

COUNTY OF TULARE
RESOURCE MANAGEMENT AGENCY



5961 South Mooney Boulevard
Visalia, CA 93277

**Three Rivers Hampton Inn and Suites
Three Rivers, CA**

Final Environmental Impact Report
SCH# 2020110016

June 2021

Prepared by:
County of Tulare Resource Management Agency
Economic Development and Planning Branch
Environmental Planning Division

Three Rivers Hampton Inn & Suites
Final Environmental Impact Report (SCH# 2020110016)

These attached documents complete the Final Environmental Impact Report (FEIR) for the above referenced project.

- I. Responses to Comments (Chapter 10 of the FEIR)
- II. Mitigation Monitoring and Reporting Program (Chapter 8 of the FEIR)
- III. Errata (Corrections made to pages of the Draft EIR)
- IV. Findings of Fact

I. Chapter 10 Responses to Comments

INTRODUCTION & RESPONSE TO COMMENTS

Chapter 10

INTRODUCTION

The Draft Environmental Impact Report (Draft EIR or DEIR) for the Three Rivers Hampton Inn & Suites (Project) was made available for public review and comment for a period of 45 days from March 8, 2021 through April 22, 2021. The purpose of this document is to present public comments and responses to comments received on the Three Rivers Hampton Inn & Suites Draft EIR (SCH # 2020110016).

Individual responses to each of the comment letters received regarding the Draft EIR are included in this chapter. Comments that do not directly relate to the analysis in this document (i.e., that are outside the scope of this document) will be considered.

In order to provide commenters with a complete understanding of the comment raised, the County of Tulare Resource Management Agency (RMA), Planning Branch staff prepared a comprehensive response regarding particular subjects. These comprehensive responses provide some background regarding an issue, identify how the comment was addressed in the Draft EIR, and provide additional explanation/elaboration while responding to a comment. In some instances, these comprehensive responses have also been prepared to address specific land use or planning issues associated with the proposed Project, but unrelated to the EIR or environmental issues associated with the proposed Project.

Comments received that present opinions regarding this Project that are not associated with environmental issues or raise issues that are not directly associated with the substance of the Draft EIR are noted without a detailed response.

PROJECT SUMMARY

The County of Tulare is proposing the Three Rivers Hampton Inn & Suites Project to allow for a three-story, 105-room hotel on an approximately 2.8-acre site at 40758 Sierra Drive, immediately south of the existing Comfort Inn & Suites, located along the eastern side of State Route 198 (SR 198) in Three Rivers, an unincorporated area of Tulare County (See Figure 2-2). The proposed Project will have one access/egress point from SR 198. A driveway road is proposed from SR 198/Sierra Drive west of the proposed Project's location. This driveway will be situated within an existing 30-foot-wide access easement. The hotel will consist of 105 guest rooms with an elevator, managers office, meeting room, in-house food preparation and breakfast area, and other typical hotel facilities (such as in-house and guest laundry, fitness center, various storage closets, etc.) and an outdoor swimming pool and a cabana building. The proposed Project includes 108 standard

parking stalls (six (6) of which will be handicap accessible stalls). Utilities include a septic tank with filter and dripline system and new domestic well, and storm drainage will be retained on-site (with an option for biofiltration).

PROJECT LOCATION

The site is currently designated within the Three River Urban Development Boundary and zoned C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone) which allows the development of commercial uses that do not involve the manufacture, assembling, packaging, treatment or processing of articles of merchandise for distribution and retail. The site is currently vacant and surrounded by the commercial use (Comfort Inn & Suites) to the north, an undeveloped/vacant lot to the east, scattered rural residential and above ground propane storage tanks to the south, and two rural residences, undeveloped/vacant land, and the Kaweah River to the west. The Project site is located in Section 26, Township 17 South, Range 28 East, MDB&M and includes Assessor Parcel Number 068-080-010.

REVISIONS OUTLINED IN THE RESPONSE TO COMMENTS

Revisions and clarifications to the Draft EIR made in response to comments and information received on the Draft EIR are indicated by ~~strikeout~~ text (e.g., ~~strikeout~~), indicating deletions, and underline text (e.g., underline), indicating additions. Corrections of typographical errors have been made throughout the document and are not indicated by ~~strikeout~~ or underline text. Revisions and clarifications are included as Errata pages within this document.

PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Consistent with the California Environmental Quality Act (CEQA), the potential environmental effects of the Three Rivers Hampton Inn & Suites Project (SCH# 2020110016) have been analyzed in a Draft Environmental Impact Report (Draft EIR or DEIR) dated March 2021. Consistent with Section 15205 of the State CEQA Guidelines, the Draft EIR for the Three Rivers Hampton Inn & Suites Project is subject to a public review period. Section 21091(a) of the *California Public Resource Code* specifies a 30-day public review period; however, if a Draft EIR is submitted to the State Clearinghouse for review, the review period shall be a minimum of 45-days. The County of Tulare provided a 45-day review period beginning on March 8, 2021 and ending on April 22, 2021.¹

The Three Rivers Hampton Inn & Suites Draft EIR was distributed to responsible and trustee agencies, other affected agencies/departments/branches within the RMA, interested parties, and all parties who requested a copy of the Draft EIR in accordance with Section 21092 of the *California Public Resources Code*. The Draft EIR's Notice of Availability (NOA) was also published on March 3, 2021 in the *Sun-Gazette* (a newspaper of general circulation) as required

¹ The 2021 CEQA Statute and Guidelines can be found on the Association of Environmental Professional (AEP) website at https://www.califaep.org/statute_and_guidelines.php.

by CEQA. Attachment 1 provides a complete list of the agencies and interested parties that received the NOA.

During the 45-day review period, the Draft EIR and the technical appendices were also made available at the following locations:

Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277
(559) 624-7000

In addition, the Three Rivers Hampton Inn & Suites Draft EIR was posted on the Tulare County website at:

<https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>.

RELEVANT CEQA SECTIONS (SUMMARY)

See Complete Sections in CEQA Guidelines Sections 15088 to 15384, et seq. which can be accessed at:

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I95DAAA70D48811DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I95DAAA70D48811DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

Section 15088. Evaluation of and Response to Comments.

- (a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response...
- (b) The lead agency shall provide... a written proposed response... to a public agency on comments made ... at least 10 days prior to certifying...
- (c) The written response shall describe the disposition of significant environmental issues raised... In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail...

Section 15088.5. Recirculation of an EIR Prior to Certification.

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification...
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
- (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.

- (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

Section 15089. Preparation of Final EIR.

- (a) The Lead Agency shall prepare a final EIR before approving the project. The contents of a final EIR are specified in Section 15132 of these Guidelines.

Section 15090. Certification of the Final EIR.

- (a) Prior to approving a project the lead agency shall certify that:
 - (1) The final EIR has been completed in compliance with CEQA;
 - (2) The final EIR was presented to the decision-making body...and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
 - (3) The final EIR reflects the lead agency's independent judgment and analysis.

Section 15091. Findings.

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding....
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

Section 15092. Approval.

- (b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless:
 - (1) The project as approved will not have a significant effect on the environment, or
 - (2) The agency has... (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

Section 15093. Statement of Overriding Considerations.

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Section 15095. Disposition of a Final EIR.

The lead agency shall:

- (a) File a copy of the final EIR with the appropriate planning agency of any city, county, or city and county where significant effects on the environment may occur.
- (b) Include the final EIR as part of the regular project report which is used in the existing project review and budgetary process if such a report is used.
- (c) Retain one or more copies of the final EIR as public records for a reasonable period of time.
- (d) Require the applicant to provide a copy of the certified, final EIR to each responsible agency.

Section 15151. Standards for Adequacy of an EIR.

An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Section 15364. Feasible.

“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

Section 15384. Substantial Evidence.

“Substantial evidence”... means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached... Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.

LOCAL REGULATORY CONTEXT

The Tulare County General Plan Update 2030 was adopted on August 28, 2012. As part of the General Plan, an EIR was prepared as was a background report. The General Plan background report contained contextual environmental analysis for the General Plan. The 2015 Housing Element for 2014-2023 (GPA 15-003) was adopted by Tulare County Board of Supervisors on November 17, 2015 (BOS Resolution No. 2015-0964), and was approved (certified) by the State Department of Housing and Community Development (HCD) by letter dated December 9, 2015.

SCOPE AND METHODOLOGY

The Project site is located within the Three Rivers Urban Development Boundary and zoned C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone). The EIR prepared for the Three Rivers Community Plan evaluated the potential environmental impacts that could occur as a result of future buildout of the community. The proposed Project is consistent with the existing zoning and must comply with all applicable Tulare County General Plan and Three River Community Plan policies; as such, the proposed Project is an allowed use by right and requires only ministerial approvals (i.e., grading and building permits). However, due to the sensitivity of the location of the Project the County of Tulare has determined that a project level EIR fulfills the requirements of CEQA and is the appropriate level evaluation to address the potential environmental impacts of the proposed Project. A project level EIR is described in Section 15161 of the State CEQA Guidelines as one that examines the environmental impacts of a specific development project. A project level EIR must examine all phases of the project, including planning, construction, and operation.

This document addresses environmental impacts to the level that they can be assessed without undue speculation (CEQA Guidelines Section 15145). The degree of specificity in an EIR corresponds to the degree of specificity of the underlying activity being evaluated (CEQA Guidelines Section 15146). Also, the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project (CEQA Guidelines Sections 15151 and 15204(a)).

CEQA Guidelines Section 15002 (a) specifies that, “[t]he basic purposes of CEQA are to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.”

CEQA Guidelines Section 15002 (f) specifies that, “[a]n environmental impact report (EIR) is the public document used by the governmental agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid the possible environmental damage... An EIR is prepared when the public agency finds substantial evidence that the project may have a significant effect on the environment... When the agency finds that there is no substantial evidence that a project may have a significant environmental effect, the agency will prepare a “Negative Declaration” instead of an EIR...”

Pursuant to CEQA Guidelines Section 15021 Duty to Minimize Environmental Damage and Balance Competing Public Objectives:

- “(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.
- (1) In regulating public or private activities, agencies are required to give major consideration to preventing environmental damage.
 - (2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.
- (b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social, and technological factors.
- (c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.
- (d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.”

IDENTIFICATION OF POTENTIALLY SIGNIFICANT IMPACTS

CEQA Guidelines Section 15002 (h) addresses potentially significant impacts, to wit, “CEQA requires more than merely preparing environmental documents. The EIR by itself does not control the way in which a project can be built or carried out. Rather, when an EIR shows that a project could cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods:

- (1) Changing a proposed project;
- (2) Imposing conditions on the approval of the project;
- (3) Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes;

- (4) Choosing an alternative way of meeting the same need;
- (5) Disapproving the project;
- (6) Finding that changes in, or alterations, the project are not feasible;
- (7) Finding that the unavoidable, significant environmental damage is acceptable as provided in Section 15093.” (See Chapter 7).

This Final EIR identifies potentially significant impacts that would be anticipated to result from implementation of the proposed Project. Significant impacts are defined as a “substantial or potentially substantial, adverse change in the environment” (Public Resources Code Section 21068). Significant impacts must be determined by applying explicit significance criteria to compare the future Plan conditions to the existing environmental setting (CEQA Guidelines Section 15126.2(a)).

The existing setting is described in detail in each resource section of Chapter 3 of this document and represents the most recent, reliable, and representative data to describe current regional conditions. The criteria for determining significance are also included in each resource section in Chapter 3 of this document.

CONSIDERATION OF SIGNIFICANT IMPACTS

Pursuant to CEQA Guidelines Section 15126.2(a), “[a]n EIR shall identify and focus on the significant effects of the proposed project on the environment. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected. For example, the EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.”

As the Project will have no significant and unavoidable effects, a Statement of Overriding Considerations is not necessary or required as part of this Final EIR.

MITIGATION MEASURES

CEQA Guidelines Section 15126.4 specifies that:

- “(1) An EIR shall describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy.
 - (A) The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.
 - (B) Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project’s environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.
 - (C) Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant. Examples of energy conservation measures are provided in Appendix F.
 - (D) If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986.)
- (2) Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.
- (3) Mitigation measures are not required for effects which are not found to be significant.
- (4) Mitigation measures must be consistent with all applicable constitutional requirements, including the following:

- (A) There must be an essential nexus (i.e. connection) between the mitigation measure and a legitimate governmental interest. *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987); and
- (B) The mitigation measure must be “roughly proportional” to the impacts of the project. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Where the mitigation measure is an *ad hoc* exaction, it must be “roughly proportional” to the impacts of the project. *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854.
- (5) If the lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed. Instead, the EIR may simply reference that fact and briefly explain the reasons underlying the lead agency's determination.”

ORGANIZATION OF THE EIR (DRAFT EIR OR EIR)

With the exception of Chapter 10 Response to Comments, the Draft EIR consists of the following sections:

EXECUTIVE SUMMARY

The Executive Summary Chapter summarizes the analysis in the Final Environmental Impact Report.

CHAPTER 1

Provides a brief introduction to the Environmental Analysis required by the California Environmental Quality Act (CEQA).

CHAPTER 2

Describes the proposed Project. The chapter also includes the objectives of the proposed Project. The environmental setting is described and the regulatory context within which the proposed Project is evaluated is outlined.

CHAPTER 3

Includes the Environmental Analysis in response to each Checklist Item contained in Appendix G of the CEQA Guidelines. Within each analysis the following is included:

Summary of Findings

Each chapter notes a summary of findings.

Introduction

Each chapter begins with a summary of impacts, pertinent CEQA requirements, applicable definitions and/or acronyms, and thresholds of significance.

Environmental Setting

Each environmental factor analysis in Chapter 3 outlines the environmental setting for each environmental factor. In addition, methodology is explained when complex analysis is required.

Regulatory Setting

Each environmental factor analysis in Chapter 3 outlines the regulatory setting for that resource.

Project Impact Analysis

Each evaluation criteria is reviewed for potential Project-specific impacts.

Cumulative Impact Analysis

Each evaluation criteria is reviewed for potential cumulative impacts.

Mitigation Measures

Mitigation Measures are proposed as deemed applicable.

Conclusion

Each conclusion outlines whether recommended mitigation measures will, based on the impact evaluation criteria, substantially reduce or eliminate potentially significant environmental impacts. If impacts cannot be mitigated, unavoidable significant impacts are identified.

Definitions/Acronyms

Some sub-chapters of Chapter 3 have appropriate definitions and/or acronyms.

References

Reference documents used in each chapter are listed at the end of each sub-chapter.

CHAPTER 4

Summarizes the cumulative impacts addressed in Chapter 3.

CHAPTER 5

Describes and evaluates alternatives to the proposed Project. The proposed Project is compared to each alternative, and the potential environmental impacts of each are analyzed.

CHAPTER 6

Evaluates or describes CEQA-required subject areas: Economic Effects, Social Effects, and Growth Inducement.

CHAPTER 7

Evaluates or describes CEQA-required subject areas: Environmental Effects That Cannot be Avoided, Irreversible Impacts, and Statement of Overriding Considerations.

CHAPTER 8

Provides a Mitigation Monitoring and Reporting Program that summarizes the environmental issues, the significant mitigation measures, and the agency or agencies responsible for monitoring and reporting on the implementation of the mitigation measures.

CHAPTER 9

Outlines persons preparing the EIR and sources utilized in the Analysis.

CHAPTER 10

Contains the Response to Comments received on the Draft EIR during the 45-day review period.

APPENDICES

Following the main body of text in the EIR, several appendices and technical studies have been included as reference material.

ENVIRONMENTAL REVIEW PROCESS

Pursuant to CEQA Guidelines Section 15082, the Notice of Preparation (NOP) for the Proposed Project was circulated for review and comment beginning on November 2, 2020 for a 30-day comment period ending December 2, 2020. Tulare County RMA received twelve (12) comments on the NOP. Comments were received from the following agencies, individuals, and/or organizations:

- Native American Heritage Commission, dated November 3, 2020;
- San Joaquin Valley Unified Air Pollution Control District, dated November 23, 2020;
- California Department of Fish and Wildlife, dated December 2, 2020;

- California Department of Transportation District 6, dated January 8, 2020;
- Soapy Mulholland, dated November 2, 2020;
- Shivon Lavelly, dated November 30, 2020;
- Jenny Matsumoto, dated December 1, 2020;
- Greg and Laurie Schwaller, dated December 1, 2020;
- Julianna Seligman, Director, The Kaweah Coalition, dated December 2, 2020;
- Cindy Howell, General Manager, Three Rivers Community Service District, dated December 2, 2020; and
- Delores Lucero, dated November 2, 2020 and December 2, 2020.²

A copy of the NOP is included in Appendix “G” of the Draft EIR, along with a copy of the letters received in response to the NOP.

Consistent with CEQA Guidelines Section 15103, “Responsible and Trustee Agencies, and the Office of Planning and Research shall provide a response to a Notice of Preparation to the Lead Agency within 30 days after receipt of the notice. If they fail to reply within the 30 days with either a response or a well justified request for additional time, the lead agency may assume that none of those entitles have a response to make and may ignore a late response.”

A scoping meeting was held on November 5, 2020. No comments were received during this meeting.

Section 15093 of the State CEQA Guidelines requires decision-makers to balance the benefits of a proposed project against any unavoidable adverse environmental effects of the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, then the decision-makers may adopt a statement of overriding considerations, finding that the environmental effects are acceptable in light of the project’s benefits to the public.

As noted in CEQA Guidelines Section 15105(a), a Draft EIR that is submitted to the State Clearinghouse shall have a minimum review period of 45 days. A Notice of Availability (NOA) of the Draft EIR was published in the Sun-Gazette (a newspaper of general circulation) on March 3, 2021 and posted on the RMA website and at the office of the Tulare County Clerk on March 8, 2021. The Draft EIR was circulated publicly for comment beginning on March 8, 2021. Following completion of the 45-day public review period ending on April 22, 2021, staff prepared responses to comments and a Final EIR has been completed. The Final EIR was then forwarded to the County of Tulare Board of Supervisors for consideration of certification. A Notice of Determination (NOD) will then be filed with the County Tulare County Clerk and forwarded to the State of California, Office of Planning and Research, State Clearinghouse Unit.

² The comment letter from Delorex Lucero dated December 2, 2020 was inadvertently not included in the NOP. It is included in the Errata to the Draft EIR and incorporated by reference to this Final EIR.

ORGANIZATIONS CONSULTED

The following agencies, organizations, and/or interested parties and individuals were notified of the Project and/or consulted with during the CEQA process. Those marked with an asterisk (*) were not included in the initial mailing of the NOP but provided comments; those marked with a double asterix (**) were not included in the initial mailing of either the NOP or EIR notification, but provided comments on the Project that have been considered in this Final EIR.

FEDERAL

- 1) Naval Facilities Engineering Command
- 2) National Park Service, Pacific West Region
- 3) Sequoia National Forest
- 4) U.S. Army Corps of Engineers
- 5) U.S. Department of Agriculture, Natural Resources Conservation Service
- 6) U.S. Fish & Wildlife Service
- 7) U.S. Forest Service

STATE, REGIONAL AND LOCAL

- 8) California Air Resources Board (ARB)
- 9) California Department of Conservation, Division of Land Resources Protection
- 10) California Department of Fish and Wildlife Services, Region 4
- 11) California Department of Food & Agriculture
- 12) California Department of Forestry and Fire Protection
- 13) California Department of General Services
- 14) California Department of Toxic Substances Control
- 15) California Department of Transportation, District 6
- 16) California Department of Water Resources
- 17) California Energy Commission
- 18) California Environmental Protection Agency
- 19) California Highway Patrol
- 20) California Natural Resources Agency
- 21) Native American Heritage Commission
- 22) Office of Emergency Services
- 23) Office of Historic Preservation
- 24) Public Utilities Commission
- 25) Regional Water Quality Control Board – Region 5 (Fresno)
- 26) State Water Resources Control Board – Water Quality
- 27) San Joaquin Valley Unified Air Pollution Control District
- 28) Tulare County Agricultural Commissioner
- 29) Tulare County Association of Governments
- 30) Tulare County Farm Bureau
- 31) Tulare County Fire Warden
- 32) Tulare County Health and Human Services Agency, Environmental Health Division

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- 33) Tulare County Local Agency Formation Commission
- 34) Tulare County Office of Emergency Services
- 35) Tulare County Resource Conservation District
- 36) Tulare County Resource Management Agency – Economic Development and Planning Branch, Fire Division, Flood Control Division, and Public Works Branch
- 37) Tulare County Sheriff's Department
- 38) Tulare County U.C. Cooperative Extension
- 39) Three Rivers Community Services District
- 40) Three Rivers Union School District
- 41) Woodlake Union School District
- 42) Southern California Edison

NATIVE AMERICAN TRIBES

- 43) Kern Valley Indian Council
- 44) Santa Rosa Rancheria Tachi Yokut Tribe
- 45) Tubatulabals of Kern Valley
- 46) Tule River Indian Tribe
- 47) Wuksache Indian Tribe/Eshom Valley Band

THE FOLLOWING INTERESTED PERSONS/PARTIES WERE ALSO NOTIFIED

- 48) Ineffable Hospitality, Inc.
- 49) HTL Hospitality Advisors
- 50) BSK Investments, LLC
- 51) E & S Investments, LLC
- 52) Suburban Propane, LP
- 53) Linda McKee Amaral (TR)(FAM TR)
- 54) Gregory and Nataliya Dixon (TRS)
- 55) David A. and Jane E. Learned (TRS)
- 56) William W. Oliver (TR)
- 57) Gautam and Tina Patel
- 58) Sukhinder Singh and Kulvinder Sanghera
- 59) Satwant and Malkit Sanghera
- 60) Farshad A. Tafti
- 61) Lozeau Drury LLP
- 62) Kaweah Coalition*
- 63) Kaweah Commonwealth
- 64) Sequoia Riverlands Trust
- 65) Three Rivers Historical Society
- 66) Tulare County Citizens for Responsible Growth
- 67) In order by last name: Rob Balsom; Bettina Birch; Dave Bodine; Karen Bodner; R. Bodner; Chris Brewer; Warren Campbell; Sarah Campe; Christel Change; Antonette Cloutier; Trent Coleman; Carole Combs; Rusty Crain; Laile Di Silvestro; Megan Doyle; John Elliott; Jackie and Richard Fletcher; Nicky French; Lee Goldstein; Marcia Goldstein; Ken Greenspan;

Mignon Gregg; Charlie and Esther Huecker; Michelle Jeffries; Bobby Kamansky; **Janene Newman Lasswell; **Leah Launey and Peter Sodhy; *Shivon Lavelly; Delores Lucero; *Jenny Matsumoto; Earl McKee; Daryl McKown; John McWilliam; **Marilyn Messa; Gary Mills; Soapy Mulholland; Linda Mutch; **Norma Nevarez and Clarence M. Conover III; Brian Newton; Charlie Norman; Donald Peter; **Bob Powell; Fred Reimer; Mayra Ricci; Sue Rothhammer; Daniel Rourke; Greg Schwaller; Laurie Schwaller; James Seligman; Kathleen Seligman; Richard Sherlock; **James O. Sickman, Ph.D; Rod Simonian; Woody Smeck; Tom Sparks; Richard Stanton; Dean Stryd; Danielle Temple; Michael Tharp; John Uhler; Charlene Vartanian; I.F. Warner; and **David D. Wood, Ph.D.

