation measures in those sections will reduce these potential impacts to a less than significant level. Other projects proposed in the vicinity of the project site include mixed use residential and commercial development as outlined in the *Downtown Porterville Design Guidelines Review Draft* (City of Porterville, 2008d). To obtain City approval for these future projects, the project applicants will be required to comply with City ordinances, the City General Plan, and with the CEQA to ensure that potential environmental impacts will be reduced to a less than significant level. Since potential impacts from the proposed project and future projects will be mitigated in accordance with local and state regulations, it is expected that the cumulative impacts from the proposed project and other probable future projects will be less than significant.

c) *Will the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?*

Potentially Significant Impact Unless Mitigated. The proposed project has the potential to have significant physical effects on the environment, either directly or indirectly, above baseline conditions. Effects that are identified in this Initial Study as having possible substantial adverse impacts on human beings, either directly or indirectly, are limited to Air Quality (Section 4.3), Hazards and Hazardous Materials (Section 4.7), Noise (Section 4.11), and Recreation (Section 4.14). These effects are discussed in their respective sections and will be reduced to a less than significant level with implementation of the required mitigations.

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7.0 INVENTORY OF MITIGATION MEASURES

7.1 Air Quality

AIR QUALITY 1

In all disturbed areas, including storage piles that are not being actively utilized for construction purposes, the construction contractor shall effectively stabilize dust emissions using water, chemical stabilizer/suppressant, covering with a tarp or other suitable cover or vegetative ground cover.

AIR QUALITY 2

Use water or chemical stabilizer/suppressant materials to effectively stabilize dust emissions on all on-site unpaved roads.

AIR QUALITY 3

All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall include application of water to effectively control fugitive dust emissions.

AIR QUALITY 4

If materials are transported off-site, the construction contractor shall cover all material or effectively wet all materials to limit visible dust emissions and maintain at least 6 inches of freeboard space from the top of the container.

AIR QUALITY 5

All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday.

AIR QUALITY 6

Following the addition of materials to outdoor storage piles or the removal of materials, the construction contractor shall effectively stabilize the surface of outdoor storage piles utilizing sufficient water or chemical stabilizer/suppressant to prevent fugitive dust emissions.

AIR QUALITY 7

Install sandbags or other erosion control measures to prevent silt runoff to public roadways from areas with a slope greater than 1 percent.

7.2 *Hazards and Hazardous Materials*

HAZARDS AND HAZARDOUS MATERIALS 1

During demolition of the structures, a qualified environmental professional shall evaluate paint that is separated from the building material to determine its proper management, and the AOC's construction contractor will dispose of the materials in the manner determined by the environmental professional and in compliance with all applicable laws.

HAZARDS AND HAZARDOUS MATERIALS 2

Prior to demolition activities, the AOC's construction contractor will have a qualified environmental professional conduct an asbestos survey to determine the presence or absence of asbestos. If asbestos materials are present, the construction contractor will perform asbestos removal by a State-certified asbestos containment contractor in accordance with both the Toxic Substances Control Act, Title 15 of the United States Code, Section 2601 et seq.), and Title 2 – Asbestos Hazardous Emergency Response for Handling Asbestos.

HAZARDS AND HAZARDOUS MATERIALS 3

The AOC's contractor documents will require the construction contractor to ensure that a licensed hauler transports hazardous waste for disposal at an appropriate facility in compliance with applicable laws and regulations.

7.3 *Noise*

NOISE 1

Restrict construction activities that generate substantial noise to the hours between 7 a.m. and 5 p.m. on Monday through Saturday. No activities that generate substantial noise shall occur on Sundays or holidays

NOISE 2

Locate staging area and stationary equipment as far as possible from sensitive receptors (such as the homes north and west of the project site).

NOISE 3

Ensure all construction equipment is properly maintained and operated and equipped with mufflers.

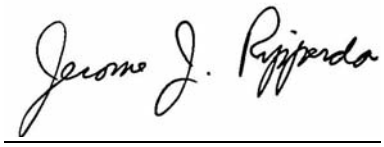
7.4 *Recreation*

RECREATION 1

The AOC will provide funds directly to the City for the City's development of additional recreational facilities to provide new facilities and/or expand the use of existing facilities to replace the lost recreational facilities.

8.0 LEAD AGENCY DETERMINATION

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



Signature

Administrative Office of the Courts
(Agency)

Jerome Ripperda
Printed Name/Title

3 June 2009
Date

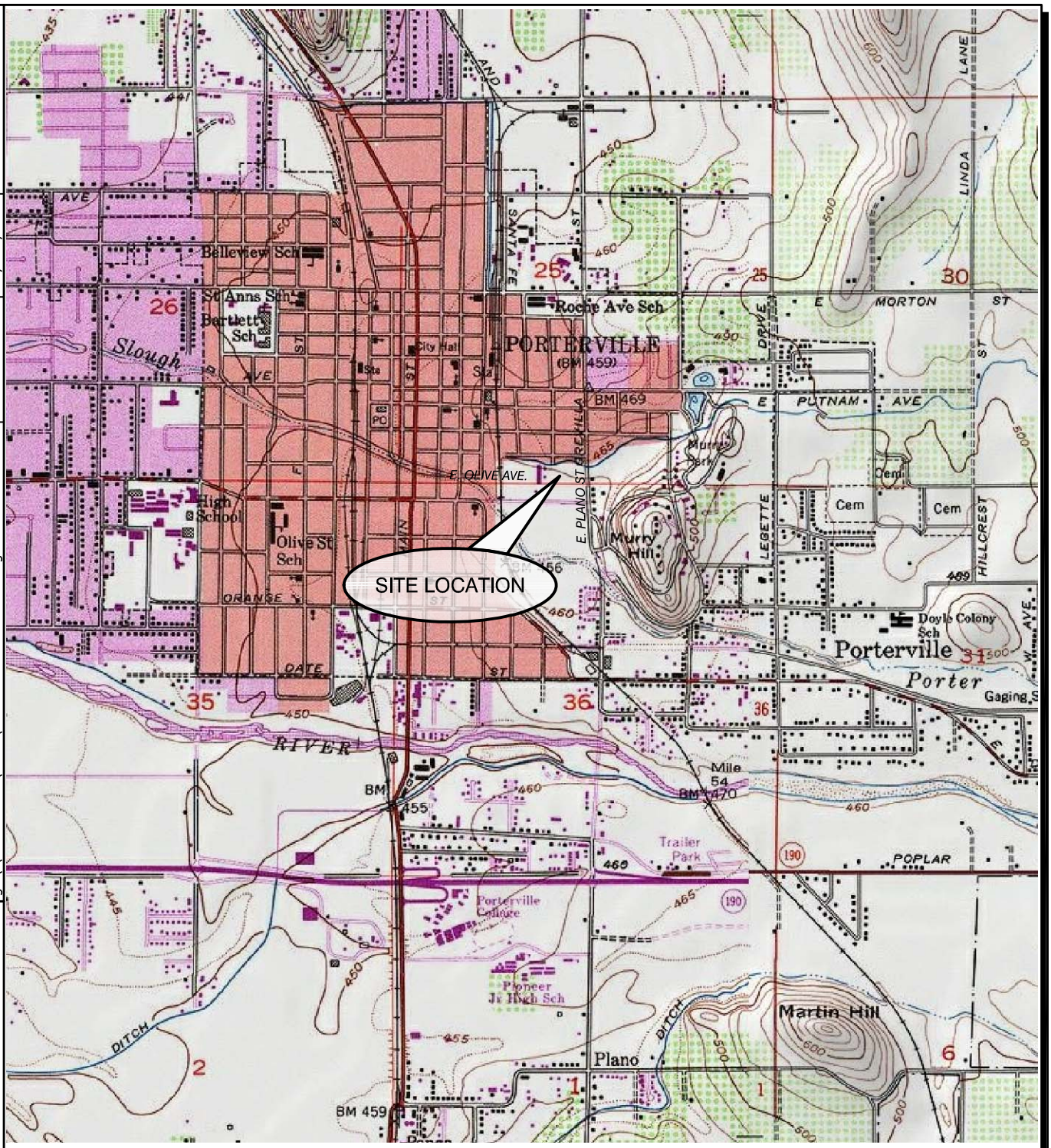
Figures

Project No. 0091285.202

Date: 11/21/08

Drawn By: J. Estrada

CAD File: g:\0061285\202\0061285202-01.dwg



SCALE 1:24,000

1 1/2 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 .5 0 1 KILOMETER

N

References:
TOPO!® Software
U.S.G.S. 7.5 Minute Series (Topographic) Quadrangle,
Porterville, California
Dated: 1969

Figure 1

Site Location Map
Administrative Office of the Courts
New Porterville Courthouse
Porterville, California

ERM *11/08*

CAD File:	Drawn By:	Date:	Project No.
g:\\0061285\202\0061285202-01.dwg	J. Estrada	06/01/09	0061285.202

Aerial Photo Source: © 2007 Google Earth Pro
Ver 4.0.2737

N

0 200
Approx. Scale (feet)

Figure 2

Current Site Layout
Administrative Office of the Courts
New Porterville Courthouse
Porterville, California

ERM *06/09*

CAD File:	Drawn By:	Date:	Project No.
g:\\0061285\202\0061285202-02.dwg	J. Estrada	05/28/09	0061285.202

Reference: CO Architects, 05-01-09

0 150
Approx. Scale (feet)

N

Figure 3

Proposed Site Layout
Administrative Office of the Courts
New Porterville Courthouse
Porterville, California

ERM *05/09*

Appendix A
LEED Checklist

Project Checklist

Sustainable Sites — 14 Possible Points

Prereq 1	**Construction Activity Pollution Prevention**	Required
Credit 1	**Site Selection**	1
Credit 2	**Development Density & Community Connectivity**	1
Credit 3	**Brownfield Redevelopment**	1
Credit 4.1	**Alternative Transportation**, Public Transportation Access	1
Credit 4.2	**Alternative Transportation**, Bicycle Storage & Changing Rooms	1
Credit 4.3	**Alternative Transportation**, Low Emitting & Fuel Efficient Vehicles	1
Credit 4.4	**Alternative Transportation**, Parking Capacity	1
Credit 5.1	**Site Development**, Protect or Restore Habitat	1
Credit 5.2	**Site Development**, Maximize Open Space	1
Credit 6.1	**Stormwater Design**, Quantity Control	1
Credit 6.2	**Stormwater Design**, Quality Control	1
Credit 7.1	**Heat Island Effect**, Non-Roof	1
Credit 7.2	**Heat Island Effect**, Roof	1
Credit 8	**Light Pollution Reduction**	1

Water Efficiency — 5 Possible Points

Credit 1.1	**Water Efficient Landscaping**, Reduce by 50%	1
Credit 1.2	**Water Efficient Landscaping**, No Potable Use or No Irrigation	1
Credit 2	**Innovative Wastewater Technologies**	1
Credit 3.1	**Water Use Reduction**, 20% Reduction	1
Credit 3.2	**Water Use Reduction**, 30% Reduction	1

Energy & Atmosphere — 17 Possible Points

Prereq 1	**Fundamental Commissioning of the Building Energy Systems**	Required
Prereq 2	**Minimum Energy Performance**	Required
Prereq 3	**Fundamental Refrigerant Management**	Required
Credit 1	**Optimize Energy Performance**	1–10
Credit 2	**On-Site Renewable Energy**	1–3
Credit 3	**Enhanced Commissioning**	1
Credit 4	**Enhanced Refrigerant Management**	1
Credit 5	**Measurement & Verification**	1
Credit 6	**Green Power**	1

Materials & Resources — 13 Possible Points

Prereq 1	**Storage & Collection of Recyclables**	Required
Credit 1.1	**Building Reuse**, Maintain 75% of Existing Walls, Floors & Roof	1
Credit 1.2	**Building Reuse**, Maintain 95% of Existing Walls, Floors & Roof	1
Credit 1.3	**Building Reuse**, Maintain 50% of Interior Non-Structural Elements	1
Credit 2.1	**Construction Waste Management**, Divert 50% from Disposal	1

Credit 2.2	**Construction Waste Management**, Divert 75% from Disposal	1
Credit 3.1	**Materials Reuse**, 5%	1
Credit 3.2	**Materials Reuse**, 10%	1
Credit 4.1	**Recycled Content**, 10% (post-consumer + 1/2 pre-consumer)	1
Credit 4.2	**Recycled Content**, 20% (post-consumer + 1/2 pre-consumer)	1
Credit 5.1	**Regional Materials**, 10% Extracted, Processed & Manufactured Regionally	1
Credit 5.2	**Regional Materials**, 20% Extracted, Processed & Manufactured Regionally	1
Credit 6	**Rapidly Renewable Materials**	1
Credit 7	**Certified Wood**	1