COMMENT LETTERS RECEIVED ON THE DRAFT EIR

The County of Tulare received twenty-five (25) comment letters regarding the Draft EIR during the designated comment period (between March 8, 2021 and April 22, 2021). The County of Tulare also received one (1) comment letter after the comment period closed. In addition, and where applicable, correspondence or conversations regarding comments from the public are also provided in this document. Each comment letter is also numbered. For example, comment letter “1” is from the California Department of Transportation, March 24, 2021.

Consistent with Section 15132 of the CEQA Guidelines, the following is a list of persons, organizations, and public agencies that submitted comments regarding the Draft EIR received as of close of the public review period on April 22, 2021.

Oral comments were received from or conversations occurred with the following individuals:

No oral comments were received.

Comments from Federal, State, County and Responsible/Trustee Agencies:

Comment Letter 1	California Department of Transportation, March 24, 2021 (See Attachment 2)
Comment Letter 2	Tulare County Fire Department, March 31, 2021 (See Attachment 3)
Comment Letter 3	Tulare County Health & Human Services Agency, April 6, 2021 (See Attachment 4)
Comment Letter 4	Three Rivers Community Service District, April 21, 2021 (See Attachment 5)
Comment Letter 5	San Joaquin Valley Air Pollution Control District, May 14, 2021. (See Attachment 6)

Comments from adjacent property owners:

Comment Letter 6	Steve Rothenberg, April 9, 2021 (See Attachment 7a)
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Comment Letter 7	Steve Rothenberg, April 9, 2021 (See Attachment 7b)
Comment Letter 8	Steve Rothenberg, April 9, 2021 (See Attachment 7c)
Comment Letter 9	Steve Rothenberg, April 9, 2021 (See Attachment 7d)

Comments from other interested parties of the proposed Project (in order by last name):

Comment Letter 10	Ken Greenspan, March 8, 2021 (See Attachment 8a)
Comment Letter 11	Ken Greenspan, March 9, 2021 (See Attachment 8b)
Comment Letter 12	Janene Lasswell, March 9, 2021 (See Attachment 9)
Comment Letter 13	Leah Launey and Peter Sodhy, March 9, 2021 (See Attachment 10)
Comment Letter 14	Shivon Lavelly, April 19, 2021 (See Attachment 11)
Comment Letter 15	Delores Lucero, March 8 and 15, 2021 (See Attachment 12a)
Comment Letter 16	Delores Lucero, April 22, 2021 (See Attachment 12b)
Comment Letter 17	Marilyn Messa, March 22, 2021 (See Attachment 13a)
Comment Letter 18	Marilyn Messa, April 22, 2021 (See Attachment 13b)
Comment Letter 19	Norma Nevarez April 22, 2021 (See Attachment 14a)
Comment Letter 20	Norma Nevarez April 22, 2021 (See Attachment 14b)
Comment Letter 21	Bob Powell, April 13, 2021 (See Attachment 15)
Comment Letter 22	Greg and Laurie Schwaller, April 22, 2021 (See Attachment 16)
Comment Letter 23	James O. Sickman, Ph.D , April 21, 2022 (See Attachment 17a)
Comment Letter 24	James O. Sickman, Ph.D , April 21, 2022 (See Attachment 17b)
Comment Letter 25	Rod Simonian, March 9, 2021 (See Attachment 18)
Comment Letter 26	David D. Wood, Ph.D., March 8, 2021 (See Attachment 19)

COMPREHENSIVE LIST OF RESPONSES

Consistent with Section 15132(b), (d) of the CEQA Guidelines, all comments received and County RMA responses to comments have been summarized in Table 10-1 County Responses to Comments Received. County consultants have provided responses in addition to County responses where necessary for further clarification (see Attachments 20 and 21).

Consistent with Section 15088(b) of the CEQA Guidelines, RMA staff provided written proposed responses to those public agencies that provided comments (see Attachments 2 through 6).

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**Table 10-1
County Responses to Comments Received**

Summary of Comments / Issues Raised	Responses to Comments
Comment Letter 1: California Department of Transportation (Caltrans), March 24, 2021, David Deel, Associate Transportation Planner	
1. The Draft EIR contains a Traffic Impact Study (TIS) in Appendix E to determine if the Project would pose any significant impacts to the transportation system, particularly to safety and operations.	The County agrees with this comment.
2. Caltrans concurs with the conclusion of the TIS and no further analysis is required.	The County appreciates Caltrans' concurrence regarding the conclusion of the TIS and that no further analysis is required.
<p>3. Alternative transportation policies should be applied to the Project. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City.</p> <p>The assessment should include the following:</p> <p>a. Pedestrian walkways should link this proposal to an internal project area walkway, transit facilities, as well as other walkways in the surrounding area.</p>	<p>The Project is not located in an urbanized area (i.e., a city), as such, the project and its surrounding areas do not have the population or usage to support multi-modal facilities. As indicated in the TIS, traffic generation associated with the Project will not contribute to a decrease in level of service. Also, the Project would not result in an increase of VMT; it would actually decrease VMT as it would provide an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations (which averages nearly 30 miles travel distance from the Project's location).</p> <p>a. The County encourages the use internal pedestrian walkways and transit facilities; however, it cannot compel a developer to install/construct such facilities on private property. Also, as the nearest retail opportunities are approximately 1,200' north of the Project site, pedestrians could use the shoulders along SR 198 to walk to the nearest retailers. As indicated in the TIS, "The Project does not conflict with any applicable adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Tulare County Area Transit (TCaT) Route 30 (Northeast County Route) operates between the Three Rivers Memorial Building and the Visalia Transit Center in downtown Visalia. Route 30 provides 4 roundtrips to the Visalia Transit Center on weekdays and 1 roundtrip on the weekend, all at 4-hour intervals. Implementation of the Project will not hinder the operation of Route 30 in the Three Rivers Community.</p> <p>Caltrans' SR 198 TCR indicated that bicycles are permitted along the SR 198 corridor in the Three Rivers Community. The proposed Project will</p>

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Summary of Comments / Issues Raised	Responses to Comments
<p>b. The Project might also consider coordinating connections to local and regional bicycle pathways to further encourage the use of bicycles for commuter and recreational purposes.</p> <p>c. If transit is not available within ¼-mile of the site, transit should be extended to provide services to what will be a high activity center.</p>	<p>not prohibit the use of bicycles along SR 198. The SR 198 TCR also indicates that pedestrian facilities are nonexistent in the Three Rivers community. The Project will comply with Tulare County General Plan goals, which include Bicycle/Pedestrian Trail System (TC-5.1) and Consideration of Non-Motorized Modes in Planning and Development (TC-5.2)”³</p> <p>b. See Response 3.a. Also, as concluded in the TIS, “Therefore, the Project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Therefore, no mitigation is needed.”⁴</p> <p>c. The nearest transit stop is the Three Rivers Memorial Building (approximately 4.5 miles north of the Project’s location). However, it is not feasible to locate a new transit stop due to the narrowness of shoulder areas along SR 198 that could accommodate a transit stop. Also, the County cannot compel a private property owner to accommodate a transit stop. The nature of the Project itself is not conducive to generating additional transit demand as it is intended to accommodate visitors/tourists that use vehicles to arrive at their location and would likely continue to use such vehicles to travel within the vicinity of the Project. As Caltrans did not define “high activity center”, the nearest “high activity center” appears to be Sequoia National Park.</p> <p>Lastly, as indicted in the TIS (at page 25), “...the Project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-</p>

³ Three Rivers Hampton Inn & Suites Traffic Impact Study Report. Pages 24-25. Prepared by VRPA Technologies and included in Appendix “E” of the Draft EIR.

⁴ Ibid. 25.

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Summary of Comments / Issues Raised	Responses to Comments
	motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.”
4. Caltrans recommends the project provide charging stations for electric vehicles as part of the statewide efforts to reduce greenhouse gas emissions.	The Project will include two (2) EV charging stations. Also, as noted in the Draft EIR and TIS, the Project will reduce GHG emissions from vehicles by providing an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations which averages nearly 30 miles travel distance from the Project’s location.
5. Caltrans recommends the Project implement “smart growth” principles regarding parking solutions, providing alternative transportation choices to residents and employees. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, car-share and/or ride-share programs.	As noted earlier, the nature of the Project is a hotel to accommodate visitors/tourists that likely travelled via private vehicles to arrive at the Project location. As such, the Project will include adequate parking for guests and employees; there are no permanent residents associated with the Project.
6. Active Transportation Plans (ATP) and Smart Growth efforts support the state’s 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.	As the Project is not located within an urbanized area, and the nature of the Project is a hotel to accommodate visitors/tourists, it will not result in sufficient trips to warrant a multimodal transportation network. Also, as noted in the Draft EIR, and TIS, the Project will reduce GHG emissions from vehicles by providing an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations which averages nearly 30 miles travel distance from the Project’s location.
Comment Letter 2: Tulare County Fire Department, March 31, 2021, Gilbert Portillo, Fire Inspector-Plans Examiner	
<p>Tulare County Fire Department has conducted a plan review of plans for The Hampton Inn and Suites, Three Rivers, the following is a check list of requirements. All requirements are based on applicable laws, codes (Title 24) and standards.</p> <p>Please advise if you would like to schedule a meeting to discuss one or more of the line items below.</p> <p>Hotels/Motels New Construction</p> <ul style="list-style-type: none"> • Meet 2019 California Fire and Building Codes 	Thank you for your comments and for specifying that all requirements are based on applicable laws, codes (Title 24) and standards.

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<ul style="list-style-type: none"> • Meet appendix B of the 2019 California Fire Code (CFC) for fire flow. • Meet 2019 Chapter 7A of current California Building Code (CBC) in the SRA lands. • 100' vegetation clearance around all structures and 10' of vegetation clearance on each side of the access driveway. • A set of fire suppression plans including, but not limited to: water tank, fire pump, fire sprinklers, fire hydrants and fire alarms meeting Current CFC, NFPA 72, NFPA 25C, NFPA 13R, NFPA 170 by a California licensed Fire Protection Engineer. • Blue reflective marker adjacent to Fire hydrant or Fire Department Connections. (NFPA 1142, sec. 8.4.7) • Onsite manager or caretaker • Fire Department access and fire lanes • Address posted visible from the street • Fire Extinguishers • Meet current chapter 10 CFC Exits and exiting • Knox box • Fire final 	
Comment Letter3: Tulare County Health & Human Services Agency (HHS), Environmental Health Services Division (EHSD), April 6, 2021, Ted Martin, Environmental Health Specialist	
<p>1. New septic system installations will require submission of a site evaluation report. The report shall be submitted to the Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (PE, PG, CHG, REHS or CPSS).</p>	<p>Comment noted. The Applicant is aware of and will pursue securing applicable report (s) as required by TCEHSD.</p>
<p>2. On-site septic systems that: a) have proposed waste-flows in excess of 3,500 gallons per day, and/or b) require pre-treatment to achieve a certain wastewater performance standard, may require review and/or permitting by the Regional Water Quality Control Board.</p>	<p>Comment noted. Applicant is aware of and will pursue securing applicable permit(s) as required by the Regional Water Quality Control Board.</p>

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3. Domestic water will be provided by an on-site well. If well water will be used for human consumption, by 25 or more people, for at least 60 days out of the year, then the water system will be regulated by the Regional Water Quality Control Board – Division of Drinking Water.	Comment noted. Applicant is aware of and will pursue securing applicable permit(s) as required by the Regional Water Quality Control Board – Division of Drinking Water.
4. If the hotel will feature preparation, storage, packaging and/or serving food at the retail level, then the operation may be subject to requirements found in the California Retail Food Code. Under these requirements, plans shall be submitted to the TCEHSD, for review.	Comment noted. The Applicant is aware of and will be required to comply with TCEHSD requirements for preparation, storage, packaging and/or serving food at the retail level that may be subject to requirements found in the California Retail Food Code. (s) as required by TCEHSD.
5. If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 115920-116068). Under these requirements, plans shall be submitted to the TCEHSD, for review.	The Project will include a recreational swimming pool; as such, the applicant will be required to construct and operate the pool per (Health & Safety Code Sections 115920-116068) and also submit plans to the TCEHSD for review.
Comment Letter4: Three Rivers Community Service District, April 21, 2021, Cindy Howell, Manager	
1. Water Quality is most important.	The Project will be required to comply with Tulare Environmental Health Services Division and State Regional Water Quality Control Board (RWQCB) requirements.
2. We would like to be assured that there won't be a negative impact on the existing wells nearby.	As indicated in the Draft EIR (pages 3.10-19 and -20), the “ <i>Abbreviated Water Supply Evaluation to support the Three Rivers Community Plan EIR Memorandum</i> ” (Memorandum) concludes that there is sufficient water supply to meet the approximately 940 acre-feet annually of future water demand at full build-out of the Three Rivers Community Plan, including residential, commercial, and industrial demand of the estimated 50,000 acre feet of annual average groundwater recharge in the watershed. The proposed Project applicant’s engineer (Ald General Engineering) estimates that it will use approximately 15.37 acre feet of water per year (or approximately 5,009,625 gallons per year or 13,725 gallons per day ⁴⁴). Of the 940 acre-feet annual future water demand estimated in the Memorandum, the proposed Project would consume approximately 0.0163% of the 940 acre-feet (or about 0.0003%) of the estimated annual 50,000 acre-feet of the groundwater recharge in the watershed. As such, the proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater

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Summary of Comments / Issues Raised	Responses to Comments
	recharge such that the project may impede sustainable groundwater management of the basin.
3. We would like to be included in the water quality, testing, surveys and research involved in the area of water/wells.	Non-proprietary information can be requested through the Public Records Request process by contacting TCEHS Division and/or the RWQCB.
4. We have received specific concerns from a neighboring property owner regarding water quality and potiel [potential] impacts from this project.	Without knowledge of what those concerns are, we can only reply in a general statement that the Draft EIR, supported by technical studies prepared by qualified experts, have concluded that impacts to water supply and quality will not result in a significant impact.
Comment Letter5: San Joaquin Valley Air Pollution Control District, May 14, 2021, Brian Clements, Director of Permit Services	
<p>The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the County of Tulare. The project consists of a 3-story hotel and associated site improvements (Project). The hotel will consist of 105 guest rooms and outdoor swimming pool/cabana building. The Project is located on an approximately 2.80-acre site at 40758 Sierra Drive located along the eastern side of State Route 198 in Three Rivers, CA.</p> <p>Upon review of the referral documents, the District has no comments at this time. If you have any questions or require further information, please contact Eric McLaughlin by email at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.</p>	<p>The Air District has correctly identified and summarized the proposed Project. The Air Quality and Greenhouse Gas Assessment prepared by qualified, expert consultants ECORP Consulting Inc., is included in Appendix “A” of the Draft EIR. Also, the applicant is aware that the Air District will make the final determination on applicable Air District permits and the manner in which the Air District will receive them.</p>
Comment Letters 6-9: Steve Rothenberg, April 9, 2021	
Proximity of commenter’s well to the Project; nitrate levels; water supply.	<p>Consultant ALD Engineering provided responses to water/wastewater-related comments which can be found as an attachment of this Chapter. Excerpts from ALD Engineering are included where applicable.</p> <p>Regarding proximity of well: See responses to TCEHSD (and their comment letter), and Sickman. As the Project will serve more than 25 users (based on the number of hotel rooms), the applicant will be required to comply with Regional Water Quality Control Board (Water Board) – Division of Drinking Water requirements, including distances from nearby wells, standards, etc.</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
	<p>Regarding infiltration: Dispersal field setback distances to domestic wells is 100' pursuant to Tulare County Code and California Plumbing Code. Wastewater effluent and drinking water standards are regulated by the Water Board. Per the Tulare County Environmental Health Services Division (TCEHSD), new septic system installations will require submission of a site evaluation report. The report shall be submitted to the TCEHSD for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (PE, PG, CHG, REHS or CPSS).</p> <p>Regarding nitrate levels: Pursuant to Water Board Requirements the proposed Project will be treating Nitrogen levels to provide a minimum reduction of 60%, by using an advanced treatment wastewater treatment system.</p> <p>Regarding water supply: As indicated in the Draft EIR (pages 3.10-19 and -20), the "Abbreviated Water Supply Evaluation to support the Three Rivers Community Plan EIR Memorandum" (Memorandum) concludes that there is sufficient water supply to meet the approximately 940 acre-feet annually of future water demand at full build-out of the Three Rivers Community Plan, including residential, commercial, and industrial demand of the estimated 50,000 acre-feet of annual average groundwater recharge in the watershed. The proposed Project applicant's engineer (Ald General Engineering) estimates that it will use approximately 15.37-acre feet of water per year (or approximately 5,009,625 gallons per year or 13,725 gallons per day⁴⁴). Of the 940 acre-feet annual future water demand estimated in the Memorandum, the proposed Project would consume approximately 0.0163% of the 940 acre-feet (or about 0.0003%) of the estimated annual 50,000 acre-feet of the groundwater recharge in the watershed.</p>
Comment Letter10: Ken Greenspan, March 8, 2021	
Proximity of commenter's well to the Project; nitrate levels; water supply.	Consultant ALD Engineering provided responses to water/wastewater-related comments which can be found as an attachment of this Chapter. Excerpts from ALD Engineering are included where applicable.

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Table 10-1
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Summary of Comments / Issues Raised	Responses to Comments
	<p>Regarding proximity of well: See responses to TCEHSD (and their comment letter), and Sickman. As the Project will serve more than 25 users (based on the number of hotel rooms), the applicant will be required to comply with Regional Water Quality Control Board (Water Board) – Division of Drinking Water requirements, including distances from nearby wells, standards, etc.</p> <p>Regarding infiltration: Dispersal field setback distances to domestic wells is 100' pursuant to Tulare County Code and California Plumbing Code. Wastewater effluent and drinking water standards are regulated by the Water Board. Per the Tulare County Environmental Health Services Division (TCEHSD), new septic system installations will require submission of a site evaluation report. The report shall be submitted to the TCEHSD for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (PE, PG, CHG, REHS or CPSS).</p> <p>Regarding nitrate levels: Pursuant to Water Board Requirements the proposed Project will be treating Nitrogen levels to provide a minimum reduction of 60%, by using an advanced treatment wastewater treatment system.</p> <p>Regarding water supply: As indicated in the Draft EIR (pages 3.10-19 and -20), the “Abbreviated Water Supply Evaluation to support the Three Rivers Community Plan EIR Memorandum” (Memorandum) concludes that there is sufficient water supply to meet the approximately 940 acre-feet annually of future water demand at full build-out of the Three Rivers Community Plan, including residential, commercial, and industrial demand of the estimated 50,000 acre-feet of annual average groundwater recharge in the watershed. The proposed Project applicant’s engineer (Ald General Engineering) estimates that it will use approximately 15.37-acre feet of water per year (or approximately 5,009,625 gallons per year or 13,725 gallons per day⁴⁴). Of the 940 acre-feet annual future water demand estimated in the Memorandum, the proposed Project would consume approximately 0.0163% of the 940 acre-feet (or about 0.0003%) of the estimated annual 50,000 acre-feet of the groundwater recharge in the watershed.</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
Comment Letter 11: Ken Greenspan, March 9, 2021	
<p>Flooding; transient occupancy tax (TOT).</p>	<p>Regarding flooding: As noted in the Draft EIR (page 2-2), the site is located within the Three Rivers Community planning area which designates the existing proposed Project area as C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone) (see Figure 2-3); as such, the proposed Project is an allowed use. A flooding event similar to the 1955 flood would not impact the proposed Project for a number of reasons. Accurate flood zone information was not developed until 1971 and is periodically updated. The site is mapped by FEMA as “Zone X”. Areas of 0.2% annual change flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual change flood. For example, 1% annual chance flood is considered a 100-Year event. The previously flooded areas are also, coincidentally, protected by SR 198’s centerline crest (which forms an elevated roadway that is similar to a low dike). And, during the 1955 flood, two bridges with inadequate free board (that is, the distance from water level to the superstructure of the bridge) and the use of support piers (that is, the structures that support the bridge spans which also allow water to pass beneath the bridge) contributed to flooding. The lack of free board combined with the piers allowed debris to accumulate at the bridges which led to a damming affect and allowed water to flow beyond the banks of the river. Ultimately, both bridges would collapse resulting in a surge of water that inundated areas downstream. The replacement bridges were designed and constructed to allow debris to flow beneath the bridges and includes three (3) feet of freeboard above the 100-year flooding event thereby eliminating the potential for debris to collect and subsequent flooding. Lastly, a determination will be made by the County’s Building Division whether to require the applicant to raise the ground elevation where the Project will be constructed. As such, the potential for flooding would be minimized if not eliminated.</p> <p>Regarding TOT: The TOT is a county-wide occupancy tax that is collected by the Treasure-Tax Collector which becomes part of the General Fund. The General Fund is then expended at the will of the Board of Supervisors. As such, this comment is not a CEQA-related issue.</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
Comment Letter12: Janene Lasswell, March 9, 2021	
See non-CEQA comments below.	
Comment Letter13: Leah Launey and Peter Sodhy, March 9, 2021	
Flood plain/flooding; septic; soils; water supply; roads maintenance; parking; traffic accidents; long lines of tourists' vehicles; litter.	<p>Regarding flooding: See Response to Mr. Greenspan's comments regarding flooding. Consultant ALD Engineering provided responses to water/wastewater-related comments which can be found as an attachment of this Chapter. Excerpts from ALD Engineering are included where applicable.</p> <p>Regarding soil: The site is comprised of fine to medium-grained sand. The sands very high absorption potential and associated septic issues are being mitigated with an advanced treatment wastewater treatment system with UV disinfection and drip dispersal. The system meets all county and California Plumbing Code minimum required setback distances.</p> <p>Regarding water supply: As indicated in the Draft EIR (pages 3.10-19 and -20), the "Abbreviated Water Supply Evaluation to support the Three Rivers Community Plan EIR Memorandum" (Memorandum) concludes that there is sufficient water supply to meet the approximately 940 acre-feet annually of future water demand at full build-out of the Three Rivers Community Plan, including residential, commercial, and industrial demand of the estimated 50,000 acre feet of annual average groundwater recharge in the watershed. The proposed Project applicant's engineer (Ald General Engineering) estimates that it will use approximately 15.37 acre-feet of water per year (or approximately 5,009,625 gallons per year or 13,725 gallons per day⁴⁴). Of the 940 acre-feet annual future water demand estimated in the Memorandum, the proposed Project would consume approximately 0.0163% of the 940 acre-feet (or about 0.0003% of the estimated annual 50,000 acre-feet of the groundwater recharge in the entire watershed).</p> <p>Regarding roads: As Sequoia National Park (SNP) typically receives approximately one million annual visitors, it is reasonable to assume that a large number of vehicles passing through Three Rivers are using SR 198 as they travel to SNP. Caltrans is responsible for maintenance of SR 198, while the County is responsible for maintenance of the local, unincorporated street</p>

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	<p>network. Both Caltrans and the County regularly inspect their respective roadways and respond with maintenance as needed. It is also noted that the Project will not generate a significant amount of traffic, it will; however, capture already occurring in-coming traffic. Conversely, it will also reduce vehicle miles travelled (VMT) as the Project would actually decrease VMT as it would provide an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations (which averages nearly 30 miles travel distance from the Project's location). By eliminating distances travelled, wear and tear on roads are also reduced.</p> <p>Regarding parking: The Project will include 108 parking spaces to adequately meets its parking demand. The existing parking environment is not a part of this Project. The TIS concluded that traffic generated by the Project is less than significant. Also, it is important to note that Caltrans did not provide any comments regarding congestion or parking.</p> <p>Regarding traffic accidents: Between 2007-2016 (the most recent data available), approximately 89 traffic accidents occurred along SR 198 as shown in Table 3.16-1 (in the EIR of the Three Rivers Community Plan). Figures 2-3a through 2-3f in the Traffic Impact Study (included in Appendix "E" of the Three Rivers Community Plan EIR) show graphical representations of where traffic collisions occurred along SR 198. The accidents' locations are summarized as follows:</p> <ul style="list-style-type: none"> • 29 accidents between Pierce Drive and Old Three Rivers Road. • 19 accidents between South Fork Drive and North Fork Drive. • 20 accidents at Eggers Drive. • 2 accidents at Hawk Hollow Drive. • 10 accidents between Alta Acres Drive and Skyline Drive. • 8 accidents at Mineral King Road • 1 accident at Canyon Valley Drive. <p>Regarding long lines of tourists' vehicles (entering SNP): Recommendations (signage and park entrance improvements) were included in the Three Rivers Community Plan, the EIR of the Community Plan, and the TIS prepared for the</p>

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	<p>Community Plan's EIR that the Park can take to reduce queuing at the Park's entrance. Additional recommendations (signage, crosswalk, future retail access, and dedicated left turn lanes) were included in the TIS to improve safety and parking. However, as signage, the crosswalk, and dedicated left turn lanes would fall under the jurisdiction of Caltrans (as they would affect SR 198), the County does not have the authority to require any of these improvements. The future retail access recommendation suggests that one driveway or access point along SR 198 could serve multiple developments/parcels as it would encourage interconnection of off-street parking lots.</p> <p>Regarding litter: The County has an anti-litter ordinance; however, other than law enforcement witnessing anyone littering, the County's is at a distinct disadvantage of preventing littering. Littering is considered a nuisance rather than a significant environmental issue.</p>
Comment Letter14: Shvon Lavelly, April 19, 2021	
<p>Water usage; congestion; dark skies; added pollution; traffic analysis.</p>	<p>Consultant VRPA provided responses (in the form of a Memo) to traffic-related comments which can be found as an attachment of this Chapter. Following are excerpts from the Memo specific to traffic-related issues.</p> <p>Regarding water usage and congestion: See Response to Launey and Sodhy comments, above.</p> <p>Regarding dark skies: the Project will be required to minimize light intrusion. As indicated in the EIR (page 3.1-12), "The Project will likely include lighting at the entry/exit point, and include evening lighting in the parking areas, pedestrian walkways, and security lighting, it will be required to comply with Tulare County General Plan and Three Rivers Community Plan policies and development standards. The Community Plan contains specific standards for night sky conservation and protection at Policy 1.1.12 LU-4.5 Commercial Building Design; 4.5.2. Proposals Subject to County Project Review Committee and, A-1 - Policy Matrix (6) Establishing Lighting Standards for Night Sky Conservation and Protection. As such, the Project will not create a new source of substantial light or glare which would adversely affect day or</p>

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**Table 10-1
County Responses to Comments Received**

Summary of Comments / Issues Raised	Responses to Comments
	<p>nighttime views in the area resulting in a less than significant impact to this resource.”</p> <p>Commenter does not specify type of pollution; as such, we cannot provide a response.</p> <p>Regarding Traffic: Caltrans provided comments that it concurs with the TIS and no further analysis is required. Caltrans did not indicate that the TIS is stale. Although VMT is the metric in determining traffic impacts, the use of LOS remains appropriate. Commenter fails to note that queuing and congested roadways (components of LOS) are contributors to GHG, not just VMT. Further, as the hotel will provide an alternative to visitors/tourists having to drive an average of 30 miles to find comparable lodging accommodations, VMT is substantially reduced, thereby reducing GHG. It is noted that GHG contains its own analysis at Chapter 3.8 which is supported by information contained in the “Air Quality & Greenhouse Gas Assessment, Three Rivers Hampton Inn and Suites Project” report (AQ/GHG Report and is included in Appendix “A” of the EIR) prepared by qualified experts ECORP Consulting, Inc. (ECORP).</p> <p>Outdated TIS: The Traffic Impact Study (TIS) for the proposed Project was completed in the year 2020. Typically, existing peak hour counts are collected in the study area for purposes of evaluating existing conditions. However, the COVID-19 pandemic has altered travel patterns in the State of California, especially with the closure of the Sequoia-Kings Canyon National Park. As a result, existing traffic counts would be skewed and wouldn’t reflect typical travel patterns in the study area. 2018 Traffic counts in the study area were used to evaluate existing traffic conditions in this traffic analysis. In addition, a growth rate of 1.3% per year was applied to the 2018 counts to estimate Year 2020 traffic volumes in the study area. Historical growth in Tulare County is approximately 1.3% based on population trends as forecasted in the Tulare County General Plan 2030 Update.</p> <p>Inconsistent metrics in TIS: The TIS prepared for the Project was completed under Caltrans oversight given the location of the Project with respect to the</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
	<p>State Route (SR) 198 Corridor. On April 13, 2020, Caltrans prepared a Memorandum (attached) regarding “VMT CEQA SIGNIFICANCE DETERMINATIONS FOR STATE HIGHWAY SYSTEM PROJECTS IMPLEMENTATION TIMELINE MEMORANDUM.” In the memorandum, Caltrans indicated that “Projects initiated on or after December 28, 2018, which have reached or will reach Caltrans’ Milestone 020 (“Begin Environmental”) before September 15, 2020, will be evaluated by the Department in consultation with project sponsors on a case-by-case basis to determine if the use of a VMT-based transportation impact significance determination in the draft environmental document is warranted.” The Project began its environmental process in the first quarter of 2020 and utilized the appropriate metric for analysis of Project impacts.</p> <p>Traffic data collection: See response to “Outdated TIS”, above. Typically, impacts of a potential project will be evaluated against the weekday AM and PM peak hours. However, Caltrans determined that the appropriate peak hours to evaluate Project impacts was the Saturday and Sunday peak hours.</p> <p>TIS does not comply with SB 743: See response to “Inconsistent metrics in TIS.”</p>
Comment Letter15: Delores Lucero, December 2, 2020, March 8 and 15, 2021, and April 22, 2021	
Conflicts with the General Plan, Specific Plan, and zoning ordinance; FEMA flood zone map; scenic corridor; flood zone; water quality.	<p>Regarding General Plan, Specific Plan, and zoning ordinance: Tulare County RMA stands by its determination based on the information contained in the EIR (at Chapter 3.11 Land Use & Planning) that the Project does not conflict with the General plan, that a Specific Plan is not required, and that the Project is properly located within an area that is allowed by the zoning ordinance. Other than commenter’s opinion, commenter does not provide substantial evidence to support commenter’s conclusion. As such, contrary to commenter’s opinion, the analysis is accurate and no mitigation is required. Chapter 3.11 Land Use & Planning in the EIR thoroughly discusses land use and policy as required by CEQA.</p> <p>Regarding scenic corridor: The EIR does not state that the proposed Project would not result in a visual impact. Rather, it states that there are no designated</p>

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**Table 10-1
County Responses to Comments Received**

Summary of Comments / Issues Raised	Responses to Comments
	<p>scenic vistas within or within visible distance of the proposed Project site and that there are no rock outcroppings, historic buildings, or other designated scenic resources within or near the proposed Project site. The EIR also states that implementation of Tulare County General Plan and Three Rivers Community Plan policies and development standards would minimize or avoid substantial impacts to the visual character or quality of the site and its surroundings and that the proposed Project would not conflict with applicable zoning and other regulations governing scenic quality. Contrary to commenter's opinion, if the ground level were raised, the proposed Project would still remain below 35' as the measurement would begin at the base of the structure, not the naturally occurring surface.</p> <p>Regarding the comment that the DEIR is incorrect in stating there are no hotels in the vicinity of the proposed Project: To be clear, the DEIR states, that there are no other hotel (or motel) or other development <i>proposals</i> (emphasis added) within the vicinity of Three Rivers.⁵ The existing Comfort Inn & Suites is accounted for as part of the baseline of the analysis.</p> <p>Regarding flood zone, water quality, and septic: See Responses to Greenspan, Rothenberg, and Launey and Sodhy, above.</p> <p>Regarding cumulative impact: As noted above, the DEIR states that there are no other project <i>proposals</i> (emphasis added) within the vicinity of Three Rivers. Furthermore, the DEIR does not state that there is no cumulative impact; rather, it states that the proposed Project <i>will not significantly contribute</i> (emphasis added) to a cumulative impact.⁶ Tulare County RMA stands by its determination that the proposed Project will not significantly contribute to a cumulative impact.</p>

⁵ Draft Environmental Impact Report, Three Rivers Hampton Inn and Suites, Three Rivers, CA. March 2021. Cumulative Impact: Item 10 Hydrology and Water Quality, page 87 and Item 11 Land Use and Planning, page 93.

⁶ Ibid.

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**Table 10-1
County Responses to Comments Received**

Summary of Comments / Issues Raised	Responses to Comments
Comment Letter17: Marilyn Messa, March 22, 2021 and April 22, 2021	
<p>Floodplain, septic system concerns, water (supply); CEQA studies/more extensive DEIR; lighting; traffic; air quality; alternatives; overburdening of resources.</p>	<p>Consultant VRPA provided responses (in the form of a Memo) to traffic-related comments which can be found as an attachment of this Chapter. Following are excerpts from the Memo specific to traffic-related issues.</p> <p>Regarding floodplain/flooding: See responses to Mr. Greenspan; Rothenberg; and Launey and Sodhy. As an aside, the Project will be required to comply with Tulare County building requirements regarding development in a flood zone.</p> <p>Regarding septic system: See responses to TCEHSD (and their comment letter); Greenspan; Rothenberg; and Launey and Sodhy; and Sickman. Also, comments regarding the septic system of the Comfort Inns & Suites are outside of the scope of this EIR. It can be said with certainty that the proposed Project will be required to comply with TCEHSD and/or Regional Water Quality Control Board rules, regulations, etc. as applicable; and, enforcement will be the responsibility of these agencies.</p> <p>Regarding water: See Responses to Greenspan, Rothenberg, and Launey and Sodhy.</p> <p>Regarding CEQA studies/more extensive DIER: The Draft EIR meets CEQA Guidelines Sections 15120 through 15132 for content. Appendices “A” through “F” in the Draft EIR contain technical reports by qualified experts for Air Quality and Greenhouse Gases, Biological Resources, Cultural Resources, Noise, Traffic, and Wastewater.</p> <p>Regarding lighting: See responses to Lavelly and, Launey and Sodhy. The comment regarding light from the Village Market and Liquor is not substantiated by evidence from commenter to support commenter’s opinion.</p> <p>Regarding traffic: See responses to Caltrans (and their comment letter), Launey and Sodhy, and Nevarez and Conover III</p> <p>Regarding air quality: See response to San Joaquin Valley Air Pollution Control District (and their comment letter).</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
	<p>Regarding alternatives: Commenter does not provide other alternatives (supported by evidence) that should be considered. In its totality, CEQA Guidelines Section 15126.6 states: “Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”⁷</p> <p>Regarding overburdening of resources: As we are unable to ascertain how commenter defines “overburdening our resources” for CEQA purposes, we cannot provide a response.</p>
Comment Letters 19-20: Norma Nevarez and Clarence M. Conover, III, April 22, 2021	
Water; traffic; evacuation; pedestrians; increases in human-caused fire; dry wells.	<p>Regarding water: See Responses to Greenspan, Rothenberg, and Launey and Sodhy.</p> <p>Regarding traffic: See responses to Caltrans (and their comment letter), and Launey and Sodhy.</p> <p>Regarding evacuation: The TIS prepared for the Project was completed under the Caltrans oversight given the location of the Project with respect to the State</p>

⁷ California Environmental Quality Act. California Public Resources Code. Division 13. Environmental Quality Act Guidelines. Section 15126.6 Consideration and Discussion of Alternatives to the Proposed Project. Accessed at: https://resources.ca.gov/-/media/CNRA-Website/Files/Programs-and-Projects/CEQA/CEQA-Homepage/2019_CEQA_Statutes_and_Guidelines.pdf?la=en&hash=28D5D3CF051762486FC0A43BB50921F85E30E8CC

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**Table 10-1
County Responses to Comments Received**

Summary of Comments / Issues Raised	Responses to Comments
	<p>Route (SR) 198 Corridor. The Project began its environmental process in the first quarter of 2020 and utilized the appropriate metric for analysis of Project impacts. As noted in the Draft EIR (page 3.17-38 and -39) based on the analysis contained in the TIS, qualified expert consultant VRPA determined that the proposed Project would result in a less than significant impact. Tulare County RMA agrees with and supports the assessment and conclusion. As noted in the TIS, “The Project would not result in any degradation of emergency access within the community. Congestion at an intersection or along a roadway can adversely impact emergency access. Results of the traffic analysis shows that all of the study intersections and roadway segments will meet Tulare County’s and Caltrans’ LOS “D” criteria through the year 2042. As a result, the Project will not result in inadequate emergency access. Therefore, no mitigation is needed.”⁸</p> <p>Regarding human-caused fire: The comment is speculative and is not supported by evidence.</p> <p>Regarding dry wells: See Responses to Greenspan, Rothenberg, and Launey and Sodhy.</p> <p>Regarding pedestrians: Commenter is not specific regarding the “problem” of people walking from the Comfort Inn to the Village Market, Pharmacy in a CEQA context. As such, we cannot provide a response.</p>
Comment Letter21: Bob Powell, April 13, 2021	
<p>Flood plain/flooding; water supply; littering; employee housing; too many tourists for the Highway.</p>	<p>Regarding flood plain/flooding: See responses to Mr. Greenspan; Rothenberg; and Launey and Sodhy.</p> <p>Water supply: See Responses to Greenspan, Rothenberg, and Launey and Sodhy.</p> <p>Regarding littering: See Response to Launey and Peter Sodhy.</p>

⁸ “Three Rivers Hampton Inn & Suites Traffic Impact Study, June 2020” (TIS) report. Page 8. Prepared by VRPA Technologies, Inc., (included in Appendix “E” of this Draft EIR). Pages 25-26.

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
	<p>Regarding employee housing: As noted in the Draft EIR, it is anticipated that future employees of the proposed Project will be drawn from the local workforce. As it cannot be known with certainty where the local workforce will be drawn from (whether within the Three Rivers area or nearby unincorporated areas or incorporated cities), it would be speculative to assume employee housing would be needed.</p> <p>Regarding too many tourists for Highway: Most tourists/visitors are using SR 198 as it is the most direct and convenient route to the national parks. As Caltrans commented that it concurs with the conclusion of the TIS and no further analysis is required, it is reasonable to conclude that the TIS accurately analyzed traffic impacts and concluded that the proposed Project would not significantly impact traffic volumes along SR 198.</p>
Comment Letter22: Greg and Laurie Schwaller, April 22, 2021	
Project description; NOP/IS/DEIR; appearance; traffic; light; noise; land use; compatibility; environment; wildlife movement; scenic view; short-term rental market; air quality; VMT; energy; alternatives.	<p>Regarding project description: The proposed Project description is accurate. The proposed Project <i>does not</i> (emphasis added) include the parcel immediately adjacent to and west of it. It is also noted that qualified expert consultant ALD General Engineering provides an explanation of evaluating uses on the lot immediately adjacent to and west of the proposed Project as follows: “The purpose of this addendum is to clarify the evaluated uses on the frontage lot (APN #068-100-010). The uses defined in our Report of Waste Discharge (RWD) (service station and market, and Subway restaurant, or equivalent) are purely speculative and unknown at this time. The purpose of defining uses in the RWD was solely for calculation purposes for designing a single Wastewater Treatment Facility (WWTF) to service the following parcels: APN# 068-080-010 and 068-100-010. The future uses of the frontage lot will only be limited by the available WWTF capacity, which will be based on actual flows logged using flow meters. The anticipated capacity for the frontage lot is 3,420 gallons per day.” Ald General Engineering’s Addendum is included as an attachment to this Chapter.</p> <p>Regarding the NOP/IS/DEIR: As the proposed Project description is accurate, the reissuance of an NOP/IS/DEIR is not required or necessary.</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
	<p>Regarding appearance: For CEQA purposes, there is no requirement to include the “appearance” of a project. Chapter 3.1-1 Aesthetics has been prepared to address aesthetics as contained in Appendix G of the CEQA Guidelines.</p> <p>Regarding traffic: See responses to Caltrans (and their comment letter; and Launey and Sodhy.</p> <p>Regarding light: See responses to Lavelly; and Launey and Sodhy.</p> <p>Regarding noise: As indicated in the Draft EIR (page 3.13-10), a “<i>Noise Impact Assessment</i>” (NIA, included in Appendix “E” of the DEIR) was prepared by qualified expert consultant ECORP Consulting, Inc., to assess the land use compatibility of the Proposed Project within the existing noise environment affecting the Project area. The analysis contained in the Draft EIR (including the NIA), supports the conclusion that the proposed Project would result in a less than significant impact. Other than opinion, no evidence has been provided by commenter to support their comment that the proposed Project’s noise impact would be greater than less than significant.</p> <p>Regarding compatibility and land use: For CEQA purposes, usage of the word “incompatible” occurs only twice in the CEQA Guidelines, at Section 15304 (c) Minor Alterations to Land, and Appendix G XVII Transportation (c) “Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?” However; regarding Land Use, Appendix G XI Land Use and Planning uses the term “conflict”. As such, as noted in the Draft EIR (page 3.11-16), the analysis supports the conclusion that the proposed Project would result in no impact to this resource.</p> <p>Regarding environment: Commenter does not define the use of the word “environment,” as such, we cannot provide a response to this comment.</p> <p>Regarding wildlife movement: As indicated in the Draft EIR (pages 3.4- 34, - 35), a Biological Evaluation (“<i>Biological Resources Assessment [BRA]</i>”</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
	<p><i>Hampton Inn and Suites Three River, Tulare County, California,</i>” included in Appendix “B” of the DEIR) prepared by qualified expert consultants ECORP Consulting, Inc. concluded that the project will not substantially impede the movement of native fish or wildlife species, nor impede their use of a nursery site. As such, the impact to this resource would be less than significant. Other than opinion, no evidence has been provided by commenter to support their comment that the proposed Project’s impact to a migration corridor (movement) would be greater than less than significant.</p> <p>Regarding VMT: See response to Lavelly.</p> <p>Regarding air quality: See response to San Joaquin Valley Air Pollution Control District (and their comment letter).</p> <p>Regarding GHG emissions: See responses to Caltrans; and Lavelly.</p> <p>Regarding energy: Chapter 3.6 Energy of the Draft EIR (pages 3.6-12 through -15) provides an analysis and conclusion that the proposed Project would result in a less than significant impact to this resource. Other than opinion, no evidence has been provided by commenter to support their comment that the proposed Project’s impact to energy would be greater than less than significant.</p> <p>Regarding alternatives: Other than opinion, no evidence has been provided by commenter to support their comment that an alternative, other than the Alternatives discussed in Chapter 5 of the Draft EIR, would meet or be superior to all six (6) Evaluation Criteria used for the proposed Project. Further, the commenter does not provide a comparison of each Alternative’s and the proposed Project’s abilities to achieve the Project objectives and reduce environmental impacts as contained shown in Table 5-2 of the DEIR (see page 5-13).</p> <p>Regarding appearance (aesthetics): For CEQA purposes, there is no requirement to include the “appearance” of a project. Chapter 3.1-1 Aesthetics has been prepared to address aesthetics as contained in Appendix G of the CEQA Guidelines. At the time of preparation of the DEIR, the applicant had</p>

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**Table 10-1
County Responses to Comments Received**

Summary of Comments / Issues Raised	Responses to Comments
	<p>not provided, as it was not yet determined, what the final design, texture, color, etc. of the proposed Project would be. As such, using the thresholds of significant as contain in the CEQA Guidelines (that is, impact on a scenic vista, impact on a scenic highway, impact on visual quality, and creation of glare or impact on nighttime views), the analyses and conclusions contained in the DEIR are consistent with these thresholds.</p> <p>Regarding scenic vista: The use of “designated scenic vista” is an inadvertent attempt to summarize and combine Caltrans’ and the County’s usage of scenic corridors, state scenic highways, county scenic routes and highways, etc. It is not intended to be construed as a definition per se. As noted in the Draft EIR Chapter 3.1 Aesthetics, the proposed Project would result in a less that significant impact through compliance with the Tulare County General Plan, Foothill Growth Management Plan, and the Three Rivers Community Plan.</p> <p>Cumulative Impact: As accurately noted in the Draft EIR at cumulative analyses discussions, there are no other hotel (or motel) or other development <i>proposals</i> (emphasis added) within the vicinity of Three Rivers. As noted in the CEQA Guidelines Section 15355, Cumulative Impacts, “Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.</p> <p>(a) The individual effects may be changes resulting from a single project or a number of separate projects.</p> <p>(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”</p> <p>Therefore, the analysis considered existing hotels/motels as the baseline, proposed hotels (which include only the proposed Project) and reasonably foreseeable probable future projects (which there are none). Combined, these are used to evaluate the cumulative impact of the proposed Project with past</p>

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<p style="text-align: center;">Table 10-1 County Responses to Comments Received</p>	
Summary of Comments / Issues Raised	Responses to Comments
	(existing) and future projects (none) leading to the conclusion that the proposed Project would not result in a cumulative impact.
Comment Letters 23-24: James O. Sickman, Ph.D , April 21, 2021	
Migration/constituents of effluent; water well sampling; monitoring; wastewater system design.	<p>It is noted that consultant ALD Engineering provided responses to water/wastewater-related comments which can be found as an attachment of this Chapter. Excerpts from ALD Engineering are included where applicable.</p> <p>Regarding migration/constituents of effluent: All tertiary treated effluent must meet regulatory treatment levels.</p> <p>Regarding water well sampling: Sampling and analysis is required by the Regional Water Quality Control Board (Water Board) to verify adequate treatment pursuant to the applicable general order.</p> <p>Regarding monitoring: The hotel's well and public wells on adjoining properties must be monitored in accordance with the hotels permit with the Regional Water Quality Control Board – Division of Drinking Water. This requirement is outside of the TRCSD's regulatory purview.</p> <p>Regarding wastewater system design (sizing, application area, UV system): The minimum dispersal area required is 14,287.5 square feet, not 4,766 square feet as described by Mr. Sickman (Ph.D). Which is calculated by dividing the total quantity of effluent per day (17,145 gpd) by the hydraulic loading rate (1.2 gpd/sq.ft.)</p> <p>The system's capacity per hotel room is 130.7 gpd, based on a total daily use of 11,100 gpd, which exceeds the 100 gpd per room described by the Water Board. The references Mr. Sickman (Ph.D) described were used for comparison purposes only. The peak system capacity is theoretically 17,145 gpd, which provides for up to 163.3 gpd per room.</p> <p>The system must be maintained by a maintenance provider with an appropriate Wastewater Treatment Plan Certification, pursuant to Section 13626 of the California Water Code. Additionally, the maintenance provider must be</p>

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Table 10-1 County Responses to Comments Received	
Summary of Comments / Issues Raised	Responses to Comments
	certified by the equipment manufacturer, Orenco. Furthermore, the wastewater treatment components that require repairs will be installed in duplicate (e.g., septic tank effluent pumps, recirculation pumps, discharge pumps, UV treatment units) that alternate, or in the case of UV treatment are installed in series, and in the event one requires repairs, the other continues to operate.
Comment Letter25: Rod Simonian, March 9, 2021	
Flood plain; water table; public park; employee travel; environment.	<p>Regarding flood plain: See responses to Mr. Greenspan; Rothenberg; and Launey and Sodhy.</p> <p>Regarding water table: Regardless of depth to the water table, the proposed Project's well will be constructed consistent with Regional Water Quality Control Board – Division of Drinking Water requirements.</p> <p>Regarding employee travel: As noted in the Draft EIR, it is anticipated that future employees of the proposed Project will be drawn from the local workforce. As it cannot be known with certainty where the local workforce will be drawn from (whether within the Three Rivers area or nearby unincorporated areas or incorporated cities), it would be speculative to assume employee housing would be needed.</p> <p>Regarding environment: As commenter does not provide a definition or specifics of the use of “environment”, we are unable to provide a response to this comment.</p>
Comment Letter26: David D. Wood, Ph.D.	
See non-CEQA comments below.	
NON-CEQA COMMENTS	
<p>The following non-CEQA issues were also raised:</p> <ul style="list-style-type: none"> • Use of TOT for police or infrastructure. • Use of TOT specifically for an ambulance. 	These comments refer to issues not directly related to the EIR prepared for the Project and as such, no CEQA response is provided.