Indoor Environmental Quality — 15 Possible Points

Prereq 1	**Minimum IAQ Performance**	Required
Prereq 2	**Environmental Tobacco Smoke (ETS) Control**	Required
Credit 1	**Outdoor Air Delivery Monitoring**	1
Credit 2	**Increased Ventilation**	1
Credit 3.1	**Construction IAQ Management Plan**, During Construction	1
Credit 3.2	**Construction IAQ Management Plan**, Before Occupancy	1
Credit 4.1	**Low-Emitting Materials**, Adhesives & Sealants	1
Credit 4.2	**Low-Emitting Materials**, Paints & Coatings	1
Credit 4.3	**Low-Emitting Materials**, Carpet Systems	1
Credit 4.4	**Low-Emitting Materials**, Composite Wood & Agrifiber Products	1
Credit 5	**Indoor Chemical & Pollutant Source Control**	1
Credit 6.1	**Controllability of Systems**, Lighting	1
Credit 6.2	**Controllability of Systems**, Thermal Comfort	1
Credit 7.1	**Thermal Comfort**, Design	1
Credit 7.2	**Thermal Comfort**, Verification	1
Credit 8.1	**Daylight & Views**, Daylight 75% of Spaces	1
Credit 8.2	**Daylight & Views**, Views for 90% of Spaces	1

Innovation & Design Process — 5 Possible Points

Credit 1.1	**Innovation in Design**	1
Credit 1.2	**Innovation in Design**	1
Credit 1.3	**Innovation in Design**	1
Credit 1.4	**Innovation in Design**	1
Credit 2	**LEED Accredited Professional**	1

Project Totals — 69 Possible Points

Certified 26–32 points ■ **Silver** 33–38 points ■ **Gold** 39–51 points ■ **Platinum** 52–69 points

Appendix B
Air Quality Data

The following sections were excerpted from the San Joaquin Valley Air Pollution Control District (SJVAPCD) *Guide for Assessing and Mitigating Air Quality Impacts*, adopted 20 August 1998 and revised 10 January 2002. The document is an advisory document providing uniform procedures for addressing air quality in environmental documents. According to the following guidelines, a detailed analysis of air quality impacts is required only for projects that would generate a certain number of trips (see Table 5-2 below). The proposed project does not meet these criteria, and a detailed air quality analysis was therefore not required.

5.3 QUANTITATIVE EMISSIONS ANALYSIS LEVEL

This section describes the level of quantitative emissions analysis recommended for various sizes and types of land use projects. The SJVAPCD has established a three-tiered approach to determining significance related to a project's quantified ozone precursor emissions. Each tier or level requires a different degree of complexity of emissions calculation and modeling to determine air quality significance as described below. Table 5-1 summarizes the requirements for each level of analysis. Each level also requires the project to be analyzed for toxic air contaminants, hazardous materials, and odors. The potential for asbestos emissions must also be considered. For asbestos, size or complexity of the project does not matter. Any project that includes demolition or renovation of existing buildings needs to contact the SJVAPCD's Asbestos Coordinators at the appropriate SJVAPCD regional office.

Small Project Analysis Level (SPAL). The SJVAPCD pre-calculated the emissions on a large number and types of projects to identify the level at which they have no possibility of exceeding the emissions thresholds listed in Table 4-1. Table 5-2 provides this information in terms of vehicle trips required to exceed the SPAL threshold for five general land use categories[43]. Table 5-3 lists sizes of various specific development types meeting these criteria. Projects falling under these size thresholds qualify for what the SJVAPCD refers to as the Small Project Analysis Level (SPAL). No quantification of ozone precursor

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[42] CCR §15052(a)

[43] Land use category descriptions are provided in the Institute of Transportation Engineers (ITE) Trip Generation report and in the URBEMIS 7G for Windows User's Guide.

emissions is needed for projects less than or equal to the sizes listed, however, other factors, such as toxic air contaminants, hazardous materials, asbestos, and odors still need to be analyzed. The SJVAPCD still wishes to review SPAL projects. Initial studies should note that the project is a SPAL project and provide a brief justification for the finding of no significant air quality impacts. For a multi-use project, if its combined trip generation rate exceeds the lowest applicable trip threshold from Table 5-2, an air quality analysis as described for the Cursory Analysis Level (CAL) should be prepared.

Note that even if a project is on the SPAL list, it does not relieve the Lead Agency from assessing a project for other potential significant air quality impacts. Some industrial and commercial projects may have impacts related to toxic air contaminants, hazardous materials, or odors. Projects containing sensitive receptors such as residential subdivisions, schools, hospitals, and so on must be assessed for exposure to pollutants from existing or planned industrial and commercial development. Any project that includes demolition or renovation of existing buildings needs to contact the SJVAPCD's Asbestos Coordinators at the appropriate SJVAPCD regional office.

When a project falls under the SPAL, the Lead Agency should use the information in the initial study checklist, or whatever format used, to justify a finding of less than significant air quality impacts. The initial study should also verify that no sensitive receptors would be exposed to substantial pollutant concentrations as a result of the project.

Table 5-1
Project Analysis Requirements

Analysis Level	Analysis Requirements
Small Project Analysis Level (SPAL)	• Verify project qualifies as a SPAL project (Table 5-2, 5-3). • Examine area surrounding project site for sources of toxic air contaminants, hazardous materials, and odors. • If industrial or commercial; verify that project is not a source of toxic air contaminants, hazardous materials, and odors. • Mitigate cumulative impacts with measures appropriate for the site. • If demolition or renovation of existing buildings, contact the District for asbestos requirements.
Cursory Analysis Level (CAL)	• Conduct URBEMIS 7G for Windows[44] model run. • Screen project for CO impact[45]; run CALINE4[46] if required. • Perform screening analysis of potential toxics, hazardous materials, and odor impacts if near a potential source or if project is a potential source of these pollutants. • If demolition or renovation of existing buildings, contact the District for asbestos requirements. • Identify mitigation measures and quantify with URBEMIS 7G for Windows when feasible. • If project is identified as potentially significant using the above screening methods, prepare full analysis.
Full Analysis Level (FAL)	• Conduct URBEMIS 7G for Windows model run for projects. • Conduct Direct Travel Impact Model (DTIM)[47] model run for large plans when a transportation model is available. • Screen project for CO impact/run CALINE4 if required • Perform screening analysis for potential toxics, hazardous materials, and odors. • If project is identified as a potentially significant source of toxic or hazardous pollutants, prepare a health risk assessment.

[44] URBEMIS for Windows is available on ARB's website (http://www.arb.ca.gov/urbemis7/urbemis7.htm)

[45] The SJVAPCD recommends using the Transportation Project-Level Carbon Monoxide Protocol (CO Protocol) developed by UC Davis in December 1997. The program deals with project-level air quality analysis needed for federal conformity determinations, NEPA, and CEQA. The CO Protocol is available on Caltrans' website (http://www.dot.ca.gov/hq/env/air/extsoft.htm).

[46] CALINE4 (CAlifornia LINE Source Dispersion Model), is the standard modeling program used by Caltrans to assess air quality impacts near transportation facilities, in the rare cases when the screening procedures of the CO Protocol fail. It is based on the Gaussian diffusion equation and employs a mixing zone concept to characterize pollutant dispersion over the roadway. The SJVAPCD recommends the use of CL4 (Version 1.31). CL4 is a user interface designed to work with the CO Protocol, and can only be used for CO analysis. The program requires Windows 95/NT or higher and is available on Caltrans' website (http://www.dot.ca.gov/hq/env/air/extsoft.htm).

	• Prepare an air quality report containing: ▪ existing air quality conditions; ▪ analysis of project air quality impacts; mitigation measures; and ▪ results of modeling as technical appendices.

Table 5-2
Small Project Analysis Level (SPAL) in Vehicle Trips

Land Use Category	Project Size[48]
Residential Housing	1,453 trips/day
Commercial	1,673 trips/day
Office	1,628 trips/day
Institutional	1,707 trips/day
Industrial	1,506 trips/day

Table 5-3 (a)
Small Project Analysis Level (SPAL) by Project Type

Land Use Category	Project Size
Housing	
Single Family	152 Units
Apartments, Low Rise	220 Units
Apartments, High Rise	345 Units
Condominiums, General	270 Units
Condominiums, High Rise	335 Units
Mobile Homes	330 Units
Retirement Community	460 Units

[47] The Direct Travel Impact Model (DTIM) was developed by Caltrans in the late 1970's and is used in the State of California to calculate amounts of air pollutant emitted from motor vehicles and fuel consumption. The DTIM analysis is based on travel data produced by the Regional Transportation Model and on emission factors from the EMFAC Model. Some jurisdictions use the mobile emission inventory model MVEI7G when DTIM is not available. MVEI7G is available from the California Air Resources Board at www.arb.ca.gov/msei/mvei/mvei.htm.

[48] The project size numbers, and the trip generation numbers in Tables 5-2 and 5-3 were generated with URBEMIS 7G for Windows using default settings and are based on 90 percent of the ozone precursor emission thresholds. For definitions of land use categories listed above, see the URBEMIS 7G for Windows User's Guide or the latest edition of the Institute of Transportation Engineers, Trip Generation Manual.

Table 5-3 (b)
Small Project Analysis Level (SPAL) by Project Type

Land Use Category	Project Size
Office	
General Office Building	110,000 ft^2
Office Park	106,000 ft^2
Government (Civic Center)	57,000 ft^2
Government Office Building	23,000 ft^2
Medical Office Building	52,000 ft^2

Table 5-3 (c)
Small Project Analysis Level (SPAL) by Project Type

Land Use Category	Project Size
Retail	
Free Standing Discount Store	61,000 ft^2
Regional Shopping Center<57,000	11,000 ft^2
Discount Club Store	40,000 ft^2
Supermarket	9,000 ft^2
Convenience Market (w/o gas pumps)	2,000 ft^2
Convenience Market (w/ gas pumps)	2,000 ft^2
Gasoline/Service Station	10 pumps
Quality Restaurant	20,000 ft^2
Restaurant (high turnover sit-down)	9,000 ft^2
Fast Food Restaurant	2,000 ft^2
Day Care Center	22,000 ft^2
Bank (w/ drive-through)	10,000 ft^2
Racquet/Health Club	44,000 ft^2
Hotel	200 Units
Motel	170 Units

Table 5-3 (d)
Small Project Analysis Level (SPAL) by Project Type

Land Use Category	Project Size
Industrial [49]	
General Light Industry	510,000 ft^2
Heavy Industry	920,000 ft^2
Industrial Park	370,000 ft^2
Manufacturing	400,000 ft^2

Table 5-3 (e)
Small Project Analysis Level (SPAL) by Project Type

Land Use Category	Project Size
Institutional	
Hospital	78,000 ft^2
Elementary School	1875 students
Junior High School	1680 students
High School	1325 students
Junior College (2 year)	1100 students
University/College (4 year)	716 students
Place of Worship	48,000 ft^2

Cursory Analysis Level (CAL). Projects above the SPAL and most multi-use projects require a cursory air quality analysis to determine if they will exceed air quality significance thresholds after mitigation. A cursory analysis includes emission quantification, preliminary CO screening, and qualitative analysis of potential construction, toxics, and odor impacts. The SJVAPCD recommends using the URBEMIS 7G for Windows program to calculate project area source and mobile source emissions and for identifying mitigation measures to reduce impacts.

If a project has over a five year projected build-out, analyses should be done for the final build-out year (using the nearest default year in URBEMIS) and one intermediate year (using the URBEMIS default year nearest to the midpoint of projected build-out of the project). URBEMIS 7G for Windows provides the following default years: 2000, 2001, 2002, 2003, 2004, 2005, 2010, 2015, and 2020. If projected emissions exceed thresholds for any analysis year, the impact is considered to be significant and a full analysis is required.

[49] The SPAL levels for industrial sources are based only on indirect source emissions. Emissions from SJVAPCD regulated stationary sources are not included.

If there is a possibility that the project will result in a substantial increase in traffic congestion, it should be screened for potential CO hot spots using the CO Protocol[50] described in section 5.6.3 of this document. The area around the project site should be examined for the presence of potential toxic pollution sources and odor sources. When analyzing industrial projects, the impacts of potential toxic emissions and odors on any sensitive receptors near the project site must be identified. Applicants for any project that includes demolition or renovation of existing buildings need to contact the SJVAPCD's Asbestos Coordinators at the appropriate SJVAPCD regional office.