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Table 10-1 County Responses to Comments Received	
Summary of Comments / Issues Raised	Responses to Comments
<ul style="list-style-type: none">• Rescind STR permits to alleviate shortage of available residential rentals.• Decrease in families with children attending elementary school.• Three Rivers Unified School District in danger of closing.• Any guarantee that Three Rivers residents would have first consideration for these jobs.• History of the Applicant.	

Attachment 1

Notice of Availability Tracking Table

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT
Three Rivers Hampton Inn (SCH# 2020110016)

AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD					COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
AVAILABILITY OF PUBLIC VIEWING												
Tulare County Website: https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/												
Tulare County Resource Management Agency 5961 S. Mooney Blvd. Visalia, CA 93277-9394					X	X	3/8/21					
Tulare County Clerk's Office County Civic Center Courthouse, Room 105 221 S. Mooney Blvd. Visalia, CA 93291 mbhansen@tularecounty.ca.gov		X						3/8/21				
Tulare County Public Library Visalia Man Branch 200 W. Oak Ave. Visalia, CA 93291 DWegener@tularecounty.ca.gov					Not available in hard copy at libraries per the County's Covid-19 threat/response protocols.			3/8/21				
STATE CLEARINGHOUSE	X	X	X	X				3/8/21 (direct upload)				3/8/21, email confirmation from Mikayla Vaba that the DEIR was published on the SCH website.
<ul style="list-style-type: none"> Air Resources Board California Highway Patrol Caltrans District #6 Department of Conservation Energy Commission Department of Fish and Wildlife Region #4 Department of Food and Agriculture Department of Forestry and Fire Protection Department of General Services Native American Heritage Commission Office of Emergency Services Office of Historic Preservation Public Utilities Commission Regional Water Quality Control Board District #5F Resources Agency State Water Resources Control Board – Water Quality Department of Toxic Substances Control Department of Water Resources 												

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT Three Rivers Hampton Inn (SCH# 2020110016)												
AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD					COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
MILITARY												
Mr. David S. Hulse Naval Facilities Engineering Command Community Plans Liaison Officer (CPLO) 1220 Pacific Highway AM-3 San Diego, CA 92132					X					3/5/21		
FEDERAL AGENCIES												
U.S. Army Corps of Engineers Sacramento District 1325 J Street, Room 1350 Sacramento, CA 95814-2922					X					3/5/21		
U.S. Fish and Wildlife Service Sacramento Fish & Wildlife Office 2800 Cottage Way, Room W-2605 Sacramento, CA 95825-1846					X					3/5/21		
U.S. Forest Service 1400 Independence Ave SW, Room 5105-A Washington DC 20250-1111					X					3/5/21		
Sequoia National Forest Supervisor’s Office 1839 South Newcomb Street Porterville, CA 93257					X					3/5/21		
National Park Service Pacific West Region Attn: Laura Joss, Regional Director 333 Bush Street, Suite 500 San Francisco, CA 94104-2828					X					3/5/21		
USDA - Natural Resources Conservation Service 1400 Independence Ave SW Room 5105-A Washington, DC 20250-1111					X					3/5/21		
USDA - Natural Resources Conservation Service Visalia Service Center Attn: Lurana Strong 3530 W. Orchard Ct. Visalia, CA 93277-7055X					X					3/5/21		

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT Three Rivers Hampton Inn (SCH# 2020110016)												
AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD					COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
STATE & REGIONAL AGENCIES												
CA Environmental Protection Agency P.O. Box 2815 Sacramento, CA 95812-2815					X					3/5/21		
CA Department of Conservation Division of Land Resources Protection 801 K Street, MS 24-01 Sacramento CA 95814					X					3/5/21		
CA Dept. of Fish and Wildlife Region 4 – Central Region 1234 E. Shaw Avenue Fresno, CA 93710 R4CEQA@wildlife.ca.gov		X						3/8/21				
CA Dept. of Food & Agriculture 1220 N Street Sacramento, CA 95814					X					3/5/21		
CA Dept. Forestry & Fire Protection 1234 E. Shaw Ave Fresno CA 93710					X					3/5/21		
CA Dept. of Toxic Substances Control P.O. Box 806 Sacramento, CA 95812-0806					X					3/5/21		
CA Dept. of Transportation, District 6 1352 W. Olive Ave P.O. Box 12616 Fresno, CA 93778-2616 david.deel@dot.ca.gov lorena.mendibles@dot.ca.gov		X						3/8/21		3/5/21		3/9/21, email from David Deel, Associate Transportation Planner, confirming receipt of NOA. 3/24/21, comment letter from David Deel received via email.
CA Department of Water Resources 1416 Ninth Street Sacramento, CA 95814					X					3/5/21		
CA Natural Resources Agency 1416 Ninth Street, Suite 1311 Sacramento, CA 95814					X					3/5/21		
CA Office of Emergency Services 3650 Schriever Avenue Mather, CA 95655					X					3/5/21		

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT Three Rivers Hampton Inn (SCH# 2020110016)												
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	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
CA Office of Historic Preservation 1725 23rd Street, Suite 100 Sacramento, CA 95816					X					3/5/21		
CA Public Utilities Commission 770 L. Street Sacramento, CA 95841					X					3/5/21		3/10/21, envelope returned as “insufficient address, unable to forward”
Native American Heritage Commission 1550 Harbor Blvd, Suite 100 West Sacramento, CA 95691 NAHC@nahc.ca.gov		X						3/8/21				
State Water Resources Control Board P.O. Box 100 Sacramento, CA 95812					X					3/5/21		
Regional Water Quality Control Board Region 5 – Central Valley 1685 E Street Fresno, CA 93706 CentralValleyFresno@waterboards.ca.gov		X						3/8/21				3/8/21, automated email confirming receipt of NOA.
San Joaquin Valley APCD Permit Services – CEQA Division 1990 E. Gettysburg Ave. Fresno, CA 93726 CEQA@valleyair.org		X						3/8/21				
Southern California Edison Attn: Calvin Rossi, Region Manager Local Public Affairs 2425 S. Blackstone St. Tulare, CA 93274 calvin.rossi@sce.com		X			X			3/8/21		3/5/21		
LOCAL AGENCIES												
Tulare County Agricultural Commissioner 4437 S. Laspina Street Tulare CA 93274 TTucker@co.tulare.ca.us		X			X		3/5/21	3/8/21				
Tulare County Association of Governments Attn: Ted Smalley 210 N. Church Street, Suite B Visalia, CA 93291 TSmalley@tularecog.org		X			X		3/5/21	3/8/21				

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT Three Rivers Hampton Inn (SCH# 2020110016)												
AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD					COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Tulare County Farm Bureau Tricia Stever Blattler, Exec. Director P.O. Box 748 Visalia, CA 93291 pstever@tulcofb.org		X			X			3/8/21		3/5/21		
Tulare County Fire Warden 835 S. Akers Street Visalia, CA 93277					X		3/5/21					
Tulare County Health & Human Services Agency Environmental Health Department Attn: Allison Shuklian 5957 S. Mooney Blvd Visalia, CA 93277 AShuklia@tularehhsa.org		X						3/8/21				4/6/21, comment letter from Ted Martin, Environmental Health Specialist, received via email
Tulare County Local Agency Formation Commission 210 N. Church Street, Suite B Visalia, CA 93291					X		3/5/21					
Tulare County Office of Emergency Services Attn: Sabrina Bustamante / Megan Fish 5957 S. Mooney Blvd Visalia, CA 93277 slbustamante@co.tulare.ca.us mfish@co.tulare.ca.us		X			X		3/5/21	3/8/21				
Tulare County Resource Management Agency - 5961 S. Mooney Blvd. Visalia, CA 93277 Economic Development - jmartinez2@co.tulare.ca.us Fire – gportillo@co.tulare.ca.us Flood Control – rschenke@co.tulare.ca.us rmiller@co.tulare.ca.us Public Works – hbeltran@co.tulare.ca.us jwong@co.tulare.ca.us		X			X		3/5/21	3/8/21				3/31/21, comment letter from G. Portillo, TCFD, Fire Inspector-Plans Examiner, received via email.

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT Three Rivers Hampton Inn (SCH# 2020110016)												
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	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Tulare County Resource Conservation District 3530 W. Orchard Ct Visalia, CA 93277					X					3/5/21		
Tulare County Sheriff's Office – Headquarters 2404 W. Burrel Avenue Visalia, CA 93291					X		3/5/21			3/5/21		
Tulare County U.C. Cooperative Extension UC Cooperative Extension 4437 S. Laspina Street Tulare, CA 93274					X					3/5/21		
Three Rivers Community Services District Attn: Cindy Howell, General Manager P.O. Box 423 Three Rivers, CA 93271 info3riverscsd@gmail.com		X			X			3/8/21		3/5/21		4/21/21, comments from C. Howell received via email.
Three Rivers Union School District Attn: Sue Sherwood, Superintendent/Principal P.O. Box 99 Three Rivers, CA 93271 spsherwood@3rusd.org		X			X			3/8/21		3/5/21		
Woodlake Union School District Attn: Laura Gonzalez 300. W. Whitney Ave Woodlake, CA 93286 lagonzalez@w-usd.org		X			X			3/8/21		3/5/21		
TRIBES												
Kern Valley Indian Tribe Robert Robinson, Co-Chairperson P.O. Box 1010 Lake Isabella, CA 93240 bbutterbredt@gmail.com		X			X			3/8/21		3/5/21		
Kern Valley Indian Tribe Julie Turner, Secretary P. Box 1010 Lake Isabella, CA 93240 meindiangirl@sbcglobal.net		X			X			3/8/21		3/5/21		

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	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Kern Valley Indian Tribe Brandi Kendricks 30741 Foxridge Court Tehachapi, CA 93561 krazykendricks@hotmail.com		X			X			3/8/21		3/5/21		
Leo Sisco, Tribal Chairman Santa Rosa Rancheria Tachi Yokut Tribe 16835 Alkali Drive Lemoore, CA 93245 LSisco@tachi-yokut-nsn.gov		X			X			3/8/21		3/5/21 3/9/21 certified 7014015000 0115371589	3/10/21	
Santa Rosa Rancheria Tachi Yokut Tribe Robert Jeff, Vice-Chair P. O. Box 8 Lemoore, CA 93245 RGJeff@tachi-yokut-nsn.gov		X			X			3/8/21		3/5/21		
Santa Rosa Rancheria Tachi Yokut Tribe Bianca Arias, Admin. Assistant. P. O. Box 8 Lemoore, CA 93245 BArias@tachi-yokut-nsn.gov		X			X			3/8/21		3/5/21		
Santa Rosa Rancheria Tachi Yokut Tribe Shana Powers, Director of Cultural Preservation 16835 Alkali Drive Lemoore, CA 93245 SPowers@tachi-yokut-nsn.gov		X			X			3/8/21		3/5/21 3/9/21 certified 7014015000 0115371572	3/10/21	3/9/21, email response from Ms. Powers (confidential).
Santa Rosa Rancheria Tachi Yokut Tribe Cultural Department Greg Cuara, Cultural Specialist P. O. Box 8 Lemoore, CA 93245 GCuara@tachi-yokut-nsn.gov		X			X			3/8/21		3/5/21		
Santa Rosa Rancheria Tachi Yokut Tribe Cultural Department Samantha McCarty, Cultural Specialist P. O. Box 8 Lemoore, CA 93245 SMcCarty@tachi-yokut-nsn.gov		X			X			3/8/21		3/5/21		

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Three Rivers Hampton Inn (SCH# 2020110016)												
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	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Tubatulabals of Kern Valley Robert L. Gomez, Jr., Chairperson P.O. Box 226 Lake Isabella, CA 93240 rgomez@tubatulabal.org		X			X			3/8/21		3/5/21		3/9/21, email response from Chairman Gomez (confidential).
Tule River Indian Tribe Neil Peyron, Chairperson P. O. Box 589 Porterville, CA 93258 neil.peyron@tulerivertribe-nsn.gov		X			X			3/8/21		3/5/21		
Tule River Indian Tribe Dept. of Environmental Protection Kerri Vera, Director P. O. Box 589 Porterville, CA 93258 tuleriverenv@yahoo.com		X			X			3/8/21		3/5/21		
Tule River Indian Tribe Dept. of Environmental Protection Felix Christman, Archaeological Monitor P. O. Box 589 Porterville, CA 93258 Tuleriverarchmon1@gmail.com		X			X			3/8/21		3/5/21		
Wuksache Indian Tribe/ Eshom Valley Band Kenneth Woodrow, Chairperson 1179 Rock Haven Ct. Salinas, CA 93906 Kwood8934@aol.com		X			X			3/8/21		3/5/21		
NEIGHBORING PROPERTIES (300' from project boundary)												
E & S Investments, LLC P.O. Box 190 Three Rivers, CA 93271 Steve Rothenberg rstevevi@sbcglobal.net					X					3/5/21		4/9/21, comments from S. Rothenberg sent via email 4/9/21, map from S. Rothenberg to L. Micari sent via email 4/9/21, map from S. Rothenberg to L. Micari sent via email
BSK Investments, LLC 40820 Sierra Drive Three Rivers, CA 93271-9535					X					3/5/21		

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	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Satwant & Malkit Sanghera 6425 E. Hatch Rd. Hughson, CA 95326-9239					X					3/5/21		
David A & Jane E Learned (TRS) P.O. Box 596 Three Rivers, CA 93271-0596					X					3/5/21		
Suburban Propane, LP 240 Route 10 West Whippany, NJ 07981-0206					X					3/5/21		
William W. Oliver (TR) P.O. Box 964 Three Rivers, CA 93271-0964					X					3/5/21		
Sukhjinder Singh & Kulvinder Sanghera 1516 Tristan Court Hughson, CA 95326-9154					X					3/5/21		
Gautam & Tina Patel 7662 Cottonwood Lane Pleasanton, CA 94588-4322					X					3/5/21		
Linda McKee Amaral (TR)(FAM TR) 3839 W. Crowley Ct. Visalia, CA 93291-5511					X					3/5/21		
Gregory & Nataliya Dixon (TRS) P.O. Box 343 Three Rivers, CA 93271					X					3/5/21		
Farshad A. Tafti P.O. Box 550 Goshen, CA 93227-0550					X					3/5/21		
OTHER INTERESTED PARTIES												
Ineffable Hospitality, Inc. 6473 E. Hatch Road Hughson, CA 95326 haren@ineffablehotels.com		X						3/8/21				
Sukhjinder & Kulvinder Sanghera 6473 E. Hatch Road Hughson, CA 95326 harensanghera@gmail.com		X						3/8/21				

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	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Joel Hiser HTL Hospitality Advisors 11050 Northgate Drive, Suite 440 San Rafael, CA 94903 jhiser@htlha.com		X						3/8/21				
Chris Ott HTL Hospitality Advisors San Francisco, CA cott@htlha.com		X						3/8/21				
Michael Lozeau Lozeau Drury LLP 1939 Harrison St, Ste 150 Oakland, CA 94612 michael@lozeaudrury.com		X						3/8/21				
Hannah Hughes Lozeau Drury LLP 1939 Harrison St, Ste 150 Oakland, CA 94612 hannah@lozeaudrury.com		X						3/8/21				
Komalpreet Toor Lozeau Drury LLP 1939 Harrison St, Ste 150 Oakland, CA 94612 komal@lozeaudrury.com		X						3/8/21				
Maya Vishwanath Lozeau Drury LLP 1939 Harrison St, Ste 150 Oakland, CA 94612 maya@lozeaudrury.com		X						3/8/21				
The Kaweah Coalition Julianna Seligman, Director P.O. Box 865 Three Rivers, CA 93271 kaweahcoalition@gmail.com		X						3/8/21		3/9/21		
Kaweah Commonwealth 3rnews@kaweahcommonwealth.com		X						3/8/21				3/8/21, message timed out – system will keep trying for 5 days 3/13/21, message undeliverable, deleted from queue after 5 days

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT Three Rivers Hampton Inn (SCH# 2020110016)												
AGENCY / ENTITY	DOCUMENTS SENT						DELIVERY METHOD					COMMENTS RECEIVED
	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Sequoia Riverlands Trust 427 S. Garden St. Visalia, CA 93277 Cam Tredennick, Executive Director cam@sequoiariverlands.org Ann Huber ann@sequoiariverlands.org Marilyn Martin, Executive Assistant marilyn@sequoiariverlands.org		X						3/8/21				
Three Rivers Historical Society P. O. Box 1253 Three Rivers, CA 93271 history@3rmuseum.org		X			X			3/8/21		3/5/21		
Three Rivers Village Foundation info@threerivers.com		X						3/8/21				3/8/21, message timed out – system will keep trying for 5 days 3/13/21, message undeliverable, deleted from queue after 5 days
Tulare County Citizens for Responsible Growth tccrg.info@gmail.com		X						3/8/21				
Rob Balsom rbalsom@me.com		X						3/8/21				
Bettina Birch bettina.birch@att.net		X						3/8/21				
Dave Bodine bodinehouse1@att.net		X						3/8/21				
Karen Bodner kebodner@wildblue.net		X						3/8/21				
R. Bodner rebodner@wildblue.net		X						3/8/21				3/8/21, email was not able to be delivered
Chris Brewer cdbrewer@gmx.com		X						3/8/21				
Warren Campbell prorege@cwo.com		X						3/8/21				3/8/21, email was not able to be delivered

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	Electronic				Hard Copy		Hand Delivered/ Interoffice	E-mail	FedEx	US Mail	Return Receipt	
	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Sarah Campe sarahcampe@gmail.com		X						3/8/21				
Christel Change 2ntimame@gmail.com		X						3/8/21				
Antonette Cloutier cloutierd@sbcglobal.net		X						3/8/21				
Trent Coleman trentmoorecoleman@gmail.com		X						3/8/21				
Carole Combs ccombs@thegrid.net		X						3/8/21				
Rusty Crain jbarc@thegrid.net		X						3/8/21				
Laile Di Silvestro laile@mindspring.com		X						3/8/21				
Megan Doyle Musical_Megan@live.com		X						3/8/21				
John Elliott 3rnews@tkcplanner@gmail.com		X						3/8/21				
Jackie & Richard Fletcher Jacki_Fletcher@att.net		X						3/8/21				
Nicky French nicky@olbuckaroo.com		X						3/8/21				
Lee Goldstein drleeagoldstein@hotmail.com		X						3/8/21				
Marcia Goldstein marciagold.st@gmail.com		X						3/8/21				
Ken Greenspan kengreenspan@sbcglobal.net		X						3/8/21				3/8/21, email from K. Greenspan to J. Willis requesting non-CEQA information; M. Washam responded via email. 3/9/21, comments from K. Greenspan to Supervisor Micari received via email.
Mignon Gregg gmgregg@sbcglobal.net		X						3/8/21				
Charlie & Esther Huecker charliehuecker@gmail.com		X						3/8/21				

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	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Michelle Jeffries michellejeffries@gmail.com		X						3/8/21				
Bobby Kamansky bobinator1@hotmail.com		X						3/8/21				
Shivon Lavelly mike.shivon@sbcglobal.net		X						3/8/21				4/19/21, comment letter from S. Lavelly received via email.
Delores Lucero delores.lucero@ucr.edu		X						3/8/21				3/8/15 -3/15/21, comments from D. Lucero received via email; includes the 12/2/20 letter that was inadvertently not included in the NOP. 4/22/21, comment letter from D. Lucero received via email.
Natalie Marini info@sequoiasnackshack.com		X						3/8/21				3/8/21, message timed out – system will keep trying for 5 days 3/13/21, message undeliverable, deleted from queue after 5 days
Jenny Matsumoto oaknhill@wildblue.net		C						3/8/21				
Earl McKee tubacowboy@aol.com		X						3/8/21				
Daryl McKown darylmcKown@yahoo.com		X						3/8/21				
John McWilliam erinrvincent@gmail.com		X						3/8/21				
Gary Mills GMILLS@omnimeans.com		X						3/8/21				
Soapy Mulholland sopacmcc@gmail.com		X						3/8/21				
Linda Mutch meadowlrk@gmail.com		X						3/8/21				
Brian Newton Bandj1407@yahoo.com		X						3/8/21				
Charlie Norman natekirbyjake@yahoo.com		X						3/8/21				

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	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Donald Peter peterdalan@att.net		X						3/8/21				
Fred Reimer fred3rivers@gmail.com		X						3/8/21				
Mayra Ricci mayraricci3@sbcglobal.net mayaricci3@sbcglobal.net		X						3/8/21				3/8/21, message timed out – system will keep trying for 5 days; review showed email address incorrectly entered 3/9/21, email re-sent to corrected email address 3/13/21, incorrect address was undeliverable, deleted from queue after 5 days
Sue Rothhammer srothhammer@gmail.com		X						3/8/21				
Daniel Rourke LuckyDr@yahoo.com		X						3/8/21				
Greg Schwaller gschwaller1@wildblue.net		X						3/8/21				
Laurie Schwaller lschwaller1@wildblue.net		X						3/8/21				4/22/21, comment letter from L. Schwaller received via email
James Seligman jseligman@gmail.com		X						3/8/21				3/8/21, email was not able to be delivered; review showed email address entered incorrectly 3/9/21, email re-sent to corrected email address
Kathleen Seligman kseligman@sbcglobal.net		X						3/8/21				
Richard Sherlock RICHSHERLOCK1@yahoo.com		X						3/8/21				
Rod Simonian sim559@gmail.com		X						3/8/21				3/9/21-3/10/21, comments from R. Simonian received via email.
Woody Smeck woody_smeck@nps.gov		X						3/8/21				

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	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Tom Sparks tom.sparks@live.com		X						3/8/21				
Richard Stanton rhstanton@gmail.com		X						3/8/21				
Nadine Steel mnchsteel@aol.com		X						3/8/21				3/8/21, email was not able to be delivered
Dean Stryd dean.stryd@yahoo.com		X						3/8/21				
Danielle Temple daniellestemple@gmail.com		X						3/8/21				
Michael Tharp MTHARP@RLSMAP.com		X						3/8/21				
John Uhlir Johnuhlr1@gmail.com		X						3/8/21				
Charlene Vartanian charlenevartanian@gmail.com		X						3/8/21				
I.F. Warner ifwarner@gmail.com		X						3/8/21				
Leah Launey and Peter Sodhy lclauney@launeymediation.com												3/9/21, comments from L. Launey received via email
Janene Newman Lasswell janene.lasswell@gmail.com												3/9/21, comments from J. Lasswell to Supervisor Micari received via email.
David D. Wood, Ph.D. 44828 Mineral King Road Three Rivers, CA 93271 dwoodphd@gmail.com												3/8/21, comments from D. Wood to Supervisor Micari received via email
Marilyn Messa Box 174 Three Rivers, CA 93271 bnmm@att.net												3/22/21, comments from M. Messa received via email. 4/22/21, comment letter from M. Messa received via email.
Norma Nevarez & Clarence M. Conover III normanevarez61@gmail.com corkyconover@gmail.com												4/18/21, comment letter from N. Nevarez received via email. 4/22/21, additional comments from N. Nevarez sent via email.