The SJVAPCD recommends that the results of the cursory analysis be presented in an air quality report that would be included in the environmental documentation supporting the negative declaration. The air quality report should include a brief air quality setting, the emissions analysis results, results of other air analyses, and a description of mitigation measures used to reduce the project's emissions. Provide either full documentation of calculations with justification of mitigation measures used when using manual method of quantification or an URBEMIS 7G for Windows detailed printout with descriptions of any modifications to URBEMIS 7G for Windows defaults (with justification for reduction amount).

Full Analysis Level (FAL). If the cursory analysis demonstrates that projected emissions from a project will be greater than the SJVAPCD's thresholds after mitigation or the project is of such magnitude that the ozone precursor thresholds would be obviously exceeded, a full analysis should be prepared. A full analysis will consist of the information applicable to the cursory analysis plus a thorough discussion of the air quality impacts and air quality environmental setting, as described in Section 5.4 of this document. Projects found to exceed CO screening thresholds may also require CO hotspot analysis using the CALINE4 dispersion model[51]. Projects containing toxic emission sources and those projects potentially exposed to toxic emissions may require a toxics risk assessment. Risk assessments require dispersion modeling to determine cancer risk for the nearest exposed individual. Procedures for addressing toxic air contaminants and hazardous air pollutants are found later in this section.

Appendix C
Cultural Resources Search

Environmental Resources Management

1777 Botelho Drive
Suite 260
Walnut Creek, CA 94596
(925) 946-0455
(925) 946-9968 (fax)

18 September 2008

Ms. Celeste Thomson
Southern San Joaquin Valley Information Center
California State University, Bakersfield
9001 Stockdale Highway
Bakersfield, CA 93311

Subject: Request for search of California Historical Resources Information System (CHRIS) for a New Courthouse Site in Porterville, CA

Dear Ms. Thomson:

On behalf of the Judicial Council of California's Administrative Office the Courts (AOC), ERM is preparing an Initial Study pursuant to the California Environmental Quality Act (CEQA) for the construction of a new courthouse in the City of Porterville, California for use by the Superior Court of California, County of Tulare. The AOC proposes to acquire 7.5 acres of property from the City of Porterville for the new courthouse. The proposed building will have approximately 90,000 square feet and will be four stories.

A map of the project area is attached, and following is a list of site-specific information to assist with this request:

COUNTY	Tulare County
SECTION	Section 25
TOWNSHIP	Township 21 South
RANGE	Range 27 East
USGS QUADRANGLE	NE ¼ of Porterville 7.5' Quad
APPROX. COORDINATES	36.0661°N, 119.0116°W
ERM FAX#	(925) 946-9968

Please feel free to contact me at (925) 279-3204 with any questions concerning this project. Thank you for your assistance.

Sincerely,

Jeanne Levine
Environmental Scientist

ERM #0061285.202
enclosures

Facsimile

Environmental Resources Management

1777 Botelho Drive
Suite 260
Walnut Creek, CA 94596
(925) 946-0455
(925) 946-9968 (fax)

To: Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Fax number: (916) 657-5390

From: Jeanne Levine, Environmental Scientist

Subject Proposed 4-story Courthouse for the Judicial Council of California, Administrative Office of the Courts

Date: 16 September 2008

Number of pages: 1 including cover sheet

On behalf of the Administrative Office of the Courts, ERM is preparing an Initial Study pursuant to the California Environmental Quality Act (CEQA) for this proposed project. This is to request a data search from the Registry of Sacred Sites. Any additional recommendations your office may have concerning potential impacts to cultural resources at or in the vicinity of the proposed project will be appreciated. A map of the project area is attached, and following is a list of site-specific information to assist with this request:

COUNTY	Tulare County
SECTION	Section 25
TOWNSHIP	Township 21 South
RANGE	Range 27 East
USGS QUADRANGLE	NE ¼ of Porterville 7.5′ Quad
APPROX. COORDINATES	36.0661°N, 119.0116°W

Please direct your response or any questions concerning this project to Jeanne Levine at (925) 279-3204. Thank you for your assistance on this project.

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

FRESNO
KERN
KINGS
MADERA
TULARE

Southern San Joaquin Valley
Archaeological Information Center
California State University, Bakersfield
9001 Stockdale Highway
31 MW
Bakersfield, California 93311-1022
(661) 654-2289 FAX (661) 654-2415
E-mail: abaldwin@csub.edu

TO: Jeanne Levine, Environmental Scientist **(RS# 08-300)**
Environmental Resources Management
1777 Botelho Drive, Suite 260
Walnut Creek, CA 94596

DATE: October 9, 2008

RE: ERM# 0061285.202; New Courthouse Site, Porterville, CA.

CO: Tulare

MAP(s): Porterville 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The following are the results of a search of the cultural resources site record files at the Southern San Joaquin Valley Archaeological Information Center. These files include known and recorded archaeological and historic sites, inventory and excavation reports filed with this office, and properties listed in the Historic Property Data File (8/18/08), on the National Register of Historic Places, the California Register, the California Historical Landmarks, the California Inventory of Historic Resources and the California Points of Historical Interest.

PRIOR CULTURAL RESOURCE INVENTORIES WITHIN THE PROJECT AREA AND A ONE-HALF MILE RADIUS

According to the information in our files, there have been no previous cultural resource surveys conducted within the project area. There have been twelve (12) previous surveys in a one-half mile radius, TU-115, 159, 532, 539, 630, 1031, 1052, 1061, 1243, 1295, 1303, and 1329.

KNOWN CULTURAL RESOURCES WITHIN THE PROJECT AREA AND A ONE-HALF MILE RADIUS

There are no recorded cultural resources within the project area, and it is not known if resources exist there.

(RS# 08-300)

There are thirteen (13) recorded archaeological sites within a one-half mile radius of the project area, P-54-573, 2423, 2804, 4032, 4309, 4354, 4355, 4356, 4357, 4358, 4359, 4360, and 4361.

There are no cultural resources within the project area, or the immediate vicinity that are listed in the National Register of Historic Places, the California Register, California State Historic Landmarks, California Inventory of Historic Resources or the California Points of Historical Interest.

COMMENTS/RECOMMENDATIONS

We understand this project consists of the construction of a new courthouse for the city of Porterville, Tulare County, CA. If the property is currently vacant, prior to ground disturbance activities, we recommend that a qualified professional archaeologist conduct a field survey of the entire parcel in order to determine if cultural resources exist there. A referral list of qualified professionals is available upon request. If the property is already developed or underground utilities exist, no further investigation is needed at this time. During any ground disturbance activities if cultural resources are unearthed all work should halt in the area of the find. A qualified professional archaeologist should be called in to evaluate the find and make the appropriate mitigation recommendations. If you have any questions or need additional information, please don't hesitate to contact our office at (661) 654-2289.

By

Brian E. Hemphill, Ph. D.
Coordinator

Date: October 9, 2008

Fee: $150.00/hr. (Standard Service)

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

September 24, 2008

Ms. Jeanne Levine, Environmental Scientist
Environmental Resources Management (ERM)
1777 Botelho Drive, Suite 260
Walnut Creek, CA 94506

Sent by FAX to: 925-946-9968
No. of Pages: 2

Re: Request for a Sacred Lands File records search and Native American Contacts list for the proposed **Four-Story Courthouse for the Judicial Council of California, Administrative Office of the Courts** located in the Porterville area; Tulare County, California

Dear Ms. Levine:

The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area/area of potential effect (APE). The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any project area.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of culturally-affiliated Native American Contacts that may have knowledge of cultural resources in the project area. A list of Native American contacts is attached to assist you. It is advisable to contact the persons listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area. A local tribe or Native American individual may be the only source of a Native American cultural resource.

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 15064.5(f) and Section 15097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton, Program Analyst

Attachment: Native American Contact List

Native American Contacts
Tulare County
September 24, 2008

Santa Rosa Rancheria
Clarence Atwell, Chairperson
P.O. Box 8
Lemoore , CA 93245
(559) 924-1278
(559) 924-3583 Fax

Tache
Tachi
Yokut

Esohm Valley Band of Indians
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas , CA 93906
831-443-9702

Foothill Yokuts
Mono

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville , CA 93258
chairman@tulerivertribe-nsn.
(559) 781-4271
(559) 781-4610 FAX

Yokuts

Tubatulabals of Kern Valley
Donna Begay, Tribal Chairwoman
P.O. Box 226
Lake Isabella , CA 93240
(760) 379-4590
(760) 379-4592 FAX

Tubatulabal

Ron Wermuth
P.O. Box 168
Kernville , CA 93238
warmoose@earthlink.net
(760) 376-4240 - Home
(916) 717-1176 - Cell

Tubatulabal
Kawaiisu
Koso
Yokuts

Santa Rosa Rancheria
Lalo Franco, Director - Cultural Deparment
P.O. Box 8
Lemoore , CA 93245
(559) 924-1278

Yokuts
Tachi

Wukchumni Tribe
Susan Weese
1540 S. Bollinger Court
Visalia , CA 93277
(559) 303-0606

Wukchumni

Wukchumni Tribe
John Sartuche
929 N. Lovers Lane
Visalia , CA 93292
(559) 636-1136

Wukchumni

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Four-Story Courthouse for the Judial Council of California; located in the Porterville Area; Tulare County, California for which a Sacred Lands File search and Native American Contacts list were requested.

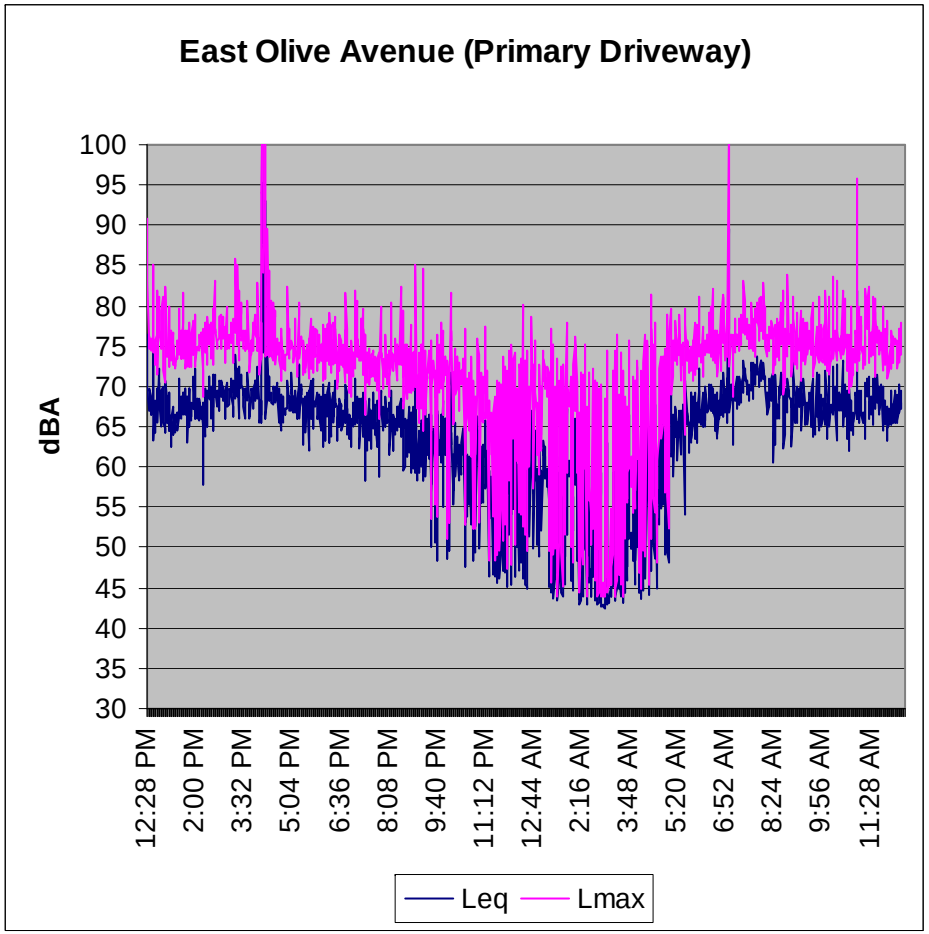
Appendix D
Noise Measurements

Descriptor	Measured Value (dBA)			
Site: N1				
Leq	69.8			
Ldn	73.4			
CNEL	73.5			