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT Three Rivers Hampton Inn (SCH# 2020110016)												
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	NOC	NOA	Electronic Submittal Form	DEIR	NOA	DEIR						
Bob Powell dinfgoboy47@gmail.com												4/13/21, comments from B. Powell received via email.
James O. Sickman james.sickman@ucr.edu												4/22/21, comments from J. Sickman received via email. 4/22/21, comments from J. Sickman received via email.

Attachment 2

Comments Received from the
California Department of Transportation, March 24, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277 .
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock Economic Development and Planning
Reed Schenke Public Works
Sherman Dix Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

David Deel, Associate Transportation Planner
Transportation Planning – North
Department of Transportation – District 6
1352 West Olive Avenue
Fresno, CA 93778-2616

SENT VIA EMAIL

Subject: Response to Comments – Three Rivers Hampton Inn & Suites (SCH# 2020110016)

Dear Mr. Deel:

Thank you for providing the California Department of Transportation (Caltrans) letter response (dated March 24, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Three Rivers Hampton Inn & Suites Project, State Clearinghouse #2020110016.

The County of Tulare (County) acknowledges and recognizes Caltrans' authority and expertise regarding transportation issues relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents.

Comment Subject 1: *The Draft EIR contains a Traffic Impact Study (TIS) in Appendix E to determine if the Project would pose any significant impacts to the transportation system, particularly to safety and operations.*

Response: The County agrees with this comment.

Comment Subject 2: *Caltrans concurs with the conclusion of the TIS and no further analysis is required.*

Response: The County appreciates Caltrans' concurrence regarding the conclusion of the TIS and that no further analysis is required.

Comment Subject 3: *Alternative transportation policies should be applied to the Project. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal*

transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City.

Response: The Project is not located in an urbanized area (i.e., a city), as such, the project and its surrounding areas do not have the population or usage to support multi-modal facilities. As indicated in the TIS, traffic generation associated with the Project will not contribute to a decrease in level of service. Also, the Project would not result in an increase of VMT; it would actually decrease VMT as it would provide an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations (which averages nearly 30 miles travel distance from the Project's location).

Comment Subject 3a: *The assessment should include the following: Pedestrian walkways should link this proposal to an internal project area walkway, transit facilities, as well as other walkways in the surrounding area.*

Response: The County encourages the use internal pedestrian walkways and transit facilities; however, it can not compel a developer to install/construct such facilities on private property. Also, as the nearest retail opportunities are approximately 1,200' north of the Project site, pedestrians could use the shoulders along SR 198 to walk to the nearest retailers. As indicated in the TIS, "The Project does not conflict with any applicable adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Tulare County Area Transit (TCaT) Route 30 (Northeast County Route) operates between the Three Rivers Memorial Building and the Visalia Transit Center in downtown Visalia. Route 30 provides 4 roundtrips to the Visalia Transit Center on weekdays and 1 roundtrip on the weekend, all at 4-hour intervals. Implementation of the Project will not hinder the operation of Route 30 in the Three Rivers Community.

Route 30 (Northeast County Route) operates between the Three Rivers Memorial Building and the Visalia Transit Center in downtown Visalia. Route 30 provides 4 roundtrips to the Visalia Transit Center on weekdays and 1 roundtrip on the weekend, all at 4-hour intervals. Implementation of the Project will not hinder the operation of Route 30 in the Three Rivers Community.

Caltrans' SR 198 TCR indicated that bicycles are permitted along the SR 198 corridor in the Three Rivers Community. The proposed Project will not prohibit the use of bicycles along SR 198. The SR 198 TCR also indicates that pedestrian facilities are nonexistent in the Three Rivers community. The Project will comply with Tulare County General Plan goals, which include Bicycle/Pedestrian Trail System (TC-5.1) and Consideration of Non-Motorized Modes in Planning and Development (TC-5.2)"¹

¹ Three Rivers Hampton Inn & Suites Traffic Impact Study. Pages 24-25. Prepared by VRPA Technologies and included in Appendix "E" of the Draft EIR.

Comment Subject 3b: *The Project might also consider coordinating connections to local and regional bicycle pathways to further encourage the use of bicycles for commuter and recreational purposes.*

Response: See Response 3.a. Also, as concluded in the TIS, “Therefore, the Project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Therefore, no mitigation is needed.”²

Comment Subject 3c: *If transit is not available within ¼-mile of the site, transit should be extended to provide services to what will be a high activity center.*

Response: The nearest transit stop is the Three Rivers Memorial Building (approximately 4.5 miles north of the Project’s location). However, it is not feasible to locate a new transit stop due to the narrowness of shoulder areas along SR 198 that could accommodate a transit stop. Also, the County cannot compel a private property owner to accommodate a transit stop. The nature of the Project itself is not conducive to generating additional transit demand as it is intended to accommodate visitors/tourists that use vehicles to arrive at their location and would likely continue to use such vehicles to travel within the vicinity of the Project. As Caltrans did not define “high activity center”, the nearest “high activity center” appears to be Sequoia National Park.

Lastly, as indicted in the TIS (at page 25), “...the Project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.”

Comment Subject 4: *Caltrans recommends the project provide charging stations for electric vehicles as part of the statewide efforts to reduce greenhouse gas emissions.*

Response: The Project will include two (2) EV charging stations. Also, as noted in the Draft EIR and TIS, the Project will reduce GHG emissions from vehicles by providing an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations which averages nearly 30 miles travel distance from the Project’s location.

Comment Subject 5: *Caltrans recommends the Project implement “smart growth” principles regarding parking solutions, providing alternative transportation choices to residents and employees. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, car-share and/or ride-share programs.*

² Ibid. 25.

Response: As noted earlier, the nature of the Project is a hotel to accommodate visitors/tourists that likely travelled via private vehicles to arrive at the Project location. As such, the Project will include adequate parking for guests and employees; there are no permanent residents associated with the Project.

Comment Subject 6: *Active Transportation Plans (ATP) and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.*

Response: As the Project is not located within an urbanized area, and the nature of the Project is a hotel to accommodate visitors/tourists, it will not result in sufficient trips to warrant a multimodal transportation network. Also, as noted in the Draft EIR, and TIS, the Project will reduce GHG emissions from vehicles by providing an opportunity for visitors/tourists to patronize the Project rather than rely on alternative lodging accommodations which averages nearly 30 miles travel distance from the Project's location.

The project will be heard before the Tulare County Board of Supervisors on June 29, 2021 for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021 at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>

In closing, we sincerely appreciate Caltrans' comments which will be useful toward ensuring that the proposed Project complies with Caltrans' requirements/standards and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Very Best Regards,



Hector Guerra, Chief
Environmental Planning Division

Attachment: Caltrans comment letter dated March 24, 2021

Cc: File

**DEPARTMENT OF TRANSPORTATION
DISTRICT 6 OFFICE**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7396
FAX (559) 488-4088
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life*

March 24, 2021

06-TUL-198-37.41
DEIR & TIS
HAMPTON INN & SUITES
THREE RIVERS, CA
SCH# 2020110016
GTS#: [30721](#)

SENT VIA EMAIL

Mr. Hector Guerra, Chief Environmental Planner
Tulare County Resource Management Agency
Economic Development and Planning Branch
5961 South Mooney Boulevard
Visalia, CA 93277-9394

Dear Mr. Guerra:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) and Traffic Impact Study (TIS) proposing the Hampton Inn and Suites (Project). The Project is located within the Three Rivers Urban Development Boundary with a land use designation of Community Commercial. The Project site is located on the southeast side of State Route (SR) 198 (Sierra Drive) approximately 1,100 feet north of the Old Three Rivers Road/SR 198 intersection and directly south of the Comfort Inn and Suites within community of Three Rivers, California.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

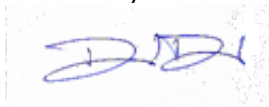
1. The Draft EIR contains a Traffic Impact Study (TIS) in Appendix E to determine if the Project would pose any significant impacts to the transportation system, particularly to safety and operations.
2. Caltrans concurs with the conclusion of the TIS and no further analysis is required.
3. Alternative transportation policies should be applied to the Project. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal transportation system to serve and help alleviate

traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:

- a. Pedestrian walkways should link this proposal to an internal project area walkway, transit facilities, as well as other walkways in the surrounding area.
 - b. The Project might also consider coordinating connections to local and regional bicycle pathways to further encourage the use of bicycles for commuter and recreational purposes.
 - c. If transit is not available within ¼-mile of the site, transit should be extended to provide services to what will be a high activity center.
4. Caltrans recommends the project provide charging stations for electric vehicles as part of the statewide efforts to reduce greenhouse gas emissions.
 5. Caltrans recommends the Project implement "smart growth" principles regarding parking solutions, providing alternative transportation choices to residents and employees. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, car-share and/or ride-share programs.
 6. Active Transportation Plans (ATP) and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.

If you have any other questions, please call me at (559) 488-7396.

Sincerely,



DAVID DEEL
Associate Transportation Planner
Transportation Planning – South

Attachment 3

Comments Received from the
Tulare County Fire Department, March 31, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277.
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock Economic Development and Planning
Reed Schenke Public Works
Sherman Dix Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

Gilbert Portillo, Fire Inspector – Plans Examiner
Tulare County Fire Department
835 S. Akers St.
Visalia, CA 93277

SENT VIA EMAIL

Subject: Response to Comments – Three Rivers Hampton Inn & Suites (SCH# 2020110016)

Dear Mr. Portillo:

Thank you for providing the Tulare County Fire Department (TC Fire) letter response (dated March 31, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Three Rivers Hampton Inn & Suites Project, State Clearinghouse #2020110016.

The County of Tulare (County) acknowledges and recognizes TC Fire's authority and expertise regarding fire hazard issues relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents.

Comment: *Tulare County Fire Department has conducted a plan review of plans for The Hampton Inn and Suites, Three Rivers, the following is a check list of requirements. All requirements are based on applicable laws, codes (Title 24) and standards.*

Please advise if you would like to schedule a meeting to discuss one or more of the line items below.

Hotels/Motels New Construction

- *Meet 2019 California Fire and Building Codes*
- *Meet appendix B of the 2019 California Fire Code (CFC) for fire flow.*
- *Meet 2019 Chapter 7A of current California Building Code (CBC) in the SRA lands.*
- *100' vegetation clearance around all structures and 10' of vegetation clearance on each side of the access driveway.*

- *A set of fire suppression plans including, but not limited to: water tank, fire pump, fire sprinklers, fire hydrants and fire alarms meeting Current CFC, NFPA 72, NFPA 25C, NFPA 13R, NFPA 170 by a California licensed Fire Protection Engineer.*
- *Blue reflective marker adjacent to Fire hydrant or Fire Department Connections. (NFPA 1142, sec. 8.4.7)*
- *Onsite manager or caretaker*
- *Fire Department access and fire lanes*
- *Address posted visible from the street*
- *Fire Extinguishers*
- *Meet current chapter 10 CFC Exits and exiting*
- *Knox box*
- *Fire final*

Response: Thank you for your comments and for specifying that all requirements are based on applicable laws, codes (Title 24) and standards.

The project will be heard before the Tulare County Board of Supervisors on June 29, 2021, for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021, at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>

In closing, we sincerely appreciate TC Fire's comments which will be useful toward ensuring that the proposed Project complies with TC Fire requirements/standards and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Very Best Regards,



Hector Guerra, Chief
Environmental Planning Division

Attachment: Tulare County Fire Department comment letter dated March 31, 2021

Cc: File



TULARE COUNTY FIRE DEPARTMENT

835 S Akers St, Visalia, CA 93277 - Phone (559) 802-9800 - Fax (559) 747-8242

Charlie Norman
FIRE CHIEF

March 31, 2021

Attn; Jessica Willis,

Tulare County Fire Department has conducted a plan review of plans for The Hampton Inn and Suites, Three Rivers, the following is a check list of requirements. All requirements are based on applicable laws, codes (Title 24) and standards. The bullet items below are a few of these laws, codes or standards that should be referenced.

Please advise if you would like to schedule a meeting to discuss one or more of the line items below.

Hotels/Motels New Construction

- Meet 2019 California Fire and Building Codes
- Meet appendix B of the 2019 California Fire Code (CFC) for fire flow.
- Meet 2019 Chapter 7A of current California Building Code (CBC) in the SRA lands.
- 100' vegetation clearance around all structures and 10' of vegetation clearance on each side of the access driveway.
- A set of fire suppression plans including, but not limited to: water tank, fire pump, fire sprinklers, fire hydrants and fire alarms meeting Current CFC, NFPA 72, NFPA 25C, NFPA 13R, NFPA 170 by a California licensed Fire Protection Engineer.
- Blue reflective marker adjacent to Fire hydrant or Fire Department Connections. (NFPA 1142, sec. 8.4.7)
- Onsite manager or caretaker
- Fire Department access and fire lanes
- Address posted visible from the street
- Fire Extinguishers
- Meet current chapter 10 CFC Exits and exiting
- Knox box
- Fire final

**Note, this checklist does not exclude builder / owner from all required applicable codes. If something was missed in the plan check process, the owner / builder will be expected to comply with the applicable code, regulation or ordinance.*

Respectfully,

Gilbert R. Portillo

Gilbert R. Portillo
Fire Inspector – Plans Examiner
Tulare County Fire Department
(559)624-7003

Attachment 4

Comments Received from the
Tulare County Health & Human Services Agency,
April 6, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277.
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

Ted Martin, Environmental Health Specialist
Tulare County Health & Human Services Agency
5957 S. Mooney Blvd.
Visalia, CA 93277

SENT VIA EMAIL

Subject: Response to Comments – Three Rivers Hampton Inn & Suites (SCH# 2020110016)

Dear Mr. Martin:

Thank you for providing the Tulare County Environmental Services Division (TCEHSD) letter response (dated April 6, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Three Rivers Hampton Inn & Suites Project, State Clearinghouse #2020110016.

The County of Tulare (County) acknowledges and recognizes TCEHSD authority and expertise regarding environmental health related issues relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents.

Comment Subject 1: *New septic system installations will require submission of a site evaluation report. The report shall be submitted to the Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (PE, PG, CHG, REHS or CPSS).*

Response: Comment noted. The Applicant is aware and will pursue securing applicable report(s) as required by TCEHSD.

Comment Subject 2: *On-site septic systems that: a) have proposed waste-flows in excess of 3,500 gallons per day, and/or b) require pre-treatment to achieve a certain wastewater performance standard, may require review and/or permitting by the Regional Water Quality Control Board.*

Response: Comment noted. Applicant is aware and will pursue securing applicable permit(s) as required by the Regional Water Quality Control Board.

Comment Subject 3: *Domestic water will be provided by an on-site well. If well water will be used for human consumption, by 25 or more people, for at least 60 days out of the year, then the water system will be regulated by the Regional Water Quality Control Board – Division of Drinking Water.*

Response: Comment noted. Applicant is aware and will pursue securing applicable permit(s) as required by the Regional Water Quality Control Board – Division of Drinking Water.

Comment Subject 4: *If the hotel will feature preparation, storage, packaging and/or serving food at the retail level, then the operation may be subject to requirements found in the California Retail Food Code. Under these requirements, plans shall be submitted to the TCEHSD, for review.*

Response: Comment noted. The Applicant is aware and will be required to comply with TCEHSD requirements for preparation, storage, packaging and/or serving food at the retail level that may be subject to requirements found in the California Retail Food Code(s) as required by TCEHSD.

Comment Subject 5: *If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 115920-116068). Under these requirements, plans shall be submitted to the TCEHSD, for review.*

Response: The Project will include a recreational swimming pool; as such, the applicant will be required to construct and operate the pool per Health & Safety Code Sections 115920-116068 and also submit plans to the TCEHSD for review.

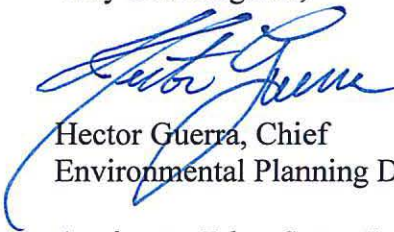
The project will be heard before the Tulare County Board of Supervisors on June 29, 2021 for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021 at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>

In closing, we sincerely appreciate TCEHSD's comments which will be useful toward ensuring that the proposed Project complies with TCEHSD requirements/standards and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Very Best Regards,



Hector Guerra, Chief
Environmental Planning Division

Attachment: Tulare County Environmental Health Services Division comment letter dated April 6, 2021

Cc: File



**TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY**

Timothy W. Lutz, MBA
Agency Director

Nilsa Gonzalez • Public Health Branch Deputy Director • Environmental Health Director

April 6, 2021

HECTOR GUERRA
RESOURCE MANAGEMENT AGENCY
5961 SOUTH MOONEY BLVD
VISALIA CA 93277

RE: DRAFT-EIR: HAMPTON INN & SUITES – THREE RIVERS

Dear Mr. Guerra:

This office has reviewed the above referenced matter. Based upon our review, we offer the following comments for this project:

1. New septic system installations will require submission of a site evaluation report. The report shall be submitted to the Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (PE, PG, CHG, REHS or CPSS).
2. On-site septic systems that: a) have proposed waste-flows in excess of 3,500 gallons per day, and/or b) require pre-treatment to achieve a certain wastewater performance standard, may require review and/or permitting by the Regional Water Quality Control Board.
3. Domestic water will be provided by an on-site well. If well water will be used for human consumption, by 25 or more people, for at least 60 days out of the year, then the water system will be regulated by the Regional Water Quality Control Board – Division of Drinking Water.
4. If the hotel will feature preparation, storage, packaging and/or serving food at the retail level, then the operation may be subject to requirements found in the California Retail Food Code. Under these requirements, plans shall be submitted to the TCEHSD, for review.
5. If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 115920-116068). Under these requirements, plans shall be submitted to the TCEHSD, for review.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ted Martin".

Ted Martin
Environmental Health Specialist
Environmental Health Services Division

Attachment 5

Comments Received from the
Three Rivers Community Service District, April 21, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277.
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock Economic Development and Planning
Reed Schenke Public Works
Sherman Dix Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

Cindy Howell, Manager
Three Rivers Community Service District
P.O. Box 423
Three Rivers, CA 93271

SENT VIA EMAIL

Subject: Response to Comments – Three Rivers Hampton Inn & Suites (SCH# 2020110016)

Dear Ms. Howell:

Thank you for providing the Three Rivers Community Service District (TRCSD or CSD) letter response (dated April 21, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Three Rivers Hampton Inn & Suites Project, State Clearinghouse #2020110016.

The County of Tulare (County) acknowledges and recognizes TRCDS's authority and expertise regarding water related issues relative to the proposed project. Based on your comment letter and other comment letters received from other agencies, the County has responded to the comments and in some cases made revisions to the project environmental documents. The following is the County of Tulare Resource Management Agency (RMA) response to your letter (attached for your ease of reference). The Final EIR (see below for website link) also includes RMA's response to your comments (below) as well as the revisions to the project environmental documents.

Comment Subject 1: *Water Quality is most important.*

Response: The Project will be required to comply with Tulare Environmental Health Services Division and State Regional Water Quality Control Board (RWQCB) requirements.

Comment Subject 2: *We [TRCSD] would like to be assured that there won't be a negative impact on the existing wells nearby.*

Response: As indicated in the Draft EIR (pages 3.10-19 and -20), the "Abbreviated Water Supply Evaluation to support the Three Rivers Community Plan EIR Memorandum" (Memorandum) concludes that there is sufficient water supply to meet the approximately 940 acre-feet annually of future water demand at full build-out of the Three Rivers Community Plan, including residential, commercial, and industrial demand of the estimated 50,000 acre feet of annual average groundwater recharge in the watershed. The proposed Project applicant's engineer (Ald General Engineering) estimates that it will use approximately 15.37

acre feet of water per year (or approximately 5,009,625 gallons per year or 13,725 gallons per day⁴⁴). Of the 940 acre-feet annual future water demand estimated in the Memorandum, the proposed Project would consume approximately 0.0163% of the 940 acre-feet (or about 0.0003%) of the estimated annual 50,000 acre-feet of the groundwater recharge in the watershed. As such, the proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Comment Subject 3: *We [TRCSD] would like to be included in the water quality, testing, surveys and research involved in the area of water/wells.*

Response: Non-proprietary information can be requested through the Public Records Request process by contacting TCEHS Division and/or the RWQCB.