METROSONICS db-3080 V1.11

24-hour Measurements

Location: Primary Entrance at East Olive Avenue, Porterville, CA

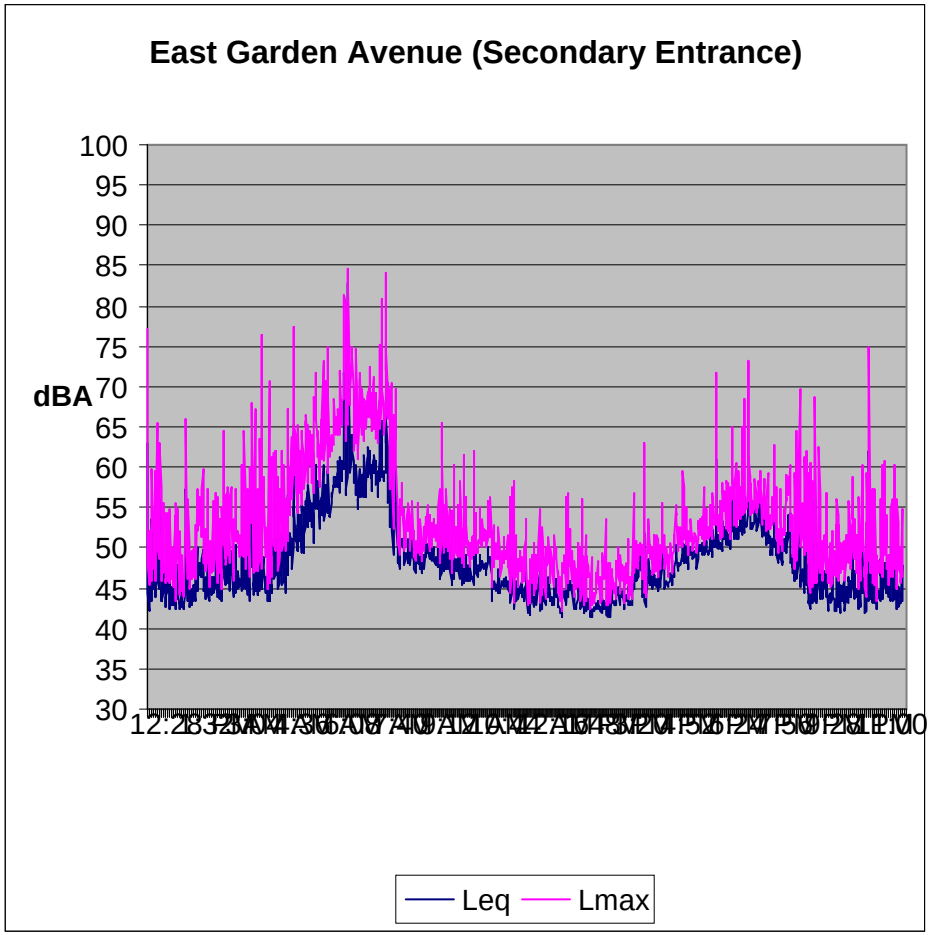


Descriptor	Measured Value (dBA)			
Site:N2				
Leq	55.8			
Ldn	64.8			
CNEL	64.8			

METROSONICS db-3080 V1.11

24-hour Measurements

Location: Secondary Entrance on East Garden Avenue, Porterville, CA

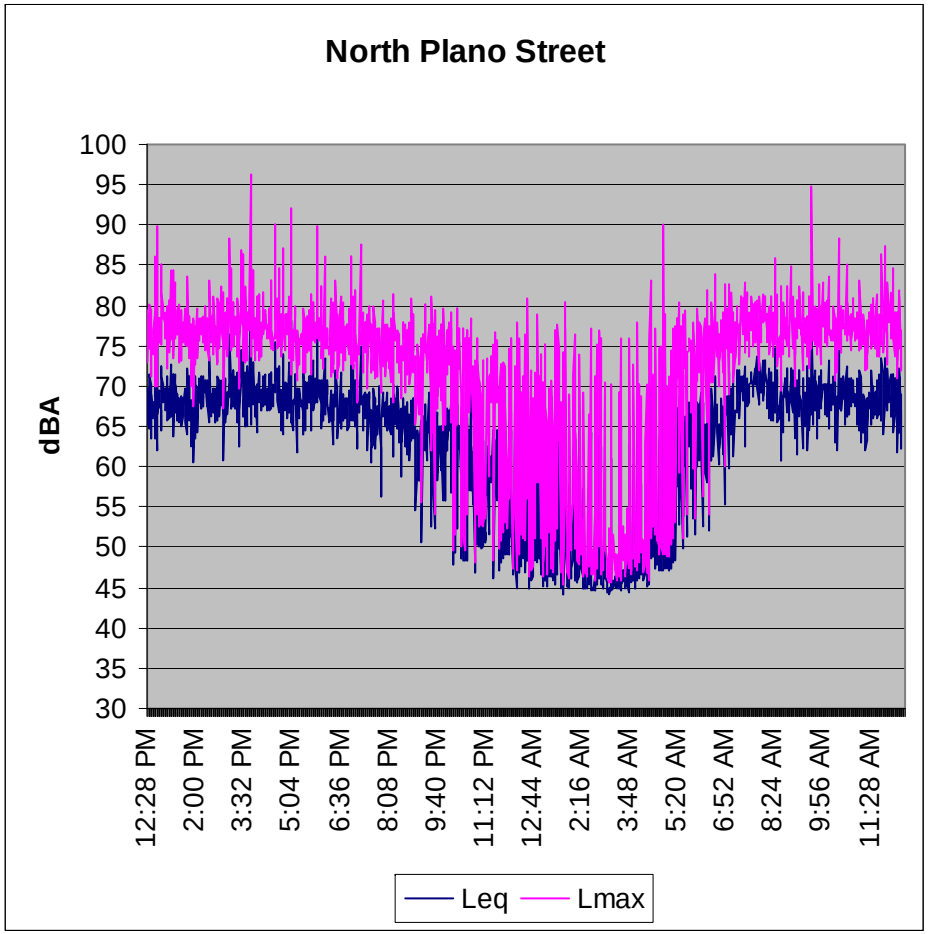


Descriptor	Measured Value (dBA)			
Site: N3				
Leq	67.4			
Ldn	70.0			
CNEL	70.4			

METROSONICS db-3080 V1.11

24-hour Measurements

Location: North Plano Street, Between East Garden Avenue and



Appendix E
Traffic Study

TRAFFIC IMPACT ANALYSIS

NEW PORTERVILLE COURTHOUSE
PORTERVILLE, CALIFORNIA

June 1, 2009

Prepared for: **Administrative Office of the Courts**
State of California

Prepared by: **Mark D. Crane, P.E.**
California Registered Traffic Engineer (#1381)
Carolyn Cole, AICP
CRANE TRANSPORTATION GROUP
2621 E. Windrim Court
Elk Grove, CA 95758
(916) 647-3406
(510) 236-9375

TRAFFIC IMPACT ANALYSIS
NEW PORTERVILLE COURTHOUSE

I. INTRODUCTION, PROJECT LOCATION AND BACKGROUND

At the request of the Administrative Office of the Courts (AOC), State of California, Crane Transportation Group has analyzed traffic issues associated with the proposed new Porterville courthouse. The project site is located in the City of Porterville, Tulare County, California, approximately 1.5 miles north of State Route 190 and 1.5 miles east of State Route 65. The site is located west of the U.S. National Guard Armory, south of East Garden Avenue, north of East Olive Avenue, and immediately east of a recreational trail and former railroad alignment. A site vicinity map is included as **Figure 1**. For purposes of this analysis text, the "north," "south," "east," and "west," designations for city roadway names has been omitted.

The site consists of approximately 7.5 acres and is developed with a single baseball field and recreational field in the western portion of the site and buildings associated with the Porterville Fairgrounds in the eastern portion of the site. The City of Porterville is proposing to relocate the fairgrounds near the city airport. If the State purchases the land for the new Porterville Courthouse, the City of Porterville will demolish the property's existing structures and remove the associated debris from the site.

Surrounding Land Uses. The following land uses are immediately adjacent to the project site:

- North: Garden Avenue, beyond which lies a residential neighborhood;
- East: The U.S. National Guard Armory, beyond which lies Plano Street;
- South: Olive Avenue, beyond which lies vacant land owned by the California Junior Livestock Association; and
- West: A recreational trail and former railroad alignment, beyond which lie residential buildings and Fourth Street.

The new Porterville Courthouse will become the South Justice Center and will replace the two inadequate court facilities currently serving the County's southern communities (i.e., the Porterville Government Center and the Tulare-Pixley Court Building). The Tulare County Board of Supervisors and the City of Porterville (City) adopted resolutions in October 2007 to express support of the need to replace the existing Porterville courthouse with a new facility in Porterville and to pledge to work with the State to develop the project. The AOC has been working collaboratively with the County of Tulare (County) and City to develop a project that meets the goals of the local community (Judicial Council of California, 2007).

The AOC will base the design of the new courthouse on its Principles of Design for California Court Buildings, and will apply the following codes and standards: California Building Code (edition in effect as of the commencement of schematic design phase of a particular court project); California Government Code, California Code of Regulations, Title 24; California Energy Code, Americans With Disabilities Act; American Disability Act Accessibility Guidelines (Section 11); and Division of the State Architect's Access Checklist.

The AOC plans to acquire the site in mid-2009, begin construction in February 2011, complete construction in July 2012, and begin operation in August 2012. Prior to construction of the courthouse, the City of Porterville will demolish the property's existing structures that have been used for the Porterville Fairgrounds.

Major work tasks for this traffic analysis consisted of:

- Conduct of weekday AM peak period traffic counts at seven signalized intersections expected to be affected by courthouse traffic in Porterville.
- Determination of the future, year 2012 Base Case (without courthouse project) traffic volumes at study intersections.
- Projection of weekday AM peak hour trip generation associated with the proposed courthouse in consultation with city, county and state representatives.
- Distribution of the project traffic to the seven study intersections in Porterville.
- Determination of whether the proposed location of the courthouse would negatively impact operation of the intersections analyzed.
- Determination of sight lines from the proposed courthouse access driveway on Olive Avenue.

II. SUMMARY

1. Operating conditions (levels of service) at the seven analysis intersections are acceptable, operating at or better than LOS C (minimum acceptable is LOS D, per City standard).

2. There are no planned improvements to study area streets and intersections within the analysis time period.[1]

3. Future (year 2012 - without project) operation at the seven study intersections will continue to be acceptable, at or better than LOS C.

[1] Michael Reed, Deputy Public Works Director/City Engineer, City of Porterville, e-mail communication, December 8, 2008.

4. The proposed project would be expected to generate at most, on a peak activity day during the AM peak commute traffic hour, 277 inbound and 28 outbound trips.

5. Year 2012 Base Case + project operating conditions (levels of service) at each study intersection for the weekday AM peak hour will continue to be acceptable at or better than LOS C.

6. Field measurements indicate that the proposed courthouse driveway would have sight lines that would exceed required sight distances.

7. The proposed courthouse project does not include closure of any public through street that is currently used for emergency services, and would not be expected to interfere with the adopted emergency response plan. Therefore, no significant impacts are anticipated to emergency service access.

8. The state architect has allocated a total of 36 spaces per court for the Porterville site based upon studies throughout the state of courthouse parking demand; the proposed 320 public and 11 restricted parking spaces are expected to accommodate the parking demands of the 9-court facility.

III. SETTING

A. ROADWAYS AND INTERSECTIONS

Regional access is provided to Porterville by the following facilities:

State Route (SR) 65 is a state highway that serves north-south travel through Porterville. It is a four-lane divided freeway from north of SR 190 through Porterville, with interchanges at SR 190, Olive Avenue and Henderson Avenue. From north of Porterville to the City of Lindsay SR 65 is a four-lane divided expressway with limited access. South of Porterville, SR 65 is an undivided two-lane highway with designated passing lanes.

SR 190 is a state highway that serves east-west travel through Porterville. It extends between SR-99 (west) to eastern Tulare County near the mountain community of Camp Nelson. Within Porterville, SR 190 is a four-lane divided freeway from west of SR 65 to Jaye Street; from Jaye Street east it is a four-lane divided expressway with limited access.

The following roadways provide primary circulation routes within the project site vicinity.

Olive Avenue is a two-to four-lane, east-west arterial roadway providing access to commercial areas in Porterville. The roadway is a four-lane divided arterial with turn channelization from Plano Street west to Westwood Street, transitioning to a two-lane roadway west of Westwood Street. It is designated “Avenue 152” west of the city limits. In the immediate project site

vicinity, Olive Avenue has signalized intersections with Main, Second and Plano streets. The signalized intersections have pedestrian signals and crosswalks. Along the site frontage Olive Avenue has two through lanes in each direction, bike lanes on each side and sidewalks along the north site (adjacent to the site), only. The posted speed in each direction is 35 miles per hour (mph).

There are two driveways intersecting Olive Avenue that provide access to the site: the westernmost driveway is 28-feet wide and provides access to the Fairgrounds. The easternmost driveway is about 27 feet wide and provides maintenance access to the ballfield. The roadway's north to south cross section adjacent the Fairgrounds driveway has a 4.5 foot wide sidewalk on the north side, and an 8-foot wide unsurfaced pathway on the south side; curb and gutter, 10-foot wide curb lanes and 14 foot wide median lanes with double yellow centerline stripe.

Olive Avenue traverses a vertical curve (hill) west of the project site. At the crest of the hill is a former railroad track running perpendicular to the roadway; the railroad track has been removed, and is now a paved pedestrian trail (Porterville Rails to Trails Parkway). At its intersection with Olive Avenue the trail has a yellow pedestrian crossing sign with flashing lights activated by manual, button-control. When an individual wishes to cross Olive Avenue, the button can be pushed and yellow warning lights flash to tell drivers to slow for a pedestrian crossing in progress; a voice recording tells the individual to cross with caution. The trail has a narrow, unpaved median area between the double-yellow centerline stripes on Olive Avenue that, if necessary, allows pedestrians to wait in the roadway median for oncoming (through) traffic to pass. The trail crosses Olive Avenue about 90 feet west of the project site, and is separated from the site by a broad, grassy swale (a flood control channel); the trail ends just south of Olive Avenue.[2]

Main Street is a two-to-four lane, north-south arterial roadway through Porterville. Between Henderson and Morton avenues, Main Street has four lanes; south of Morton Avenue to Olive Avenue, Main Street has two lanes with angled, on-street parking and bulbouts to accommodate pedestrian crossings. In the immediate project site vicinity, Main Street has signalized intersections with Olive and Orange avenues. The signalized intersections have pedestrian signals and crosswalks.

Plano Street is a two-to-four-lane, north-south collector roadway serving the east side of Porterville. It has four lanes between its intersections with Date and Henderson avenues, then narrows to two lanes north and south of these intersections. In the immediate project site vicinity, Plano Street has signalized intersections with Putnam, Olive and Orange-Date avenues. The signalized intersections have pedestrian signals and crosswalks.

Second Street is a two-lane, north-south collector roadway extending between Mulberry Avenue ("Avenue 162"), and Olive Avenue. In the immediate project site vicinity, Second Street has

2 There is interest in extension of the pedestrian pathway, along with construction of park amenities and a ball field project south of Olive Avenue. Prioritization and schedule will likely be better understood after the December 10, 2008 City Council session (Jim Perrine, Director of Parks and Leisure Services, City of Porterville, e-mail communication, December 8, 2008).

signalized intersections with Olive and Putnam avenues. The signalized intersections have pedestrian signals and crosswalks.

Putnam Avenue is a two-lane, east-west collector roadway extending between Matthew Street (west side of the city) and Hillcrest Street (east side of the city). In the immediate project site vicinity, Putnam Avenue has signalized intersections with Plano Street and Second Street. The signalized intersections have pedestrian signals and crosswalks.

Orange Avenue – Date Avenue are two-to-four lane, east-west divided arterials extending between Western Street (west side of the city) and Springville Avenue (east side of the city). The roadway name changes at Plano Street, being designated Orange Avenue west of Plano Street, and Date Avenue east of Plano Street. In the immediate project site vicinity, the roadway has signalized intersections with Main and Plano streets. The signalized intersections have pedestrian signals and crosswalks.

Garden Avenue is a two-lane, east-west residential roadway extending between Plano Street and Fig Avenue. Along the site frontage, Garden Avenue has four gated driveways providing access to the Fairgrounds. Its intersection with Plano Street is stop sign controlled; its intersection with Fig Avenue has no sign control.

B. EXISTING AND FUTURE BASE CASE (YEAR 2012 - WITHOUT PROJECT) TRAFFIC VOLUMES

1. EXISTING CONDITIONS

Weekday traffic counts were conducted at the request of Crane Transportation Group on a Wednesday in mid-October, 2008 from 7:00 – 9:30 AM at the following intersections:

- Main Street/ Olive Avenue
- Main Street/ Orange Avenue
- Second Street/ Putnam Avenue
- Second Street/ Olive Avenue
- Plano Street/ Putnam Avenue
- Plano Street/ Olive Avenue
- Plano Street/ DateAvenue

Since the courts generally end daily sessions prior to the weekday ambient PM peak traffic hour, analysis was not preformed for this time period.

Figure 1 shows the roadway system, **Figure 2** shows AM peak hour traffic volumes at all analyzed locations and **Figure 3** shows intersection geometry and control. The ambient peak traffic hour was determined to be 7:45 to 8:45 AM.

The court's projected morning peak traffic hour (associated with jury calls and start of court sessions) was found to overlap with the morning ambient peak traffic hour (7:45 – 8:45) along Olive Avenue and Plano Street.

2. FUTURE CONDITIONS (YEAR 2012)

Year 2012 Base Case (without project) traffic projections were developed for the seven intersections for the one analysis time period. This planning horizon was chosen for analysis as it is anticipated that if approved, the court would be constructed and operating within a four-year timeframe. Growth rates utilized to factor existing counts to year 2012 conditions were based upon projections available in the City's General Plan traffic model.[3] Future, year 2012 volumes were determined based upon straight line projections of growth on major study area streets, derived from City of Porterville General Plan 2030 volumes. The City's General Plan indicates an annual growth rate of 0.6 percent per year along Olive Avenue, with lesser rates of growth, or negative growth, on surrounding streets. Thus, for purposes of this study, the 0.6 percent rate was used along Olive Avenue, and a growth rate of approximately ½ that (0.3 percent per year) was used to provide a conservative analysis of other study area streets. Resultant year 2012 AM peak hour volumes for the study area roadway network are shown on **Figure 4**.

C. METHODOLOGY

1. INTERSECTION LEVEL OF SERVICE

Signalized Intersections. Intersections, rather than roadway segments between intersections, are almost always the capacity controlling locations for any circulation system. Signalized intersection operation is graded based upon two different scales. The first scale employs a grading system called Level of Service (LOS) which ranges from Level A, indicating uncongested flow and minimum delay to drivers, down to Level F, indicating significant congestion and delay on most or all intersection approaches. The Level of Service scale is also associated with a control delay tabulation (year 2000 Transportation Research Board [TRB] *Highway Capacity Manual* [HCM] operations method) at each intersection. The control delay designation allows a more detailed examination of the impacts of a particular project. Greater detail regarding the LOS/control delay relationship is provided below.

[3] City of Porterville 2030 General Plan Circulation Element, Traffic Model Results, 2008.

SIGNALIZED INTERSECTION LOS CRITERIA

Level of Service	Description	Average Control Delay (Seconds Per Vehicle)
A	Operations with very low delay occurring with favorable progression and/or short cycle lengths.	< 10.0
B	Operations with low delay occurring with good progression and/or short cycle lengths.	10.1 to 20.0
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.1 to 35.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, and/or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 55.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.1 to 80.0
F	Operation with delays unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	> 80.0

Source: 2000 Highway Capacity Manual (Transportation Research Board, 2000).

Minimum Acceptable Standard. The City of Porterville uses LOS D as the minimum acceptable operation at signalized intersections.

D. EXISTING (WITHOUT PROJECT) INTERSECTION OPERATION

1. INTERSECTION LEVEL OF SERVICE

Table 1 shows existing operating conditions (levels of service) at each intersection for the AM peak hour. During the AM peak hour, all intersections operate acceptably at or better than LOS C.

E. PLANNED IMPROVEMENTS

City staff state that there are no planned improvements to study area streets and intersections within the future (year 2012) analysis time period.[4]

F. YEAR 2012 BASE CASE (WITHOUT PROJECT) INTERSECTION OPERATION

1. INTERSECTION LEVEL OF SERVICE

Table 1 shows future (year 2012) operating conditions (levels of service) at each intersection for the AM peak hour. During the AM peak hour, all intersections will continue to operate acceptably at or better than LOS C.

G. PUBLIC BUS ACCESS

The project site is served by Porterville Transit Fixed Routes 3 and 4, running Monday through Friday, 7 a.m. to 7 p.m. and Saturday, 9 a.m. to 5 p.m. Near the project site, Route 3 travels south on Second Street, crossing Olive Avenue, then continues south along B Street. Route 4 traverses Plano Street, traveling north. The frequency between buses during both peak and off-peak hours of operation is approximately every 30 minutes. Route 3 comes nearest the site at Olive Avenue/B Street (about 2 blocks west of the site) and Route 4 runs nearest the site at Olive Avenue/Plano Street. Dial-a-Ride service, the Porterville COLT (City Owned Local Transit), is available for seniors and persons with disabilities. Tulare County Area Transit provides regional bus service from the City of Porterville to surrounding communities via five routes, with service Monday through Saturday. Other intercity transit is provided by Greyhound Lines and Orange Belt Stages.

H. REGIONAL PLANS AND PROGRAMS

The Tulare County Association of Governments (TCAG), is responsible for overseeing and planning projects with the county and each of its cities. The following are applicable goals, objectives and policies with which the project shall comply:

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[4] Michael Reed, Deputy Public Works Director/City Engineer, City of Porterville, e-mail communication, December 8, 2008.

1. REGIONAL CONSIDERATIONS

Goal: provide an efficient, integrated multi-modal transportation system for the movement of people and goods that enhances the physical, economic and social environment.
Objective: Develop and maintain a multi-purpose circulation network that is convenient, safe, and efficient throughout the scope of the Regional Transportation Plan (20 year planning cycle).
Policies:
♦ Support coordinated transportation planning and programming.

2. INDIVIDUAL PROJECTS

As part of individual improvement project-specific environmental review, implementation agencies will evaluate the impacts on police, fire, and medical services in the County. Appropriate mitigation measures should be identified for all impacts. The implementation of projects by agencies or local jurisdiction will be responsible for ensuring adherence to the mitigation measures. TCAG will be provided with documentation indicating compliance with mitigation measures.
♦ Prior to construction, the implementation agency will ensure that all necessary local and state road and railroad encroachment permits are obtained. The implementation agency also will comply with all applicable conditions of approval. As deemed necessary by the governing jurisdiction, the road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction.
♦ Projects requiring police protection, fire service, and emergency medical service will coordinate with the local fire department and police department to ensure that the existing public services and utilities will be able to handle the increase in demand for their services. If the current levels of service at the individual improvement project site are found to be inadequate, infrastructure improvements and personnel requirements for the appropriate public service will be identified in each individual improvement project's CEQA documentation.

IV. PROJECT IMPACTS

A. DESCRIPTION OF PROPOSED PROJECT

The courthouse will operate with nine judicial position equivalents in nine courtrooms. The AOC projects 107 total staff positions, including the nine justices, court administration, support services, criminal, central and civil division staffs, and operations staffs in the new courthouse. Courthouse days and hours of operation will be the same as today: Monday through Friday, 8:00 AM – 5:00 PM. Courthouse vehicular activity will be at maximum levels every day in the morning, and at peak levels in the morning on jury call days (Monday, Tuesday and Wednesday mornings).[5] Peak traffic generation at the courthouse and maximum parking demand days will occur due to jury calls for trial courts and full-schedule operation of the family court and traffic court.

The new courthouse will front on Olive Avenue. It will have 320 parking spaces accessed via Olive Avenue, and another 11 secured basement parking spaces for judicial officers and executives. All public access will be via Olive Avenue; access to the 11 secured spaces will be via Garden Avenue.

A sallyport will be located on the north side of the building to accommodate Sheriff's buses. Sheriff's buses will enter Garden Avenue to access the sallyport.

Proposed project improvements. The project proposes provision of a continuous, two-way, left turn lane along the Olive Avenue project site frontage.. The existing two driveways intersecting Olive Avenue would be reduced to one, at the location of the existing easternmost driveway.