Comment Subject 4: *We [TRCSD] have received specific concerns from a neighboring property owner regarding water quality and potiel [potential] impacts from this project.*

Response: Without knowledge of what those concerns are, we can only reply in a general statement that the Draft EIR, supported by technical studies prepared by qualified experts, have concluded that impacts to water supply and quality will not result in a significant impact.

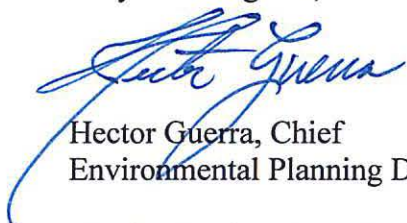
The project will be heard before the Tulare County Board of Supervisors on June 29, 2021, for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021, at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>

In closing, we sincerely appreciate TRCSD's comments which will be useful toward ensuring that the proposed Project complies with TRCSD requirements/standards and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Very Best Regards,



Hector Guerra, Chief
Environmental Planning Division

Attachment: Three Rivers Community Service District comment letter dated April 21, 2021

Cc: File

From: [Hector Guerra](#)
To: [Jessica R Willis](#)
Subject: FW: Hampton Inn & Suites
Date: Thursday, April 22, 2021 4:21:22 PM

Please add to comments received file.

From: Hector Guerra
Sent: Wednesday, April 21, 2021 10:19 AM
To: Three Rivers Community Service District <info3riverscsd@gmail.com>
Subject: RE: Hampton Inn & Suites

Good Morning Cindy and thank you very much for your comments.

Your comments will be entered into the record and responded to accordingly in the Final EIR.

Best Regards,

Hector

From: Three Rivers Community Service District <info3riverscsd@gmail.com>
Sent: Wednesday, April 21, 2021 10:16 AM
To: Hector Guerra <HGuerra@tularecounty.ca.gov>
Subject: Hampton Inn & Suites

Good Morning Hector,

Three Rivers Community Services District would like to comment on the Hotel Development.

Please submit for public comment concerns that CSD has for the hotel.

1. Water Quality is most important.
2. We would like to be assured that there won't be a negative impact on the existing wells nearby.
3. We would like to be included in the water quality, testing, surveys and research involved in the area of water/wells.
4. We have received specific concerns from a neighboring property owner regarding water quality and potiel impacts from this project.

Thank you for your assistance in this matter.

Thank you,
Cindy Howell, manager

Three Rivers Community Services District
(559) 561-3480

Attachment 6

Comments Received from the
San Joaquin Valley Air Pollution Control District,
May 14, 2021
and
County Response to Comments



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277.
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

June 18, 2021

Brian Clements, Director of Permit Services
San Joaquin Valley Unified Air Pollution Control District
1990 E. Gettysburg Ave.
Fresno, CA 93726-0244

SENT VIA EMAIL

Subject: Response to Comments – Three Rivers Hampton Inn & Suites (SCH# 2020110016)

Dear Mr. Clements:

Thank you for providing the San Joaquin Valley Air Pollution Control District (Air District) letter response (dated May 14, 2021) regarding the Draft Environmental Impact Report (DEIR) for the Three Rivers Hampton Inn & Suites, SCH# 2020110016.

The County of Tulare acknowledges and recognizes the Air District's authority and expertise regarding air quality issues relative to the proposed project. The Applicant has been notified of various Air District regulations and is aware that the Air District will make the final determination on applicable District permits/approval and the manner in which the Air District will receive them.

Comment: *The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the County of Tulare. The project consists of a 3-story hotel and associated site improvements (Project). The hotel will consist of 105 guest rooms and outdoor swimming pool/cabana building. The Project is located on an approximately 2.80-acre site at 40758 Sierra Drive located along the eastern side of State Route 198 in Three Rivers, CA.*

Upon review of the referral documents, the District has no comments at this time. If you have any questions or require further information, please contact Eric McLaughlin by email at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.

Response: The Air District has correctly identified and summarized the proposed Project. The Air Quality & Greenhouse Gas Analysis prepared by qualified, expert consultants ECORP Consulting Inc., is included in Appendix "A" of the Draft EIR. Also, the applicant is aware that the Air District will make the final determination on applicable District permits and the manner in which the Air District will receive them.

The project will be heard before the Tulare County Board of Supervisors on June 29, 2021 for consideration of certifying the Final EIR and approving the project. The Final EIR will be available beginning June 18, 2021 at the following website:

<https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>

In closing, we sincerely appreciate the Air District's comments which will be useful toward ensuring that the proposed Project complies with Air District requirements/standards and with the California Environmental Quality Act.

If you have any questions regarding the above, please contact me at (559) 624-7121.

Very Best Regards,

A handwritten signature in blue ink, appearing to read "Hector Guerra", is written over the typed name and title.

Hector Guerra, Chief
Environmental Planning Division

Attachment: Air District comment letter dated May 14, 2021

Cc: Eric McLaughlin, Air Quality Specialist
File

May 14, 2021

Hector Guerra
Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277

**Project: Notice of Availability of Draft Environmental Impact Report – Three Rivers
Hampton Inn & Suites**

District CEQA Reference No: 20210234

Dear Mr. Guerra:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the County of Tulare. The project consists of a 3-story hotel and associated site improvements (Project). The hotel will consist of 105 guest rooms and outdoor swimming pool/cabana building. The Project is located on an approximately 2.80-acre site at 40758 Sierra Drive located along the eastern side of State Route 198 in Three Rivers, CA.

Upon review of the referral documents, the District has no comments at this time. If you have any questions or require further information, please contact Eric McLaughlin by e-mail at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.

Sincerely,

Brian Clements
Director of Permit Services



For John Stagnaro
Program Manager

BC:em

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-8000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

Attachment 7

Comments Received from Steve Rothenberg

From: Michael G Washam
To: Larry Micari
Cc: Michael G Washam
Subject: RE: Map of Hampton Inn and our water source 1000' downslope
Date: Friday, April 9, 2021 1:03:38 PM

Please include comments below in the record.

From: Larry Micari <LMicari@tularecounty.ca.gov>
Sent: Friday, April 9, 2021 12:34 PM
To: Michael G Washam <mwasham@tularecounty.ca.gov>
Subject: FW: Map of Hampton Inn and our water source 1000' downslope

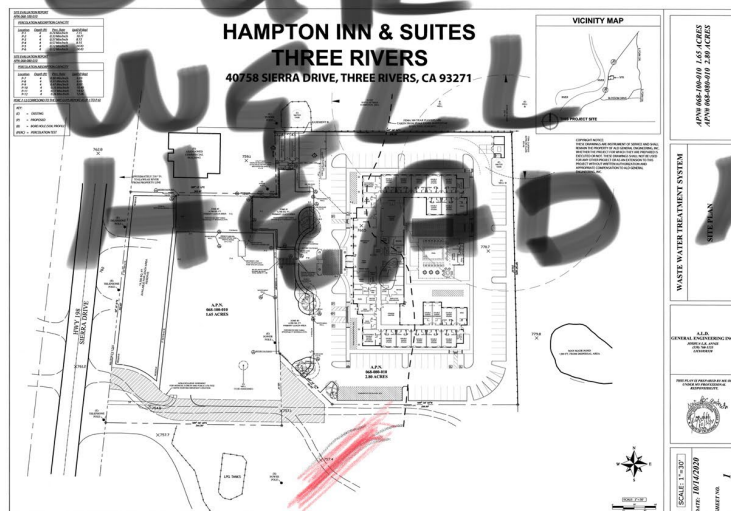
More comments

Larry Micari
Tulare County Board of Supervisors
District 1
2800 West Burrell
Visalia, CA 93291
(559)636-5000
Strength through service...

From: Steve Rothenberg <steve@stecglobal.net>
Sent: Friday, April 9, 2021 12:14 PM
To: Larry Micari <LMicari@tularecounty.ca.gov>
Subject: Map of Hampton Inn and our water source 1000' downslope

Draft Environmental Impact Report
Three Rivers Hampton Inn & Suites
SCH# 2020110016

Figure 2-4
Overall Site Plan



Chapter 2: Project Description and Objectives
March 2021
2-9

Draft Environmental Impact Report

Sent from my iPad

From: Michael G Washam
To: Larry Micari
Cc: Michael G Washam
Subject: RE: Sandy soils tend to leach minerals to groundwater
Date: Friday, April 9, 2021 1:00:38 PM

Please place comments below into record.

From: Larry Micari <LMicari@tularecounty.ca.gov>
Sent: Friday, April 9, 2021 12:33 PM
To: Michael G Washam <mwasham@tularecounty.ca.gov>
Subject: FW: Sandy soils tend to leach minerals to groundwater

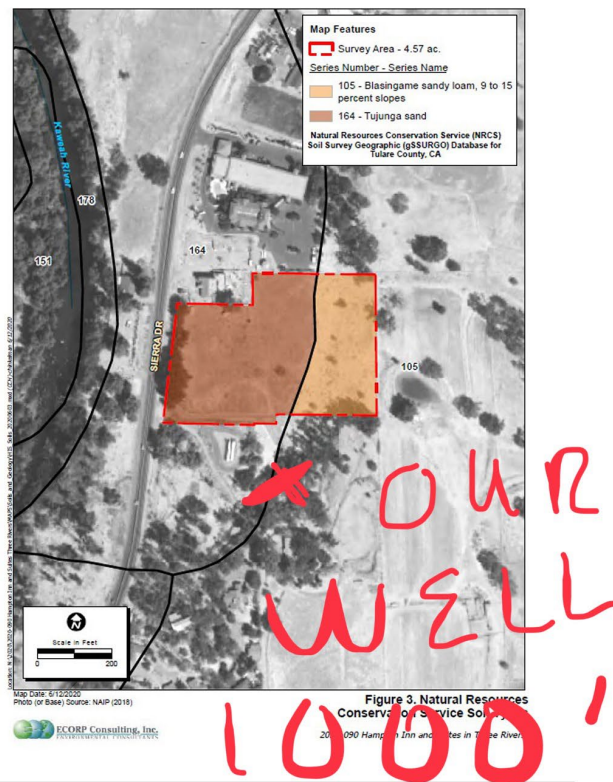
FYI, comments regarding Hampton Inn project

Larry Micari
Tulare County Board of Supervisors
District 1
2800 West Burrell
Visalia, CA 93291
(559) 336-5000
Strength through service...

From: Steve Rothenberg <steve@stecglobal.net>
Sent: Friday, April 9, 2021 12:15 PM
To: Larry Micari <LMicari@tularecounty.ca.gov>
Subject: Sandy soils tend to leach minerals to groundwater

SCH# 2020110016

Figure 3.7-1 Three Rivers Soils Map



From: [Hector Guerra](#)
To: [Jessica R Willis](#)
Subject: FW: We have documentation for Hampton Inn EIR
Date: Thursday, April 22, 2021 4:23:35 PM

Please add to the comments received file.

-----Original Message-----

From: Steve Rothenberg <rstevevi@sbcglobal.net>
Sent: Friday, April 9, 2021 12:18 AM
To: Hector Guerra <HGuerra@tularecounty.ca.gov>
Cc: countryproperties@sbcglobal.net
Subject: We have documentation for Hampton Inn EIR

Hector:

Working on Island time, I have located our water test and see the issues more clearly on the proposed Hampton Inn water infiltration system DIRECTLY upstream from our wellhead.

I can diagram approximately the location in reference to the projected "drip field" and took a measurement at the time of water samples, looking like at 1000' to our well.

This is the Only source of water for three residences on two adjacent parcels.

We welcome mitigation or getting either developer or country to provide deeded access to potable water.

How would I best present these documents to assure that we do not get overlooked in the process?

The hydrologist seems to be unaware of the proximity of well and the nature of off site movements of soluble pollutants in system design and location!?

Steve Rothenberg E&S Investments, LLC

559-561-4508, we are on Hawaii Standard Time it's 3 hours earlier here.

PS our nitrate levels already exceed safe standards and using RO we are able to get it usable, if we get more soluble salts from Hampton Inn water pollution we may lose our sole source of water.

Sent from my iPad



Invoice # 048739A

Remit To:
FGL Environmental
853 Corporation St
Santa Paula, CA 93060

INVOICE



Country Properties
Attn: Ete Rothenberg
P.O. Box 190
Three Rivers, CA 93271

Account # 4019793	
Date Billed 12/09/2020	Amount Due \$175.00
Date Due 01/08/2021	Amount Paid

To ensure that your account is properly credited, please return top portion with payment

Keep bottom portion for your records.

INVOICE



Customer Country Properties	Account # 4019793	Date Sampled 11/05/2020	Lab Number VI 2048739
Project 40675 Old Three Rivers Rd	Invoice # 048739A	Date Billed 12/09/2020	Amount Due \$175.00
PO# / Check Number	Date Paid	Date Due 01/08/2021	Amount Paid

Description of Work	Quantity	Rate	Extended
Inorganic Analysis			
General Mineral	1	175.00	175.00
Total			\$175.00

(MAD-L4) **For Questions about this Invoice - contact Milli Delgadillo at 805-392-2014**

December 1, 2020

Country Properties
 Attn: Ete Rothenberg
 P.O. Box 190
 Three Rivers, CA 93271

Lab ID : VI 2048739
 Customer : 4-19793

Laboratory Report

Introduction: This report package contains total of 8 pages divided into 4 sections:

Case Narrative	(2 pages)	: An overview of the work performed at FGL.
Sample Results	(1 page)	: Results for each sample submitted.
Interpretation	(1 page)	: Drinking Water Interpretation for each sample submitted.
Quality Control	(4 pages)	: Supporting Quality Control (QC) results.

Case Narrative

This Case Narrative pertains to the following samples:

Sample Description	Date Sampled	Date Received	FGL Lab ID #	Matrix
Well	11/05/2020	11/05/2020	VI 2048739-001	DW

Sampling and Receipt Information: The sample was performed by FGL using the following methods (where applicable):

Bacteriological Sampling	- SOP:200900141
Grab sampling for liquids	- SOP:200900137
Composite sampling for liquids	- SOP:200900139
Grab sampling for solids	- SOP:200900142
Composite sampling for solids	- SOP:200900143

All samples were received, prepared and analyzed within the method specified holding times. All samples arrived on ice. All samples were checked for pH if acid or base preservation is required (except for VOAs). For details of sample receipt information, please see the attached Chain of Custody and Condition Upon Receipt Form.

Quality Control: All samples were prepared and analyzed according to the following tables:

Inorganic - Metals QC

200.7	11/09/2020:218067 All analysis quality controls are within established criteria.
	11/09/2020:213192 All preparation quality controls are within established criteria (performed at FGL-SP ELAP# 1573), except: The following note applies to Potassium: 435 Sample matrix may be affecting this analyte. Data was accepted based on the LCS or CCV recovery.

December 1, 2020
Country Properties

Lab ID : VI 2048739
Customer : 4-19793

Inorganic - Wet Chemistry QC

2320B	11/09/2020:218101 All analysis quality controls are within established criteria.
	11/09/2020:213218 All preparation quality controls are within established criteria (performed at FGL-SP ELAP# 1573).
2510B	11/11/2020:218141 All analysis quality controls are within established criteria.
	11/11/2020:213328 All preparation quality controls are within established criteria (performed at FGL-SP ELAP# 1573).
2540CE	11/10/2020:213267 All preparation quality controls are within established criteria (performed at FGL-SP ELAP# 1573).
300.0	11/06/2020:217998 All analysis quality controls are within established criteria.
	11/06/2020:213208 All preparation quality controls are within established criteria (performed at FGL-SP ELAP# 1573).
5540C	11/06/2020:218086 All analysis quality controls are within established criteria.
	11/06/2020:213273 All preparation quality controls are within established criteria (performed at FGL-SP ELAP# 1573).

Certification:: I certify that this data package is in compliance with ELAP standards, both technically and for completeness, except for any conditions listed above. Release of the data contained in this data package is authorized by the Laboratory Director or his designee, as verified by the following electronic signature.

KD:DMB

Approved By **Kelly A. Dunnahoo, B.S.**



Digitally signed by Kelly A. Dunnahoo, B.S.
Title: Laboratory Director
Date: 2020-12-02

December 1, 2020

Lab ID : VI 2048739-001

Customer ID : 4-19793

Country Properties

Attn: Ete Rothenberg

P.O. Box 190

Three Rivers, CA 93271

Sampled On : November 5, 2020-12:45

Sampled By : Steve Purtle

Received On : November 5, 2020-15:15

Matrix : Drinking Water

Description : Well

Project : 40675 Old Three Rivers Rd

Sample Result - Inorganic

Constituent	Result	PQL	Units	MCL/AL	Sample Preparation		Sample Analysis	
					Method	Date/ID	Method	Date/ID
General Mineral								
Total Hardness as CaCO3	318	2.5	mg/L	1000 ² 300 ² 50 ²	200.7	11/09/20:213192	200.7	11/09/20:218067
Calcium	106	1	mg/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Magnesium	13	1	mg/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Potassium	2	1	mg/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Sodium	28	1	mg/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Total Cations	7.6	---	meq/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Boron	0.1	0.1	mg/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Copper	ND	10	ug/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Iron	ND	30	ug/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Manganese	ND	10	ug/L		200.7	11/09/20:213192	200.7	11/09/20:218067
Zinc	ND	20	ug/L	200.7	11/09/20:213192	200.7	11/09/20:218067	
SAR	0.7	0.1	--	200.7	11/09/20:213192	200.7	11/09/20:218067	
Total Alkalinity (as CaCO3)	180	10	mg/L	500 ² 500 ² 45 1 10 2	2320B	11/09/20:213218	2320B	11/09/20:218101
Hydroxide as OH	ND	10	mg/L		2320B	11/09/20:213218	2320B	11/09/20:218101
Carbonate as CO3	ND	10	mg/L		2320B	11/09/20:213218	2320B	11/09/20:218101
Bicarbonate as HCO3	220	10	mg/L		2320B	11/09/20:213218	2320B	11/09/20:218101
Sulfate	50.3	0.5	mg/L		300.0	11/06/20:213208	300.0	11/06/20:217998
Chloride	67	1	mg/L		300.0	11/06/20:213208	300.0	11/06/20:217998
Nitrate as NO3	84.5	0.4	mg/L		300.0	11/06/20:213208	300.0	11/06/20:217998
Nitrite as N	ND	0.2	mg/L		300.0	11/06/20:213208	300.0	11/06/20:217998
Nitrate + Nitrite as N	19.1	0.1	mg/L		300.0	11/06/20:213208	300.0	11/06/20:217998
Fluoride	0.1	0.1	mg/L		300.0	11/06/20:213208	300.0	11/06/20:217998
Total Anions	7.9	---	meq/L	2320B	11/09/20:213218	2320B	11/09/20:218101	
pH (Field)	7.4	--	units	4500-H B	11/05/20:213249	4500HB	11/05/20:218053	
Specific Conductance	851	1	umhos/cm	1600 ²	2510B	11/11/20:213328	2510B	11/11/20:218141
Total Dissolved Solids	590	20	mg/L	1000 ²	2540CE	11/10/20:213267	2540C	11/11/20:218155
MBAS Extraction	ND	0.1	mg/L	0.5 ²	5540C	11/06/20:213273	5540C	11/06/20:218086
Aggressiveness Index	12.1	1	--		4500-H B	11/05/20:213249	4500HB	11/05/20:218053
Langelier Index (20°C)	0.2	1	--		4500-H B	11/05/20:213249	4500HB	11/05/20:218053
Nitrate Nitrogen	19.1	0.1	mg/L	10	300.0	11/06/20:213208	300.0	11/06/20:217998

ND=Non-Detected. PQL=Practical Quantitation Limit. * PQL adjusted for dilution.

MCL = Maximum Contamination Level. 2 - Secondary Standard. 3 - CDPH Notification Level. AL = Regulatory Action Level.

December 1, 2020
Country Properties

Lab ID :VI 2048739-001
Description : Well

Drinking Water Interpretation

Summary: Your water has a failure for one or more items on this sample report. Please see the table below to determine which items failed. Following the table is a brief explanation describing the significance of the failure and whether treatment may be required.

CONSTITUENT	RESULT	UNITS	MCL	MCL	
				LESS OR EQUAL	EXCEED
Inorganic - Primary					
Fluoride	0.1	mg/L	2	Pass	
Nitrate + Nitrite as N	19.1	mg/L	10		Fail
Nitrate as NO3	84.5	mg/L	45		Fail
Nitrate Nitrogen	19.1	mg/L	10		Fail
Nitrite as N	ND	mg/L	1	Pass	
Inorganic - Secondary					
Chloride	67	mg/L	500	Pass	
Copper	ND	ug/L	1000	Pass	
Iron	ND	ug/L	300	Pass	
Manganese	ND	ug/L	50	Pass	
MBAS (foaming agents)	ND	mg/L	0.5	Pass	
Specific Conductance	851	umhos/cm	1600	Pass	
Sulfate	50.3	mg/L	500	Pass	
Total Dissolved Solids	590	mg/L	1000	Pass	
Other					
Copper	ND	ug/L	1300**	Pass	

ND=Non-Detected. ** California Title 22, Section 64672.3

December 1, 2020
Country Properties

Lab ID : VI 2048739-001
Description : Well

Drinking Water Interpretation

MCL: The maximum level at which a constituent may be present and be considered acceptable for potability or aesthetics.

Primary: Items listed as primary are regulated because of health concerns. If there is a failure for a primary constituent treatment is normally required.

Secondary: Items listed as secondary are regulated because they may adversely affect the taste, odor or appearance of drinking water. They are not directly health related. If there is a failure for a secondary constituent on a small public water system it is best to consult your regulator to determine if treatment is required. A secondary constituent failure for a private water system does not require treatment. However, the owner may wish to treat the water in order to improve the quality.

Treatment: If your water requires treatment we suggest that you contact a qualified water treatment company. They are normally listed in the yellow pages under the following topics:

Water Purification & Filtration Equipment
Water Softening & Conditioning Equipment
Water Treatment Equipment

Health Effects Language

Nitrate	Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of Pregnant women.
Nitrate + Nitrite as N	Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of Pregnant women.