1. TRANSPORTATION TO AND FROM THE COURTHOUSE

Vehicle Access. Vehicles would access the new courthouse parking lots using Olive Avenue. All public access would be restricted to Olive Avenue, and all public parking would be restricted to the 320-space parking lot accessed via Olive Avenue. Judicial officers and executives would be permitted to use basement parking (11 spaces), accessed via Garden Avenue.
If it is determined that in-custody defendants will be transported from Visalia to be arraigned before the courts in Porterville (this has not yet been determined), the Tulare County Sheriff's Department would transport them to and from the new courthouse using buses. Sheriff's buses would access a sallyport on the north side of the courthouse via Garden Avenue.

Public Bus Access. The project site will continue to be served by Porterville Transit Fixed Routes 3 and 4, running Monday through Friday, 7 a.m. to 7 p.m. and Saturday, 9 a.m. to 5 p.m. Route 3 travels nearest the site at Olive Avenue/B Street (about 2 blocks west of the site) and Route 4 runs nearest the site at Olive Avenue/Plano Street. Dial-a-Ride service will continue to be available for seniors and persons with disabilities through the Porterville COLT (City Owned Local Transit) Tulare County Area Transit will continue to provide regional bus service from

[5] Jerry Ripperda, Environmental Analyst, Judicial Council of California, Administrative Office of the Courts, personal communication, September 16, 2008.

the City of Porterville to surrounding communities via five routes, with service Monday through Saturday. Other intercity transit will continue to be available (Greyhound Lines and Orange Belt Stages).

B. PROJECT TRIP GENERATION

1. INBOUND PROJECT TRAFFIC

The following depicts *inbound courthouse traffic* on a theoretical Monday morning in August 2012 during the ambient traffic commute peak hour (7:45 – 8:45 AM), when the courts would be constructed and in use. The theoretical day intentionally presents a peak activity period scenario, and is based primarily on current courthouse operations in Visalia.[6]

Peak traffic generation could occur due to jury calls for two trial courts plus full-schedule operation of family and traffic courts.[7] There could be as many as seven trial courts operating concurrently; each court's justice determines the need for a jury call at the end of the preceding day (i.e., the judge notifies staff of the need for a jury on a Friday afternoon before the Monday jury selection day, Wednesday afternoon before the Thursday jury selection day, and so forth).

Non-Staff Arrivals. On a theoretical maximum attendance morning, one court requiring a jury call would draw from the 100 jurors called. The second court requiring a jury call would be processed in the afternoon – per the schedule currently followed in Visalia. Five courts having empanelled juries would be convening by 10:00 AM, and there would be full-schedule operation of family and traffic courts. Under this peak day scenario, activity would occur as follows during the morning ambient peak commute traffic hour (7:45 AM – 8:45 AM):

- Trial court with jury call:
  100 potential jurors would arrive at the courthouse by 8:30 AM = 100 vehicles @ 1 vehicle per potential juror

- Spectators: each trial court might attract 5 observers = 35 observers @ 1.5 persons per vehicle = 23 vehicles arriving at 8:30 AM.

- Trial courts with empanelled jurors (five courts):
  Five groups of 14 jurors would arrive at the courthouse by 9:30 AM (for 10:00 AM court session = 70 vehicles @ 1 vehicle per juror; these trips are not included in the early morning – 8:30 AM inbound traffic.

---

[6] The Tulare County - Visalia Courthouse Operations Analyst, Ms. Deanna Jasso, assisted in determining theoretical peak day activity. Crane Transportation Group applied the final volumes and percentages, for review by Ms. Jasso, Tulare County staff, City staff and the AOC.

[7] Arraignment court, termed LDA (Last Day Arraignment) Court , would not necessarily be held in the Porterville courthouse in order that there would be no need to transporting in-custody inmates from the jail in Visalia. If a jail is constructed in Porterville at some time in the future, then these activities could be added to the range of functions at the Porterville facility. *Ibid.*

- Family court: Processed at approximately 10 per hour @ 2 vehicles per session (family + counsel) = 20 vehicles would arrive at 8:30 AM

- Traffic court: Processed at approximately 10 per hour@ 1 vehicle per item = 10 vehicles would arrive at 8:30 AM

Sub-total (non-staff) arrivals: 184 vehicles, reduced by 5 percent (9 vehicles) due to drop-offs and alternative transportation modes = 175 vehicles.

Staff Arrivals. It is assumed that the majority of court staff would arrive at or before 8:00 AM, with a few arriving later, but no later than 8:30 AM, @ 1 vehicle per staff member. Staff would consist of:

Staff Vehicle Arrivals Summary for New Porterville Court (7:45 – 8:45 AM):

11	Court Administration
36	Support Services
9	Court Sets / Judiciary
19	Criminal Division Staff
8	Civil Division Staff
19	Family Division Staff
0	Justice Partners
5	Court and Building Operations
107	Total Vehicles reduced by 5 percent (5 vehicles) due to drop-offs and alternative transportation modes = 102 vehicles.

Grand Total Arrivals. 7:45 - 8:45 AM (175 Visitors + 102 Staff): 277 vehicles

2. OUTBOUND PROJECT TRAFFIC

Outbound traffic during the AM peak hour is projected at 10 percent of inbound, or 28 vehicle trips, attributable to outbound maintenance vehicles and drop-offs (i.e., the outbound trip from having dropped off a staff member, juror or visitor).

3. INBOUND PLUS OUTBOUND PROJECT TRAFFIC

The proposed project would be expected to generate at most, on a peak activity day during the AM peak commute traffic hour, **277 inbound and 28 outbound trips.**

C. PROJECT TRIP DISTRIBUTION

•

During the 7:45 to 8:45 AM peak hour the project's contribution of traffic to study intersections would be as follows:

1. INBOUND TRIPS TO THE COURTHOUSE

40 % from within Porterville city limits = 111 trips, distributed as follows:
20% to/from northeast sectors of Porterville
10% to/from west sectors of Porterville
7% to/from south sectors of Porterville
3% to/from east sectors of Porterville
60% from region = 166 trips, distributed as follows:
30 % to/from North via Highway 65 and Avenue 160
5% to/from East via Highway 190 (East Poplar Avenue) and East Springfield Avenue
10% to/from South via Highway 65 and Plano Street
15 % to/from West via Highway 190 (Poplar Avenue) and Avenue 160

2. OUTBOUND TRIPS FROM THE COURTHOUSE

40 % to within Porterville city limits = 11 trips, distributed as follows:
20% to/from northeast sectors of Porterville
10% to/from west sectors of Porterville
7% to/from south sectors of Porterville
3% to/from east sectors of Porterville
60% to region = 17 trips, distributed as follows:
30 % to/from North via Highway 65 and Avenue 160
5% to/from East via Highway 190 (East Poplar Avenue) and East Springfield Avenue
10% to/from South via Highway 65 and Plano Street
15 % to/from West via Highway 190 (Poplar Avenue) and Avenue 160

Figure 5 shows the project traffic increment distributed to the study area roadway network, and **Figure 6** shows Future (Year 2012) plus project traffic volumes at study intersections.

D. INTERSECTION OPERATION

1. INTERSECTION LEVEL OF SERVICE

Table 1 shows year 2012 Base Case + project operating conditions (levels of service) at each intersection for the weekday AM peak hour. During the AM peak hour, all intersections will continue to operate acceptably at or better than LOS C. The project would add less than one second of delay at study intersections, therefore, there are **no significant impacts.**

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E. LEFT TURN LANE AND SIGHT LINE EVALUATION - OLIVE AVENUE

1. LEFT TURN LANE EVALUATION - EASTBOUND OLIVE AVENUE APPROACH TO THE PROJECT ACCESS DRIVEWAY

Olive Avenue runs east-west, and the project site has about 300 feet of frontage along Olive Avenue. The roadway is generally level fronting the site (i.e., the vertical curve over the former railroad tracks is located west of the site), and there is little vegetation to obstruct sight lines. The project site has sufficient frontage to accommodate the planned two-way left turn lane. There are no physical obstructions to prevent roadway widening.

2. SIGHT LINE EVALUATION – OLIVE AVENUE ACCESS DRIVEWAY

Field measurements indicate that from the proposed Project Access driveway, sight lines would exceed 400 feet viewing east and west (viewed from a vehicle waiting to turn onto Olive Avenue from the Project Access).

Design Speed and Stopping Sight Distance. Caltrans uses a term called "Design Speed" in determining appropriate sight lines. The posted speed limit westbound and eastbound along Olive Avenue in the site access vicinity is 35 mph. Based upon field measurements conducted by CTG at the proposed driveway location, the measured 85th percentile speed through this location was 43 mph eastbound (downgrade) and 39 mph westbound.[8] For purposes of this analysis a conservative 43 mph speed limit is used as the "design speed".

The Caltrans Highway Design Manual indicates that for Private Road Intersections "the minimum corner sight distance shall be equal to the stopping sight distance." (Section 405.1(c)—January 4, 2007). Caltrans Table 201.1 provides Stopping Sight Distance (speed/stopping sight distance relationships) for private driveways – these relationships are shown on **Table 2.** At a design speed of 43 miles per hour on wet pavement with a downhill grade, 353 feet of sight distance would be required, viewed from the position of a vehicle waiting to turn onto Olive Avenue from the Project Access driveway. Field measurements indicate that the proposed courthouse driveway would have sight lines that would exceed the required sight distances.

The proposed project would not be expected to result in any increased hazards due to a design feature. The new courthouse will front along Olive Avenue, and the AOC's design will be consistent with professional engineer traffic standards. Driveway sight lines will comply with AASHTO standards. All vehicular traffic would continue to access the courthouse using existing roadways. Affected intersections have been shown to result in acceptable with-project levels of service for the future (year 2012) scenario when the project would be constructed and occupied. Therefore, **no significant impacts are anticipated**.

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[8] The "85th percentile speed" refers to the speed of traffic at or below which 85 percent of the vehicles are moving. As described in *A Policy on Geometric Design of Highways and Streets*, American Association of State Highway and Transportation Officials (AASHTO), 2004, the 85th percentile measurement would represent the "pace" or "speed range" used by most drivers.

F. EMERGENCY ACCESS.

The AOC's development of the project site will conform to recommendations of the Superior Court of California (County of Tulare), the Tulare County Sheriff's Department, and the City of Porterville Fire Department to ensure adequate emergency access. The City of Porterville Fire Marshal (Battalion Chief Loran Blasdell) will conduct a review of the site plan to determine any specific emergency access needs.[9] The proposed project does not include closure of any public through street that is currently used for emergency services, and would not be expected to interfere with the adopted emergency response plan. Therefore, **no significant impacts are anticipated.**

G. PARKING SUPPLY

The proposed off-street parking supply for the courthouse is 320 on-site, surface parking spaces for court and staff visitors (public spaces) and 11 secured basement parking spaces for judicial officers and court executives (private, restricted spaces). This parking supply is consistent with the state's study of parking space requirements for courts, established at from 20 to 45 spaces per court based upon surveys of courts throughout the state. [10] Factors considered in determining parking supply are the number of courtrooms and types of matters to be heard; availability of public transit and expected public transit use; the average number of attorneys, visitors and jurors expected daily, expected length of stay, and number of employees and official vehicles at the facility. The state architect has allocated about 36 spaces per court for the Porterville site. This is expected to accommodate the parking demands of the 9-court facility courthouse, as follows:

The projected maximum total weekday AM peak hour inbound traffic is 277 vehicles, some of which would be drop-offs (i.e., not requiring a parking space). Based on typical day court schedules, the majority of parking demand occurs during the initial hours of the court day. If the vast majority of arrivals, perhaps as many as 90 percent (250) of the 277 inbound vehicles required several hours of parking at the court, there would still be 81 spaces for other, later arrivals. Since the project's on-site parking supply substantially exceeds the projected maximum AM peak hour inbound vehicle trips and some additional parking is available along Garden Avenue, the AOC concludes that the project's parking impacts will be less than significant.

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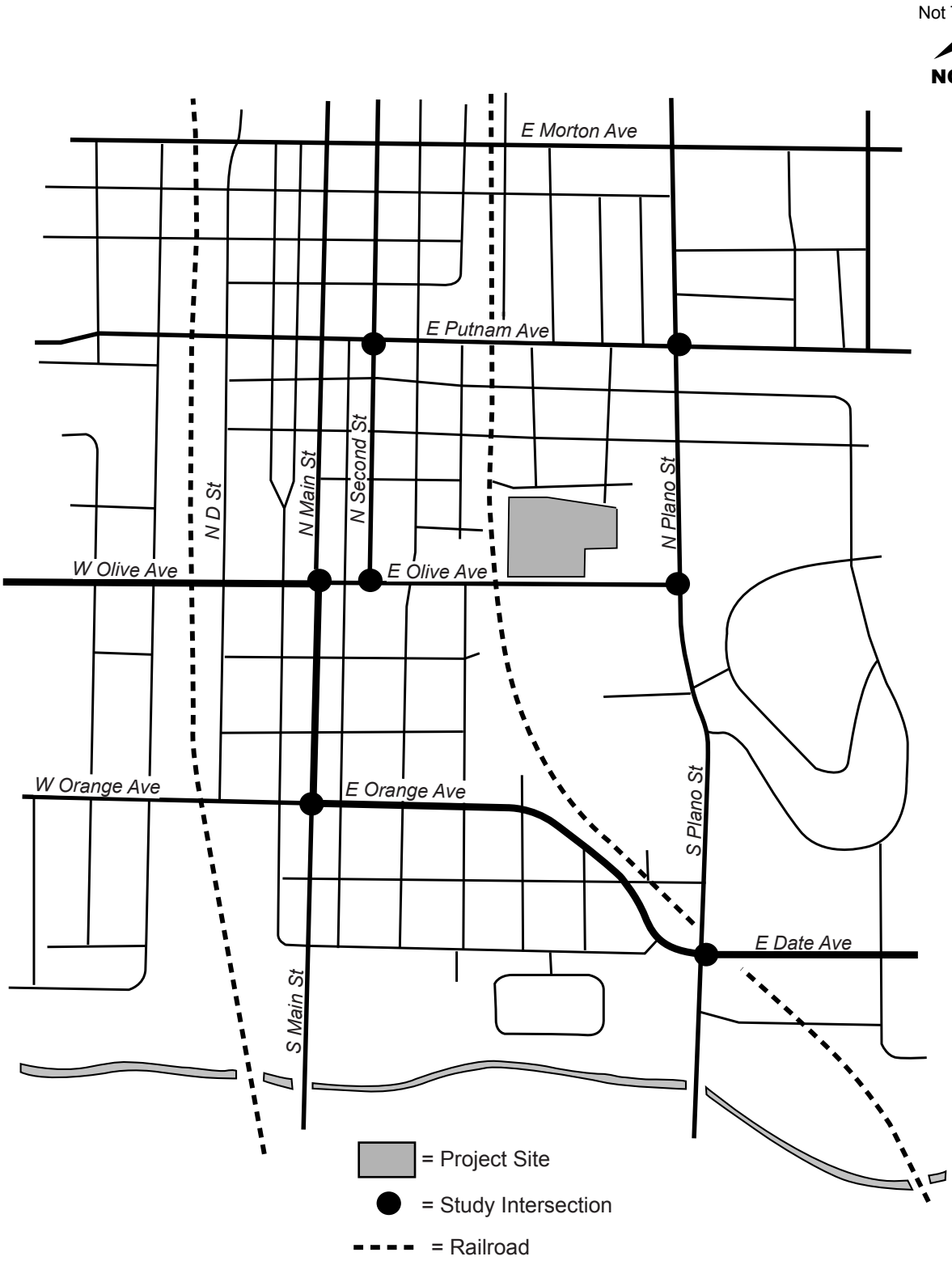
[9] Battalion Chief Loran Blasdell, Fire Marshal, City of Porterville, personal communication, December 8, 2008.
[10] *California Trial Court Facilities Standards, 2006 Edition*, Judicial Council of California, Administrative Office of the Courts, Office of Court Construction and Management, April, 21, 2006.

Figures



New Porterville Courthouse Traffic Analysis

Figure 1
Area Map

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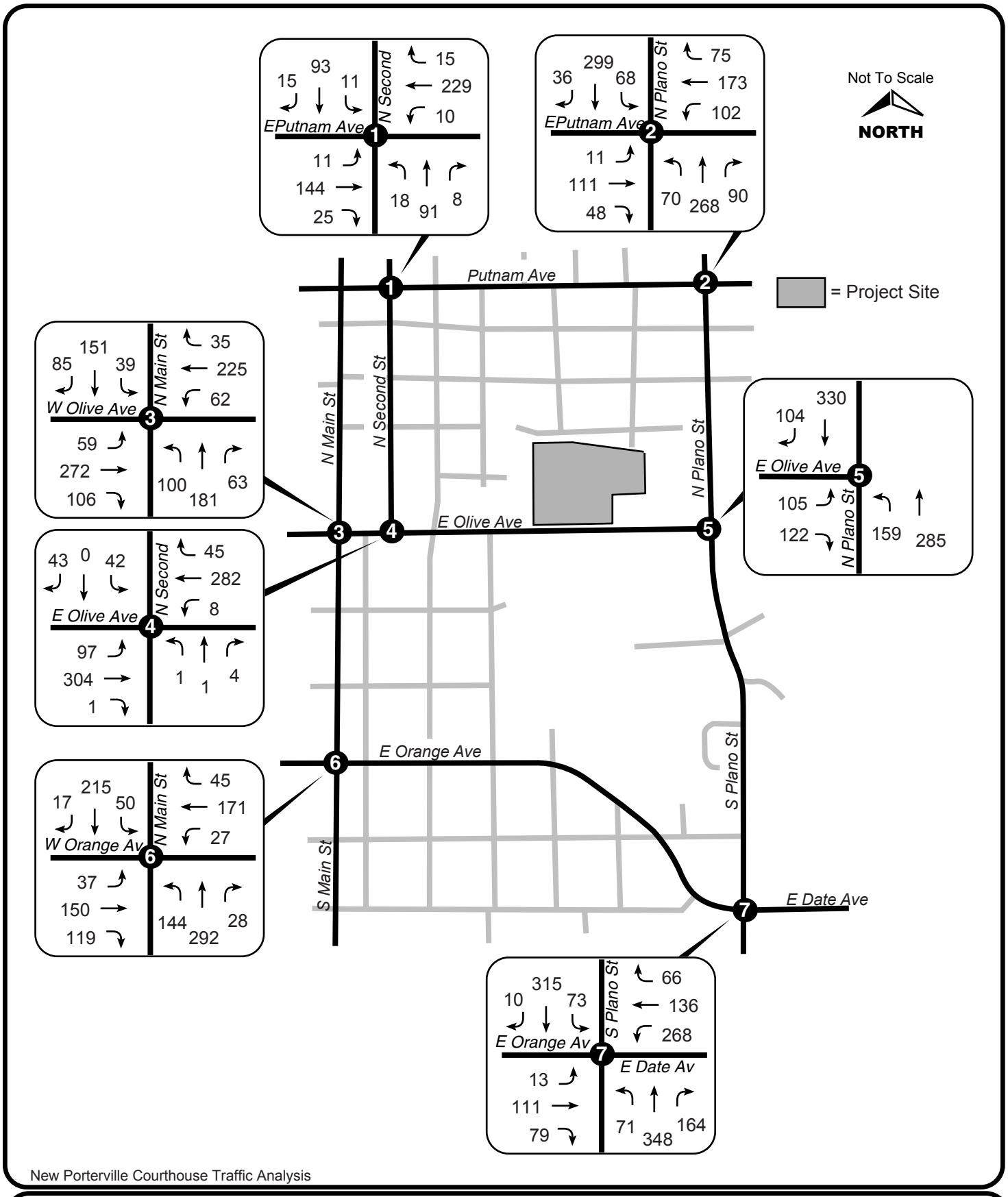
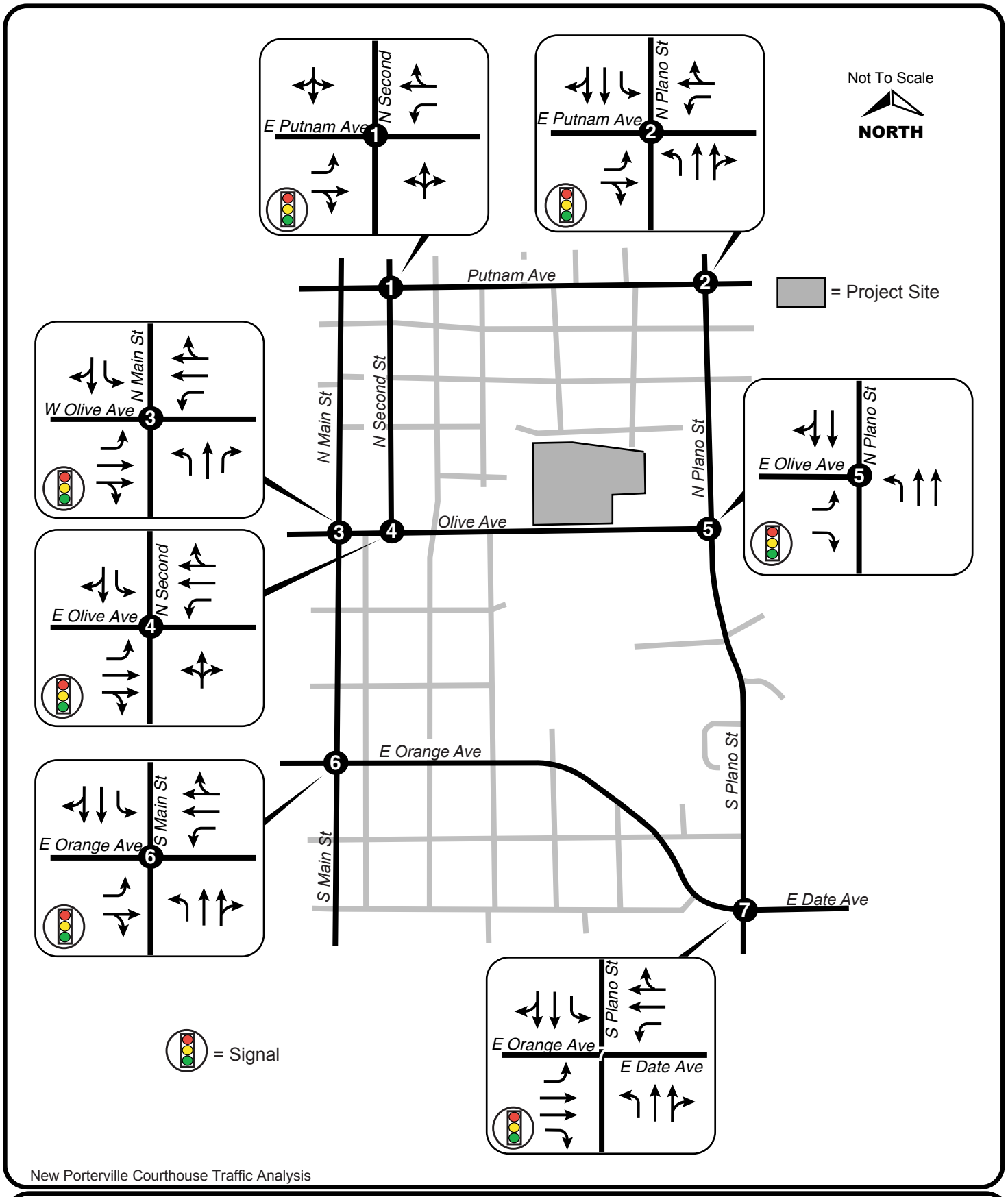


New Porterville Courthouse Traffic Analysis

CRANE TRANSPORTATION GROUP

Figure 2

Existing AM Peak Hour Volumes (7:45-8:45)