December 1, 2020
Country Properties

Lab ID : VI 2048739
Customer : 4-19793

Quality Control - Inorganic

Constituent	Method	Date/ID	Type	Units	Conc.	QC Data	DQO	Note
Metals Boron	200.7	(STK2055713-001)	MS	mg/L	4.000	98.8 %	75-125	
			MSD	mg/L	4.000	104 %	75-125	
			MSRPD	mg/L	4000	5.5 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	5.000	104 %	90-110	
			CCB	ppm		0.002	0.1	
			CCV	ppm	5.000	107 %	90-110	
			CCB	ppm		0.001	0.1	
Calcium	200.7	(STK2055713-001)	MS	mg/L	12.00	7.9 %	<¼	
			MSD	mg/L	12.00	46.1 %	<¼	
			MSRPD	mg/L	4000	2.2 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	25.00	98.4 %	90-110	
			CCB	ppm		-0.03	1	
			CCV	ppm	25.00	101 %	90-110	
			CCB	ppm		0.04	1	
Copper	200.7	(STK2055713-001)	MS	ug/L	800.0	101 %	75-125	
			MSD	ug/L	800.0	106 %	75-125	
			MSRPD	ug/L	4000	5.1 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	1.000	106 %	90-110	
			CCB	ppm		0.0018	0.01	
			CCV	ppm	1.000	108 %	90-110	
			CCB	ppm		0.0010	0.01	
Iron	200.7	(STK2055713-001)	MS	ug/L	4000	99.4 %	75-125	
			MSD	ug/L	4000	104 %	75-125	
			MSRPD	ug/L	4000	4.8 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	5.000	108 %	90-110	
			CCB	ppm		-0.0010	0.03	
			CCV	ppm	5.000	109 %	90-110	
			CCB	ppm		-0.0003	0.03	
Magnesium	200.7	(STK2055713-001)	MS	mg/L	12.00	428 %	<¼	
			MSD	mg/L	12.00	372 %	<¼	
			MSRPD	mg/L	4000	4.1 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	25.00	99.3 %	90-110	
			CCB	ppm		-0.006	1	
			CCV	ppm	25.00	102 %	90-110	
			CCB	ppm		-0.01	1	
Manganese	200.7	(STK2055713-001)	MS	ug/L	800.0	99.6 %	75-125	
			MSD	ug/L	800.0	105 %	75-125	
			MSRPD	ug/L	4000	4.8 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	1.000	107 %	90-110	
			CCB	ppm		0.00007	0.01	
			CCV	ppm	1.000	109 %	90-110	
			CCB	ppm		0.00009	0.01	
Potassium	200.7	(STK2055713-001)	MS	mg/L	12.00	126 %	75-125	435
			MSD	mg/L	12.00	133 %	75-125	435
			MSRPD	mg/L	4000	4.2 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	25.00	99.2 %	90-110	
			CCB	ppm		0.0005	1	
			CCV	ppm	25.00	102 %	90-110	
			CCB	ppm		0.0006	1	
Sodium	200.7	(STK2055713-001)	MS	mg/L	12.00	35.9 %	<¼	
			MSD	mg/L	12.00	63.7 %	<¼	
			MSRPD	mg/L	4000	2.4 %	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	25.00	97.8 %	90-110	
			CCB	ppm		0.04	1	
			CCV	ppm	25.00	101 %	90-110	

December 1, 2020
Country Properties

Lab ID : VI 2048739
Customer : 4-19793

Quality Control - Inorganic

Constituent	Method	Date/ID	Type	Units	Conc.	QC Data	DQO	Note
Metals								
Sodium	200.7	11/09/20:218067AC	CCB	ppm		0.13	1	
Zinc	200.7	(STK2055713-001)	MS	ug/L	800.0	95.6 %	75-125	
			MSD	ug/L	800.0	100 %	75-125	
			MSRPD	ug/L	4000	4.5%	≤20.0	
	200.7	11/09/20:218067AC	CCV	ppm	1.000	105 %	90-110	
			CCB	ppm		0.0008	0.02	
			CCV	ppm	1.000	109 %	90-110	
			CCB	ppm		0.00007	0.02	
Wet Chem								
Alkalinity (as CaCO ₃)	2320B	(VI 2048739-001)	Dup	mg/L		0.2%	10	
	2320B	11/09/20:218101AMM	CCV	mg/L	235.8	96.1 %	90-110	
			CCV	mg/L	235.8	90.5 %	90-110	
Bicarbonate	2320B	(VI 2048739-001)	Dup	mg/L		0.2%	10	
Carbonate	2320B	(VI 2048739-001)	Dup	mg/L		0.0	10	
Hydroxide	2320B	(VI 2048739-001)	Dup	mg/L		0.0	10	
Conductivity	2510B	11/11/20:218141STA	ICB	umhos/cm		0.18	1	
			CCV	umhos/cm	999.0	102 %	95-105	
			CCV	umhos/cm	999.0	103 %	95-105	
E. C.	2510B	11/11/20:213328sta (STK2055713-001)	Blank Dup	umhos/cm umhos/cm		ND 0.08%	<1 5	
Total Dissolved Solids (TFR)	2540CE	11/10/20:213267CTL (SP 2015387-003) (SP 2015387-003)	Blank	mg/L		ND	<20	
			LCS	mg/L	993.5	96.7 %	90-110	
			Dup	mg/L		1.2%	5	
			Dup	mg/L		1.7%	5	
Chloride	300.0	11/06/20:213208JMR (CH 2078868-001)	Blank	mg/L		ND	<1	
			LCS	mg/L	25.00	99.9 %	90-110	
			MS	mg/L	50.00	88.8 %	85-121	
			MSD	mg/L	50.00	89.3 %	85-121	
		(CH 2078780-001)	MSRPD	mg/L	10.00	0.3%	≤19	
			MS	mg/L	50.00	97.4 %	85-121	
			MSD	mg/L	50.00	97.5 %	85-121	
			MSRPD	mg/L	10.00	0.03%	≤19	
	300.0	11/06/20:217998JMR	CCB	mg/L		0.10	1	
			CCV	mg/L	25.00	97.7 %	90-110	
			CCB	mg/L		0.1	1	
			CCV	mg/L	25.00	97.6 %	90-110	
Fluoride	300.0	11/06/20:213208JMR (CH 2078868-001)	Blank	mg/L		ND	<0.1	
			LCS	mg/L	2.500	97.7 %	90-110	
			MS	mg/L	5.000	96.4 %	87-120	
			MSD	mg/L	5.000	96.9 %	87-120	
		(CH 2078780-001)	MSRPD	mg/L	10.00	0.5%	≤16	
			MS	mg/L	5.000	97.4 %	87-120	
			MSD	mg/L	5.000	97.4 %	87-120	
			MSRPD	mg/L	10.00	0.02%	≤16	
	300.0	11/06/20:217998JMR	CCB	mg/L		0.000	0.1	
			CCV	mg/L	2.500	95.6 %	90-110	
			CCB	mg/L		0.000	0.1	
			CCV	mg/L	2.500	95.3 %	90-110	
Nitrate	300.0	11/06/20:213208JMR (CH 2078868-001)	Blank	mg/L		ND	<0.4	
			LCS	mg/L	20.00	99.7 %	90-110	
			MS	mg/L	40.00	97.2 %	85-119	
			MSD	mg/L	40.00	97.8 %	85-119	
			MSRPD	mg/L	10.00	0.6%	≤19	
			MS	mg/L	40.00	97.0 %	85-119	

December 1, 2020
Country Properties

Lab ID : VI 2048739
Customer : 4-19793

Quality Control - Inorganic

Constituent	Method	Date/ID	Type	Units	Conc.	QC Data	DQO	Note
Wet Chem Nitrate	300.0	(CH 2078780-001)	MSD	mg/L	40.00	97.1 %	85-119	
			MSRPD	mg/L	10.00	0.09%	≤19	
	300.0	11/06/20:217998JMR	CCB	mg/L		0.000	0.5	
			CCV	mg/L	20.00	97.1 %	90-110	
			CCB	mg/L		0.000	0.5	
			CCV	mg/L	20.00	96.7 %	90-110	
Nitrate + Nitrite as N	300.0	11/06/20:213208JMR	Blank	mg/L		ND	<0.1	
Nitrate Nitrogen	300.0	11/06/20:213208JMR	Blank	mg/L		ND	<0.1	
Nitrite	300.0	11/06/20:213208JMR	Blank	mg/L		ND	<0.5	
			LCS	mg/L	15.00	99.3 %	90-110	
			MS	mg/L	30.00	96.5 %	74-126	
		(CH 2078868-001)	MSD	mg/L	30.00	97.1 %	74-126	
			MSRPD	mg/L	10.00	0.6%	≤20	
			MS	mg/L	30.00	98.0 %	74-126	
		(CH 2078780-001)	MSD	mg/L	30.00	98.2 %	74-126	
			MSRPD	mg/L	10.00	0.2%	≤20	
	300.0	11/06/20:217998JMR	CCB	mg/L		0.000	0.5	
			CCV	mg/L	15.00	97.9 %	90-110	
			CCB	mg/L		0.000	0.5	
			CCV	mg/L	15.00	97.3 %	90-110	
Nitrite Nitrogen	300.0	11/06/20:213208JMR	Blank	mg/L		ND	<0.2	
Sulfate	300.0	11/06/20:213208JMR	Blank	mg/L		ND	<0.5	
			LCS	mg/L	50.00	99.9 %	90-110	
			MS	mg/L	100.0	93.9 %	82-124	
		(CH 2078868-001)	MSD	mg/L	100.0	94.4 %	82-124	
			MSRPD	mg/L	10.00	0.4%	≤23	
			MS	mg/L	100.0	97.2 %	82-124	
		(CH 2078780-001)	MSD	mg/L	100.0	97.2 %	82-124	
			MSRPD	mg/L	10.00	0.03%	≤23	
	300.0	11/06/20:217998JMR	CCB	mg/L		0.225	0.5	
			CCV	mg/L	50.00	97.8 %	90-110	
			CCB	mg/L		0.218	0.5	
			CCV	mg/L	50.00	97.6 %	90-110	
MBAS	5540C	11/06/20:218086jba	CCB	mg/L		-0.0400	0.25	
			CCV	mg/L	1.000	107 %	90-110	
			CCB	mg/L		-0.0400	0.25	
			CCV	mg/L	1.000	107 %	90-110	
MBAS Extraction	5540C	11/06/20:213273jba	Blank	mg/L		ND	<0.1	
			LCS	mg/L	0.5000	107 %	86-114	
			BS	mg/L	0.5000	100 %	86-114	
			BSD	mg/L	0.5000	105 %	86-114	
			BSRPD	mg/L	0.5000	3.9%	≤5	
Definition ICB : Initial Calibration Blank - Analyzed to verify the instrument baseline is within criteria. CCV : Continuing Calibration Verification - Analyzed to verify the instrument calibration is within criteria. CCB : Continuing Calibration Blank - Analyzed to verify the instrument baseline is within criteria. Blank : Method Blank - Prepared to verify that the preparation process is not contributing contamination to the samples. LCS : Laboratory Control Standard/Sample - Prepared to verify that the preparation process is not affecting analyte recovery. MS : Matrix Spikes - A random sample is spiked with a known amount of analyte. The recoveries are an indication of how that sample matrix affects analyte recovery. MSD : Matrix Spike Duplicate of MS/MSD pair - A random sample duplicate is spiked with a known amount of analyte. The recoveries are an indication of how that sample matrix affects analyte recovery. BS : Blank Spikes - A blank is spiked with a known amount of analyte. It is prepared to verify that the preparation process is not affecting analyte recovery.								

December 1, 2020
Country Properties

Lab ID : VI 2048739
Customer : 4-19793

Quality Control - Inorganic

Definition	
BSD	: Blank Spike Duplicate of BS/BSD pair - A blank duplicate is spiked with a known amount of analyte. It is prepared to verify that the preparation process is not affecting analyte recovery.
Dup	: Duplicate Sample - A random sample with each batch is prepared and analyzed in duplicate. The relative percent difference is an indication of precision for the preparation and analysis.
MSRPD	: MS/MSD Relative Percent Difference (RPD) - The MS relative percent difference is an indication of precision for the preparation and analysis.
BSRPD	: BS/BSD Relative Percent Difference (RPD) - The BS relative percent difference is an indication of precision for the preparation and analysis.
ND	: Non-detect - Result was below the DQO listed for the analyte.
<1/4	: High Sample Background - Spike concentration was less than one forth of the sample concentration.
DQO	: Data Quality Objective - This is the criteria against which the quality control data is compared.
Explanation	
435	: Sample matrix may be affecting this analyte. Data was accepted based on the LCS or CCV recovery.

REPORT INFORMATION, SECTION II

FGL VI LAB NUMBERS
VI 2048739

iv 11/03/2020 12:42:40

Shipping Charge:_____ Pickup Ch_____

Billing Information (if different from above)

Address: _____

Phone: _____ Fax: _____

E-Mail: _____

Contact person: _____

Purchase order/contract/FGL quote number: _____

Pre Log Required: yes _____ Frequency: Monthly ☐ Weekly ☐ Quarterly ☐ Other ☐

[illegible]

SECTION VI

Relinquished by and subject to the terms and conditions on the reverse of this document:

SFD Date: 11-5-28 Time: 15:15 Relinquished by: _____ Date: _____ Time: _____

Received by: Caballero Date: 11/5/20 Time: 1515 Received by: _____ Date: _____ Time: _____

Relinquished by: Calder Date: 11/5/82 Time: 10:30 Relinquished by: GIS Date: 11/5/82 Time: 10:30

Relinquished by: <u>W/S</u>	Date: <u>11/1/20</u>	Time: <u>7:30</u>	Relinquished by: <u>W/S</u>	Date: <u>11/1/20</u>	Time: <u>7:30</u>
-----------------------------	----------------------	-------------------	-----------------------------	----------------------	-------------------

Office & Laboratory
9415 W. Goshen Avenue
Visalia, CA 93291
TEL: (559) 734-9473
FAX: (559) 734-8435

Inter-Laboratory Condition Upon Receipt (Attach to COC)

Sample Receipt at: STK CC

CH VI

1. Number of ice chests/packages received: 1 Shipping tracking # FS

2. Were samples received in a chilled condition? Temps: 4 / REF / / /
Surface water SWTR bact samples: A sample that has a temperature upon receipt of $>10^{\circ}\text{C}$, whether iced or not, should be flagged unless the time since sample collection has been less than two hours.

- | | | | |
|---|--------------------------------------|----|--------------------------------------|
| 3. Do the number of bottles received agree with the COC? | <input checked="" type="radio"/> Yes | No | N/A |
| 4. Were samples received intact? (i.e. no broken bottles, leaks etc.) | <input checked="" type="radio"/> Yes | No | |
| 5. VOAs checked for Headspace? | Yes | No | <input checked="" type="radio"/> N/A |
| 6. Were sample custody seals intact? | Yes | No | <input checked="" type="radio"/> N/A |
| 7. If required, was sample split for pH analysis? | Yes | No | <input checked="" type="radio"/> N/A |
| 8. Were all analyses within holding times at time of receipt? | <input checked="" type="radio"/> Yes | No | |
| 9. Verify sample date, time and sampler name | <input checked="" type="radio"/> Yes | No | |

Sign and date the COC, place in a ziplock and put in the same ice chest as the samples.

Sample Receipt Review completed by (initials): CAS

Sample Receipt at SP:

1. Were samples received in a chilled condition? Temps: 4 / 3 / / /

Acceptable is above freezing to 6°C . If many packages are received at one time check for tests/H.T.'s/rushes/

2. Shipping tracking numbers:

551078640167

- | | | | |
|---|--------------------------------------|----|--------------------------------------|
| 3. Do the number of bottles received agree with the COC? | <input checked="" type="radio"/> Yes | No | N/A |
| 4. Were samples received intact? (i.e. no broken bottles, leaks etc.) | <input checked="" type="radio"/> Yes | No | |
| 5. Were sample custody seals intact? | Yes | No | <input checked="" type="radio"/> N/A |

Sign and date the COC, obtain LIMS sample numbers, select methods/tests and print labels.

Sample Verification, Labeling and Distribution:

- | | | | |
|---|--------------------------------------|----|--------------------------------------|
| 1. Were all requested analyses understood and acceptable? | <input checked="" type="radio"/> Yes | No | |
| 2. Did bottle labels correspond with the client's ID's? | <input checked="" type="radio"/> Yes | No | |
| 3. Were all bottles requiring sample preservation properly preserved?
<small>[Exception: Oil & Grease, VOA and CrVI verified in lab]</small> | <input checked="" type="radio"/> Yes | No | N/A FGL |
| 4. VOAs checked for Headspace? | Yes | No | <input checked="" type="radio"/> N/A |
| 5. Have rush or project due dates been checked and accepted? | Yes | No | <input checked="" type="radio"/> N/A |
| 6. Were all analyses within holding times at time of receipt? | <input checked="" type="radio"/> Yes | No | |

Attach labels to the containers and include a copy of the COC for lab delivery.

Sample Receipt, Login and Verification completed by (initials): CAC

Discrepancy Documentation:

Any items above which are "No" or do not meet specifications (i.e. temps) must be resolved.

1. Person Contacted: _____ Phone Number: _____

Initiated By: _____ Date: _____

Problem: _____

Resolution: _____

2. Person Contacted: _____ Phone Number: _____

Initiated By: _____

Problem: _____

Resolution: _____

(Please use the back of this sheet for additional contacts)

(4019793)
Country Properties
VI 2048739

Attachment 8

Comments Received from Ken Greenspan

From: [KEN Greenspan](#)
To: [Jessica R Willis](#); [Michael G Washam](#)
Cc: [Aaron R Bock](#); [Hector Guerra](#)
Subject: Re: Draft Environmental Impact Report for Three Rivers Hampton Inn & Suites
Date: Tuesday, March 9, 2021 7:00:19 PM

Good Evening Mr. Washam,

Thanks for the speedy reply answering my question regarding the Three Rivers application and the T.O.T.

Thanks Again,

Ken Greenspan

On Tuesday, March 9, 2021, 05:38:21 PM PST, Michael G Washam <mwasham@tularecounty.ca.gov> wrote:

Good evening Mr. Greenspan,

There is no Transient Occupancy Tax rebate agreement associated with this proposed hotel development.

Michael Washam, ACE

Associate Director

Tulare County Resource Management Agency

5961 South Mooney Boulevard

Visalia, CA 93277- 9394

Telephone: (559) 624-7128

Please note my email is now mwasham@tularecounty.ca.gov

From: Jessica R Willis <JWillis@tularecounty.ca.gov>
Sent: Tuesday, March 9, 2021 5:32 PM

To: KEN Greenspan <kengreenspan@sbcglobal.net>
Cc: Michael G Washam <mwasham@tularecounty.ca.gov>; Aaron R Bock <ABock@tularecounty.ca.gov>; Hector Guerra <>HGuerra@tularecounty.ca.gov>
Subject: RE: Draft Environmental Impact Report for Three Rivers Hampton Inn & Suites

Good evening Mr. Greenspan.

This is conformation that your inquiry has been received. As I do not have an answer to your question, I've copied Michael Washam, Associate Director, and Aaron Bock, Assistant Director, on this email. If you have any further questions regarding CEQA-related question, please contact Hector Guerra, Chief Environmental Planner, or myself.

Regards,

Jessica Willis

Planner IV

RMA Environmental Planning

Ph: (559) 624-7122

From: KEN Greenspan <kengreenspan@sbcglobal.net>
Sent: Monday, March 8, 2021 8:18 PM
To: Jessica R Willis <JWillis@tularecounty.ca.gov>
Subject: Re: Draft Environmental Impact Report for Three Rivers Hampton Inn & Suites

Ms. Willis,

I do have one question. The previous motel application was dependent on the owners receiving much of the temporary occupancy tax. How do I find out if this application includes some of the taxes going to the motel's owner?

Thanks,

Ken Greenspan

On Monday, March 8, 2021, 06:57:43 PM PST, Jessica R Willis <jwillis@tularecounty.ca.gov> wrote:

My apologies for back-to- back emails. I just realized that there was a typo in the address in my previous email. Note, the RMA mailing address is **5961 S. Mooney Blvd., Visalia, CA 93277-9394**

Regards,

Jessica Willis

Planner IV

RMA Environmental Planning

Ph: (559) 624-7122

From: Jessica R Willis

Sent: Monday, March 8, 2021 6:46 PM

To: 'cam@sequoiariverlands.org' <cam@sequoiariverlands.org>; 'ann@sequoiariverlands.org' <ann@sequoiariverlands.org>; 'marilyn@sequoiariverlands.org' (marilyn@sequoiariverlands.org) <marilyn@sequoiariverlands.org>; 'history@3rmuseum.org' <history@3rmuseum.org>; 'info@threerivers.com' <info@threerivers.com>; 'tccrg.info@gmail.com' <tccrg.info@gmail.com>; 'rbalsom@me.com' <rbalsom@me.com>; 'bettina.birch@att.net' <bettina.birch@att.net>; 'bodinehouse1@att.net' <bodinehouse1@att.net>; 'kebodner@wildblue.net' <kebodner@wildblue.net>; 'rebodner@wildblue.net' <rebodner@wildblue.net>; 'cdbrewer@gmx.com' <cdbrewer@gmx.com>; 'proege@cwo.com' <proege@cwo.com>; 'sarahcampe@gmail.com' <sarahcampe@gmail.com>; '2ntimame@gmail.com' <2ntimame@gmail.com>; 'cloutierd@sbcglobal.net' <cloutierd@sbcglobal.net>; 'trentmoorecoleman@gmail.com' <trentmoorecoleman@gmail.com>; 'ccombs@thegrid.net' <ccombs@thegrid.net>; 'jbarc@thegrid.net' <jbarc@thegrid.net>; 'laile@mindspring.com' <laile@mindspring.com>; 'Musical_Megan@live.com' <Musical_Megan@live.com>; 'Jacki_Fletcher@att.net' <Jacki_Fletcher@att.net>; 'nicky@olbuckaroo.com' <nicky@olbuckaroo.com>; 'drleeagoldstein@hotmail.com' <drleeagoldstein@hotmail.com>; 'marciagold.st@gmail.com' <marciagold.st@gmail.com>; 'kengreenspan@sbcglobal.net' <kengreenspan@sbcglobal.net>; 'gmgregg@sbcglobal.net' <gmgregg@sbcglobal.net>; 'charliehuecker@gmail.com' <charliehuecker@gmail.com>; 'michellejeffries@gmail.com' <michellejeffries@gmail.com>; Bobby Kamansky (bobinator1@hotmail.com) <bobinator1@hotmail.com>; LAVELY SHIVON <mike.shivon@sbcglobal.net>; Delores Lucero (delores.lucero@ucr.edu) <delores.lucero@ucr.edu>; 'info@sequoiasnackshack.com' <info@sequoiasnackshack.com>; 'oaknhill@wildblue.net'; 'tubacowboy@aol.com' <tubacowboy@aol.com>; 'darylmckown@yahoo.com' <darylmckown@yahoo.com>; 'erinvincent@gmail.com' <erinvincent@gmail.com>; 'GMILLS@omnimeans.com' <GMILLS@omnimeans.com>; 'sopacmcc@gmail.com'

<sopacmcc@gmail.com>; Linda Mutch (meadowlrk@gmail.com) <meadowlrk@gmail.com>;
'Bandj1407@yahoo.com' <Bandj1407@yahoo.com>; 'natekirbyjake@yahoo.com'
<natekirbyjake@yahoo.com>; 'peterdalan@att.net' <peterdalan@att.net>; 'fred3rivers@gmail.com'
<fred3rivers@gmail.com>; 'mayraricchi3@sbcgloabl.net' <mayraricchi3@sbcgloabl.net>;
'srothhammer@gmail.com' <srothhammer@gmail.com>; 'luckydr@yahoo.com' <luckydr@yahoo.com>;
'gschwaller1@wildblue.net' <gschwaller1@wildblue.net>; Laurie Schwaller (lschwaller1@wildblue.net)
<lschwaller1@wildblue.net>; 'jjseligma@gmail.com' <jjseligma@gmail.com>; 'kseligman@sbcglobal.net'
<kseligman@sbcglobal.net>; 'RICH-SHERLOCK1@yahoo.com' <RICH-SHERLOCK1@yahoo.com>; Rod
Simonian (sim559@gmail.com) <sim559@gmail.com>; 'woody_smeck@nps.gov'
<woody_smeck@nps.gov>; 'tom.sparks@live.com' <tom.sparks@live.com>; 'rhstanton@gmail.com'
<rhstanton@gmail.com>; 'mnchsteel@aol.com' <mnchsteel@aol.com>; 'dean.stryd@yahoo.com'
<dean.stryd@yahoo.com>; 'daniellestemple@gmail.com' <daniellestemple@gmail.com>; Michael Tharp
(mtharp@rlsmap.com) <mtharp@rlsmap.com>; 'Johnuh1r1@gmail.com' <Johnuh1r1@gmail.com>;
'charlenevartanian@gmail.com' <charlenevartanian@gmail.com>; 'ifwarner@gmail.com'
<ifwarner@gmail.com>
Cc: Hector Guerra <HGuerra@tularecounty.ca.gov>; Cheng Chi <CChi@tularecounty.ca.gov>
Subject: Draft Environmental Impact Report for Three Rivers Hampton Inn & Suites

Good evening.