New Porterville Courthouse Traffic Analysis

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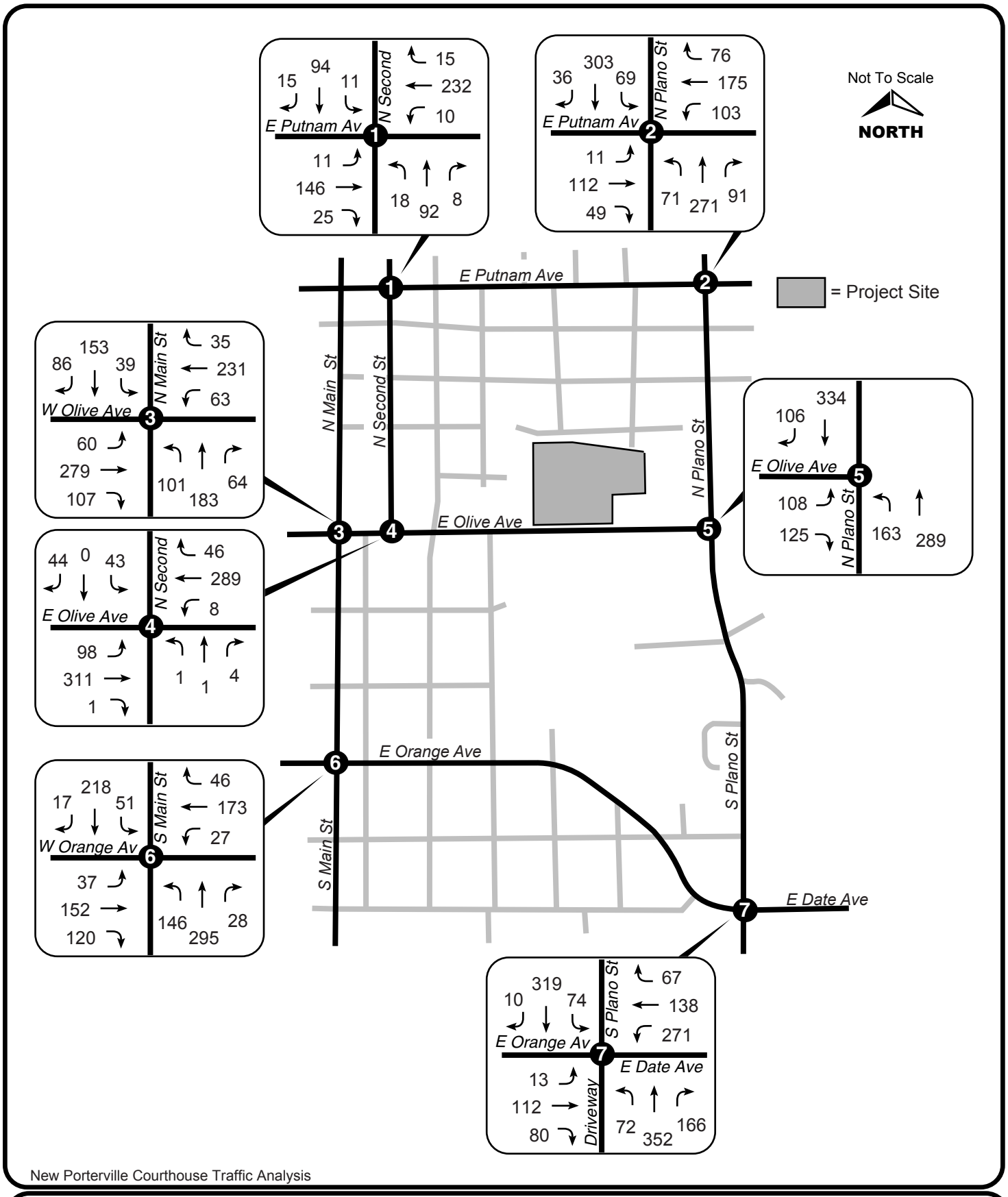
Figure 3
Existing and Year 2012 Intersection Lane Geometrics and Control



New Porterville Courthouse Traffic Analysis

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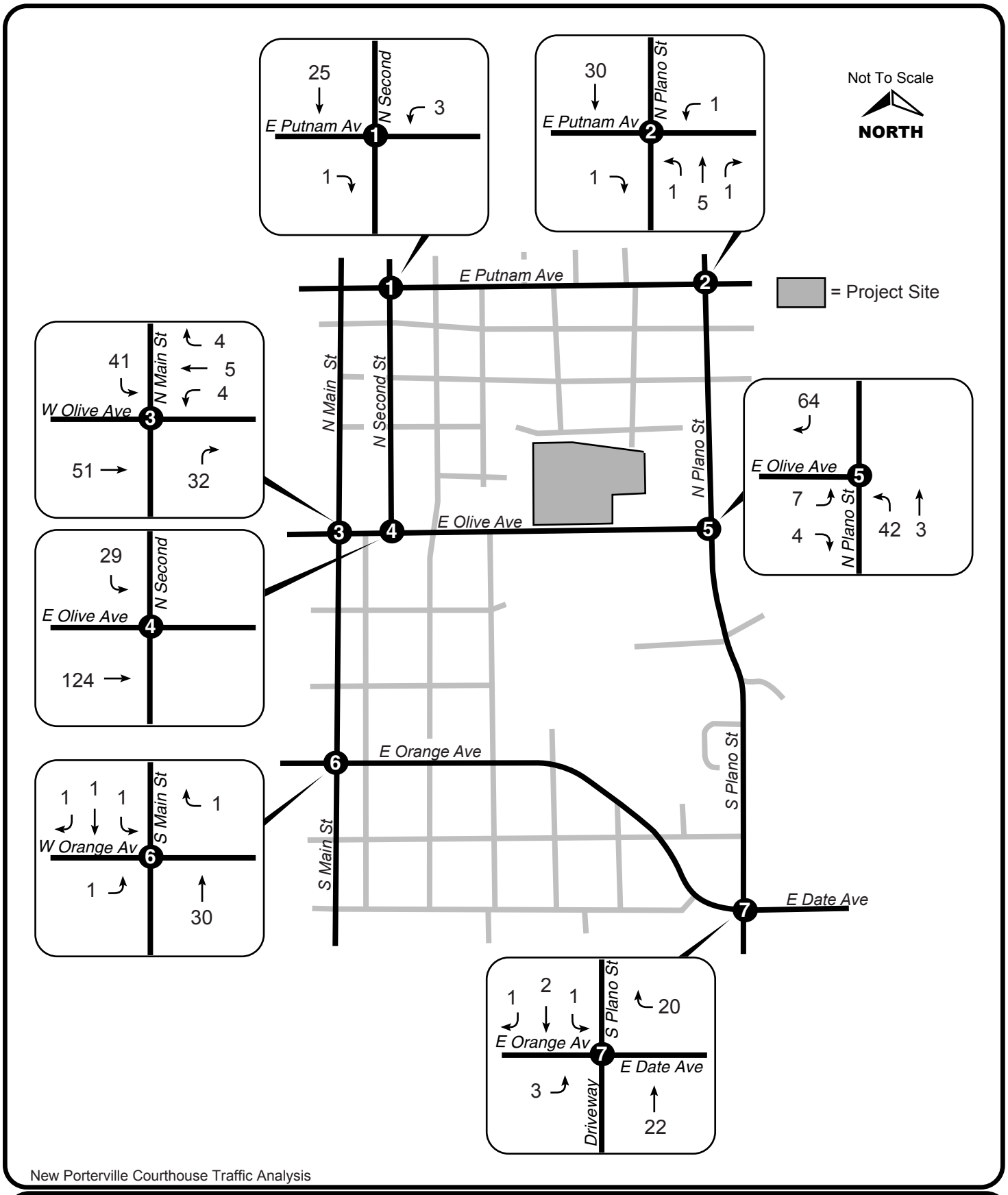
Figure 4

Year 2012 Base Case (Without Project)
AM Peak Hour Volumes



New Porterville Courthouse Traffic Analysis

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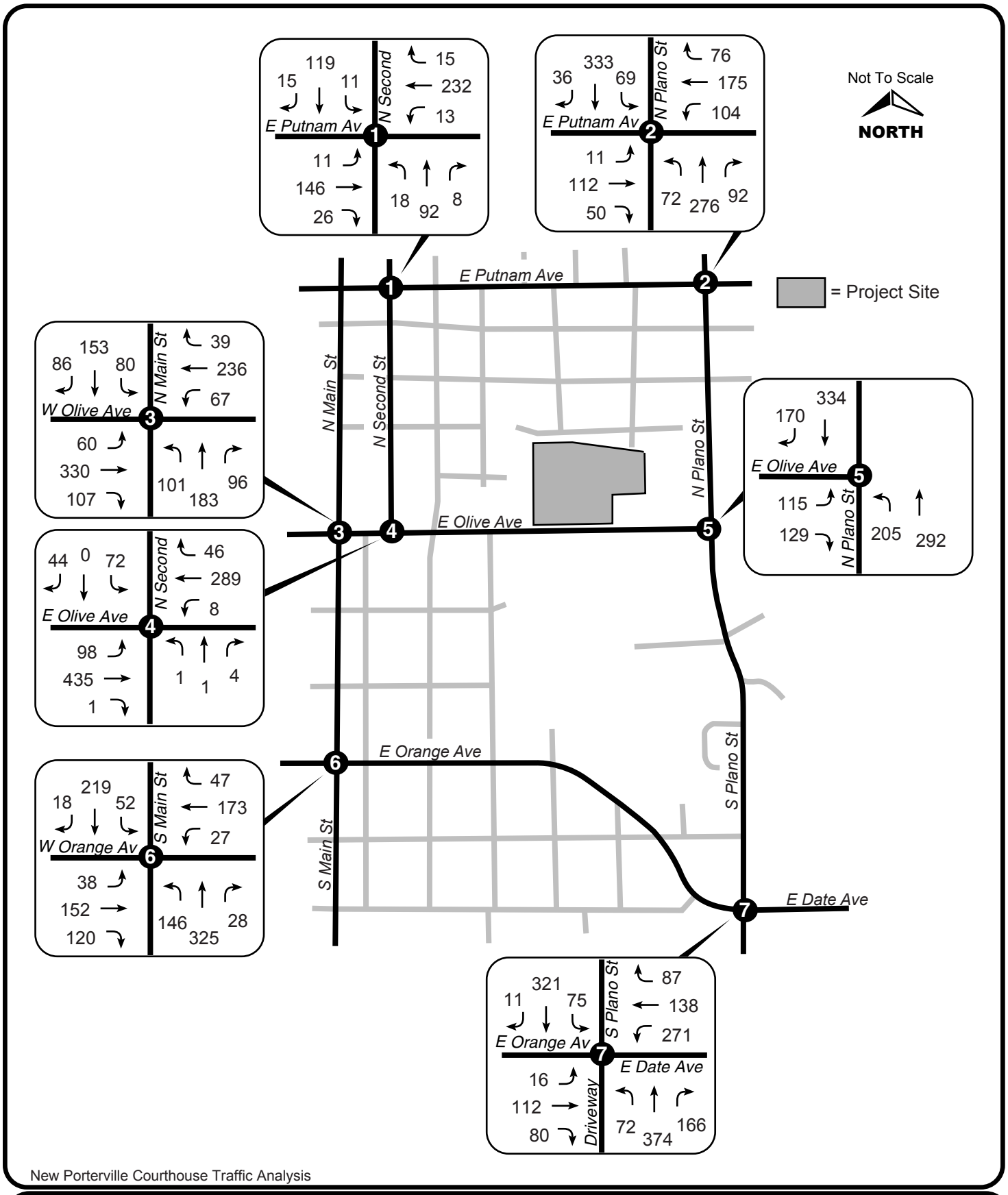
Figure 5

Project Increment
AM Peak Hour Volumes



New Porterville Courthouse Traffic Analysis

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Figure 6

Year 2012 Base Case + Project AM Peak Hour Volumes

Tables

Table 1

INTERSECTION LEVEL OF SERVICE
AM PEAK HOUR

INTERSECTION	EXISTING 2008	Future 2012 Base Case	Future 2012 W/Project
Olive Ave. / Main St. (Signal)	C-20.5 (1)	C-20.6	C-20.7
Olive Ave. / Second St. (Signal)	B-13.6 (1)	B-13.6	B-13.6
Olive Ave. / Plano St. (Signal)	B-13.9 (1)	B-14.0	B-14.8
Plano St. / Putnam Ave. (Signal)	B-19.9 (1)	B-20.0	B-20.1
Putnam Ave. / Second St. (Signal)	B-14.1 (1)	B-14.1	B-14.3
Main St. / Orange Ave. (Signal)	C-20.1 (1)	C-20.2	C-20.2
Plano St. / Orange Ave.-Date Ave. (Signal)	C-20.9 (1)	C-20.9	C-21.0

(1) Signalized level of service – average control delay in seconds.

Source: Crane Transportation Group

Table 2

STOPPING SIGHT DISTANCE - WET CONDITIONS

Design Speed miles/hr	Stopping Sight Distance in Feet*	
	Downgrade	Upgrade
	3%	3%
35	257	237
36	269	247
37	280	258
38	292	268
39	304	**279**
40	315	290
41	328	301
42	340	312
43	**353**	323
44	365	333
45	378	344

Bold type indicates design speed and stopping sight distance (in feet) referenced for uphill and downhill conditions in evaluation of the access driveway.

* Distances are interpolated from design speeds provided in Exhibit 3-2. Stopping Sight Distance on Grades, from *A Policy on Geometric Design of Highways and Streets*, American Association of State Highway and Transportation Officials (AASHTO), Fifth Edition, 2004.

Compiled by: Crane Transportation Group

Appendix F
Mitigation Monitoring Plan

[*placeholder for Final Draft*]