Please find attached the Notice of Availability (NOA) of a Draft Environmental Impact Report (EIR) for the proposed Three Rivers Hampton Inn & Suites project. The 45-day commenting period begins Monday, March 8, 2021 and ends on Thursday, April 22, 2021. Please submit written comments to the attention of Mr. Hector Guerra, Chief environmental Planner, by email at HGuerra@tularecounty.ca.gov or by mail at the address provided below.

The NOA and the DEIR are available on the Tulare County Resource Management Agency website at <https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>.

Please feel free to contact Mr. Guerra or myself if you have questions or need additional assistance.

Best Regards.

Jessica Willis

Planner IV

Tulare County Resource Management Agency

Economic Development and Planning Branch

Environmental Planning Division

5961 S. Mooney Blvd.

Visalia, CA 93277-9394

Ph: (559) 624-7122

Email: JWillis@tularecounty.ca.gov

From: [Michael G Washam](#)
To: [Larry Micari](#)
Cc: [Aaron R Bock](#); [Jessica R Willis](#); [Hector Guerra](#)
Subject: RE: Hello Larry
Date: Wednesday, March 10, 2021 11:14:47 AM

Supervisor,

The email below will be put into the record regarding the proposed Hampton Inn project. I have copied staff and they will include Mr. Greenspan's comments with others received during the environmental review and respond appropriately.

Thanks,

Michael Washam, ACE

Associate Director

Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277- 9394
Telephone: (559) 624-7128

Please note my email is now mwasham@tularecounty.ca.gov

From: Larry Micari <LMicari@tularecounty.ca.gov>
Sent: Wednesday, March 10, 2021 9:24 AM
To: Michael G Washam <mwasham@tularecounty.ca.gov>
Subject: FW: Hello Larry

Good morning comments on the current motel application

Larry Micari
Tulare County Board of Supervisors District 1
2800 West Burrel
Visalia, CA 93291
Office (559)636-5000
Cell (559)909-8488
lmicari@tularecounty.ca.gov
Strength through service...

From: KEN Greenspan <kengreenspan@sbcglobal.net>
Sent: Tuesday, March 9, 2021 7:55 PM
To: Larry Micari <LMicari@tularecounty.ca.gov>

Subject: Hello Larry

Hello Larry,

I hope this email finds you not too overburdened, and working no more than six days per week. (Yes, that's a joke.)

Monday, I received an email regarding the motel application on Highway 198 near the existing Comfort Inn. I'm guessing you already know about the project. There are a few problems with the project even though it meets the current zoning. One problem is during the flood in the 50's, and other more current floods, that area has been under water. And if it flooded before, it will flood again. There is a rusted out, dented vehicle at the back of that property. It was washed there during the flood of the 50's. But I'm sure with the existing zoning, the project will be approved floods or not.

The problem that I'd like to see addressed is that we haven't had an ambulance stationed in Three Rivers for several years. Our population according to the official records is a little over 2,000, I believe. But in reality, the number of people here is much higher. There's several hundred people staying at the comfort in. We have at least 250 vacation rentals, and let's use an easy average of four people per night per dwelling produces another thousand. There's the Lazy J Motel, the Holiday Lodge, the Sequoia Motel, the Sierra Lodge, the ... making at least a thousand more per night. Add in three private campgrounds in Three Rivers. And (I haven't included people driving through, day visiting who can have medical emergencies, traffic accidents, and river and lake incidents.) You can see the permanent population of two thousand is surpassed by the temporary population. If a full time resident or a motel guest has a medical emergency, they both need the same ambulance. So the need for an ambulance shouldn't be calculated based on our permanent residents, but instead on the number of people here.

In my mind, the T.O.T. along with local property tax should be used to fund a full time ambulance stationed in Three Rivers.

If you have any questions or comments, feel free to email or phone.

Thanks,

Ken Greenspan

561-2413

Attachment 9

Comments Received from Janene Lasswell

From: [Michael G Washam](#)
To: [Larry Micari](#)
Cc: [Aaron R Bock](#); [Jessica R Willis](#); [Hector Guerra](#)
Subject: RE: Hampton Inn draft EIR, Three Rivers, CA
Date: Wednesday, March 10, 2021 1:45:28 PM

Supervisor,

The email below will be put into the record regarding the proposed Hampton Inn project. I have copied staff and they will include Mr. Greenspan's comments with others received during the environmental review and respond appropriately.

Thanks,

Michael Washam, ACE

Associate Director

Tulare County Resource Management Agency

5961 South Mooney Boulevard

Visalia, CA 93277- 9394

Telephone: (559) 624-7128

Please note my email is now mwasham@tularecounty.ca.gov

From: Larry Micari <LMicari@tularecounty.ca.gov>
Sent: Wednesday, March 10, 2021 1:37 PM
To: Michael G Washam <mwasham@tularecounty.ca.gov>
Subject: FW: Hampton Inn draft EIR, Three Rivers, CA

FYI

Larry Micari

Tulare County Board of Supervisors District 1

2800 West Burrel

Visalia, CA 93291

Office (559)636-5000

Cell (559)909-8488

lmicari@tularecounty.ca.gov

Strength through service...

From: Janene Lasswell <janene.lasswell@gmail.com>
Sent: Tuesday, March 9, 2021 10:20 AM
To: Larry Micari <LMicari@tularecounty.ca.gov>
Subject: Hampton Inn draft EIR, Three Rivers, CA

To Whom It May Concern,

A draft EIR should consider a triple bottom line approach, adopted by California ten years ago. Planning agencies, private companies and organizations worldwide use this approach to address the local impacts of their activities on the needs of community cultures, economic benefits and environmental sustainability. Tulare County RMA needs to balance all three of these aspects in considering new projects. For instance, they could approve a new hotel and rescind permits for STR's in residential-zoned areas to alleviate the shortage of available residential rentals. Not just my opinion, it's in use currently in well-planned communities.

Currently in Three Rivers, it's estimated that 1/4 to 1/3 of residences in R or AG-zoned properties are STR's. Many employees are now commuting from other towns to jobs in Sequoia NP and the tourist-related businesses. The decrease in families with children attending the one elementary school has impacted the community negatively. TRUS has been in danger of closing for some time. Due to a lack of any share of the TOT funds, investment in our law enforcement and infrastructure has been negatively impacted. The community clearly has limited capacity for more tourists.

If additional hotels are permitted, mitigate that impact with fewer STR's operating a business in residential and AG-zones areas. Commercial operations like these are taking entire homes away from residents. They aren't available to any tourist-related employees.

If you need more info regarding "triple bottom line" planning,
see <https://online.hbs.edu/blog/post/what-is-the-triple-bottom-line>

Thank you for your time.

Janene Newman Lasswell

Sent from my iPhone

Attachment 10

Comments Received from Leah Launey and Peter Sodhy

From: [Jessica R Willis](#)
To: ["Leah Launey"; Larry Micari](#)
Cc: [Manager](#); [Hector Guerra](#); [Aaron R Bock](#); [Michael G Washam](#)
Subject: RE: Proposed Hampton Inn in Three Rivers
Date: Tuesday, March 9, 2021 4:49:53 PM

Good afternoon Mr. and Mrs. Sodhy.

Your comments have been received and will be placed in the public record.

Regards.

Jessica Willis
Planner IV
RMA Environmental Planning
Ph: (559) 624-7122

-----Original Message-----

From: Leah Launey <lclauney@launeymediation.com>
Sent: Tuesday, March 9, 2021 3:38 PM
To: Larry Micari <LMicari@tularecounty.ca.gov>; Jessica R Willis <JWillis@tularecounty.ca.gov>
Cc: Manager <manager@edaems.com>
Subject: Proposed Hampton Inn in Three Rivers

Gentlemen:

We are hoping you will understand that the proposed Hampton Inn is problematic for Three Rivers.

Beginning in 1980 and long before I knew him, my husband Peter Sodhy had discovered Three Rivers. He immediately began spending a week here every Thanksgiving. Once he met the kids and I, he introduced us to Three Rivers and the tradition continued. We were married and in 1999, with the assistance of local broker/realtor David Learned, Jr., we purchased our lot. In 2001, with the assistance of local contractor Jesus Diaz, we built our home on that lot. We used it as a second home initially, before moving into it permanently in 2006.

First of all, if we are going to permit another hotel, don't you think we should reduce the number of STRs that are permitted right now in our residential areas? There is not enough long term housing for folks who want to live here full-time, already. And STRs in residential areas also change the character of neighborhoods - from friends whose company you enjoy, and whose support you depend on in times of trouble, to fly-by-night tourists instead.

Also, the proposal is for the hotel to be built in a flood plain, creating not only flooding issues, but septic issues as we try to keep our river and our local aquifer free from contamination. Local residents call that location "nothing but a sand bar".

Tourists use a lot more water. Bed and bath linens must be changed & washed daily, while long-term residents know to save water in times of drought, take shorter showers, and normally wash their linens once a week. The water table pertaining to the particular aquifer affected by the proposed hotel's location is already insufficient for our residents' needs, so we are wondering how the County will handle this. Is the County going to pipe water to us from Visalia when that particular aquifer is pumped dry?

Tourists cause a lot more wear on our streets. The patch jobs we receive on our County maintained roads already can't keep up with the weather, let alone our normal wear & tear.

Tourists need more parking, so they can easily access local businesses and contribute more to the local economy. Already, our parking situation is woefully inadequate, causing major congestion problems all along Hwy 198/Sierra Drive in tourist season. That leads to more traffic accidents and frustrated residents who can't get around the long lines of cars, often parked illegally, in order to access a business, reach their homes, or get to work.

Long lines of tourists, trying to enter the Park by way of Three Rivers, is already an age-old problem. In tourist season, that line of cars trying to enter the Park can stretch for 3 miles.

Tourists cause a lot more litter, and we already have a problem keeping up with that.

We are not anti-business. We just hope you can recognize that this particular business, and this particular location, are not well-suited for Three Rivers.

Thanks for listening,

Leah Launey and Peter Sodhy

Attachment 11

Comments Received from Shivon Lavelly

April 19, 2021

Hector Guerra, Chief Environmental Planner
Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277

Re: Proposed Hampton Inn Hotel & Suites in Three Rivers

My family and I have lived in Three Rivers for 34 years because we love its natural beauty and appreciate the quiet and dark skies in our lovely town. We are strongly opposed to the Hampton Hotel development for numerous reasons: such as the water usage it will require, the added pollution, the extra congestion on a narrow highway, and the hotel lights that will detract from our dark skies. In this letter, I will be focusing specifically on the problem of added traffic.

In the DEIR, you have included a traffic report that was conducted in February 2018, for another hotel (The Sequoia Spa and Hotel) so it is not site specific. It is also outdated. Caltrans considers any traffic impact report to be stale after 2 years.

This traffic report also uses metrics that are inconsistent. It gathered data using the Level of Service (LOS) but the conclusions were given in VMT. Senate Bill 743 states that after July 1, 2020, implementation of the new guidelines by CEQA, must be used. The traffic data was gathered before July 1, 2020, but the DEIR was drafted after July 1, 2020. All data should be gathered in VMT, not LOS, to reflect the current impact to the environment regarding greenhouse gases. An accumulation of greenhouse gases causes significant harm to the environment.

Traffic data was gathered on February 3rd and 4th in 2018, which is a weekend, and Caltrans has said that data should be gathered on weekdays. February traffic does not reflect the massive influx of visitor traffic, which occurs during the summer months. Over 1.2 million people visited Sequoia and Kings Canyon National Parks in 2019, and the majority of them came through Three Rivers! Currently, there are almost 200 airbnb's in Three Rivers, which also adds to the number of vehicles on the road and traffic congestion.

I do not believe that your traffic analysis is supported by substantial evidence nor do I believe it complies with the Senate Bill 743 requirements.

Sincerely,

Shivon Lavelly
41050 Blossom Dr.
Three Rivers, CA 93271
mike.shivon@sbcglobal.net

Attachment 12

Comments Received from Delores Lucero

From: [Jessica R Willis](#)
To: [Delores Lucero](#)
Cc: [Hector Guerra](#)
Subject: RE: Link
Date: Monday, March 15, 2021 12:44:00 PM

Good afternoon Dee.

This is to confirm receipt of your email with the attached letter. The letter will be included in the Final EIR.

Jessica Willis

Planner IV
RMA Environmental Planning
Ph: (559) 624-7122

From: Delores Lucero <delores.lucero@ucr.edu>
Sent: Monday, March 15, 2021 12:21 PM
To: Jessica R Willis <JWillis@tularecounty.ca.gov>
Subject: Fw: Link

Hi Jessica,
Forgot to cc you.
Thanks for looking into this.
Dee

From: Delores Lucero <delores.lucero@ucr.edu>
Sent: Monday, March 15, 2021 12:10 PM
To: Hector Guerra <HGuerra@tularecounty.ca.gov>
Subject: Re: Link

Hi Hector,
Sorry for the delay. According to the County website: [Tulare County Public Parcel Zoning Lookup \(arcgis.com\)](#)
the parcel number for the Comfort Inn is 068-360-028.
Also, I noticed that my comment letter for the NOP/IS was not attached to the DEIR that was sent out. I have reattached it here to complete your record. Noted in the DEIR was my public records request that was never answered. I was told "IT" was compiling my documents, but none were ever sent to me. I have cc'd Jessica Willis on this email and listed below questions I would still like answers to.

I am requesting an opportunity to inspect or obtain copies of public records that pertain to the proposed Hampton Inn to be built in Three Rivers, CA. I am requesting a copy of the developer's

application and Term Sheet between the developer and the County.

The proposed Hampton Inn may be built on parcel 068-100-010, can you confirm the exact location? As this parcel is in the zoned C-2-MU-SC according to the TRCP it is in the "Town Center" defined as the civic cultural heart for the Three Rivers Community. The Community Plan provides for preparation of a Town Center Specific Plan to guide development. Has a Specific Plan been developed for the Town Center?

Is the developer building a gas station and subway style restaurant along with the hotel and if so will there be a separate EIR document for this secondary development?

This request includes but is not limited to any correspondence, written or verbal, between the developer or its representatives and County staff or representatives.

If you do not know the answers to the above questions, please direct them to the appropriate staff.

Thank you,

Dee

From: Hector Guerra <HGuerra@tularecounty.ca.gov>

Sent: Tuesday, March 9, 2021 10:02 AM

To: Delores Lucero <delores.lucero@ucr.edu>

Subject: RE: Link

Hi Delores,

Dou have an Assessor's Parcel Number (APN) for this request. If you don't know the APN, an address would be helpful.

Thank you,

Hector

From: Delores Lucero <delores.lucero@ucr.edu>

Sent: Monday, March 8, 2021 3:09 PM

To: Hector Guerra <HGuerra@tularecounty.ca.gov>

Subject: Re: Link

Thanks Hector, I appreciate all this information. I was not in this area at the time and didn't know about the build.

Dee

From: Hector Guerra <HGuerra@tularecounty.ca.gov>

Sent: Monday, March 8, 2021 3:02 PM

To: Delores Lucero <delores.lucero@ucr.edu>

Subject: RE: Link

Hi Dolores,

As that project pre-dates me, I'll ask someone to look for it. It may not have required an environmental document as it may have been a by-right project depending upon zoning at the time.

As an aside, our standard document retention timeframe is 10 years. As this project may have occurred in 1995, and a CEQA document may or may not have been prepared, we may no longer have it available as it would be over 25-years old.

Just to let you know, any CEQA document completed around that time would have been completed with a now outdated version of CEQA. CEQA has been amended many times since then and most recently, in 2019. Resources such as Energy, Greenhouse Gases, Tribal Cultural Resources ,Wildfire , etc. have been added that were not previously addressed. Some CEQA sections have been amended and some of the resource questions previously contained in the CEQA Guidelines have also changed. For example, the CEQA metric for traffic is no longer level of service (LOS), it is vehicle miles travelled (VMT).

CEQA practitioners consider any CEQA document older than 10 years to be stale. Technical studies are considered stale over different time frames. For example, the San Joaquin Valley Air District considers any tech study greater than 5 years old to be stale and Caltrans considers any traffic impact report to be stale after 2 years.

Other regulatory agencies have also updated their standards, thresholds, etc. based on newer information /science so some of their older standards/thresholds that would have applied 25 years ago have likely changed too. Here again the Air District is a good example, they have had numerous air quality plans, rules, regulations, etc., changed since their formation in 1991. Many of their plans/rules/regulations have changed since 1995 and since CEQA

documents (such as EIRs) typically cite to Air District plans/rules/regulations, those used in 1995 may have likely changed too.

I'll see what I can find, but I'm not even certain a CEQA document was prepared for that Project.

Hector

From: Delores Lucero <delores.lucero@ucr.edu>
Sent: Monday, March 8, 2021 1:58 PM
To: Hector Guerra <HGuerra@tularecounty.ca.gov>
Subject: Re: Link

Hi Hector,
Thank you for sending this.
Can you send me the link also for the EIR done for the Holiday Inn Express/Comfort Inn located in Three Rivers? It was built in 1995.
Dee

From: Hector Guerra <HGuerra@tularecounty.ca.gov>
Sent: Monday, March 8, 2021 12:36 PM
To: Delores Lucero <delores.lucero@ucr.edu>
Subject: RE: Link

Good Afternoon Dolores,

Here's the link:

<https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/>

Best Regards,

Hector

-----Original Message-----

From: Delores Lucero <delores.lucero@ucr.edu>
Sent: Monday, March 8, 2021 9:46 AM

To: Hector Guerra <HGuerra@tularecounty.ca.gov>

Subject: Link

Hi Hector,

Please send me the link to the DEIR for the Hampton Inn, I do not see it, only the initial study.

I read the comment period starts today.

Thanks,

Dee

December 2, 2020

Mr. Reed Schenke, Director
Resource Management Agency
Tulare County
5961 South Mooney Boulevard
Visalia, CA 93277

Re: Comment on proposed Hampton Inn and Suites, Three Rivers, CA

Dear Mr. Schenke:

This letter comments on the Draft Environmental Impact Report regarding the proposed Hampton Inn and Suites for parcels 068-080-010 and 068-100-010, in Three Rivers, CA.

As you may recall a letter was sent to you almost a year ago, December 4, 2019, representing Friends of Three Rivers from the law firm Shute, Mihaly & Weinberger. This letter commented on the Proposed Sequoia Resort and Spa Project at 40719 Old Three Rivers Road. I have reattached the letter for your convenience. In this letter we questioned the validity of constructing a hotel development in the same parcel area as the proposed Hampton Inn and Suites. According to an email from the RMA: "The site has been zoned C-2 since at least 40-years and was identified in both the 1980 Three Rivers Community Plan and the 2018 Community Plan Update as the "Town Center". The triangle bounded by SR 198, Old Three River Road and South Fork Drive."

The Three Rivers Community Plan 2018 (TRCP) defined the Town Center as the "civic and cultural heart for the Three Rivers Community" with "a concentration of commercial, retail and social uses to help strengthen Three Rivers as a livable community." The TRCP also states, multiple times, the implementation tool to guide development in the Town Center is the Specific Plan, (I have attached a few examples from the TRCP). Under Cal. Gov't. Code §65450, "After the legislative body has adopted a general plan, the planning agency may, or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan."

A Specific Plan, by law, is required to include land use regulations and development standards; a program of implementing measures; planned and needed public works projects to serve the Specific Plan area; and financing measures necessary to implement the Plan and its recommendations.

A Specific Plan is also subject to environmental review under CEQA. Moreover, the EIR for a Specific Plan is required to have a greater level of detail and study than an EIR prepared for a General Plan.

No Specific Plan has been developed for this geographic area and according to Mr. Aaron Bock: "*There is no specific plan, and in the 3 Rivers Community Plan, we have found a specific plan to be infeasible at this time.*" We have thoroughly read the TRCP and nowhere does it state that a Specific Plan for the Town Center is infeasible. Furthermore, Mr. Bock has not stated why a Specific Plan for the Town Center is infeasible. There are many people in Three Rivers who would welcome and actively participate in the development of a Specific Plan for the Town Center. There are many environmental concerns with development in this specific area, including groundwater availability, wastewater disposal, and traffic that are not adequately addressed in the TRCP and that require more study and consideration which could be accomplished with a Specific Plan.

It is our belief that without an amendment to the Three Rivers Community Plan 2018 or the creation of a Specific Plan to guide development, including the new hotel in the Town Center, that the County is violating the Three Rivers Community Plan 2018, CEQA and California Statute.

Sincerely,

A handwritten signature in black ink, appearing to read "Delores Lucero". The signature is written in a cursive, flowing style.

Delores Lucero
Friends of Three Rivers

April 22, 2021

Hector Guerra
Resource Management Agency
Tulare County
5961 South Mooney Boulevard
Visalia, CA 93277

Re: Comment on DEIR Hampton Inn and Suites, Three Rivers, CA, Land Use/Planning

Dear Mr. Guerra:

This letter comments on the Draft Environmental Impact Report regarding the proposed Hampton Inn and Suites for parcels 068-080-010 and 068-100-010, in Three Rivers, CA.

As you may recall a letter was sent to the RMA on December 4, 2019, representing Friends of Three Rivers from the law firm Shute, Mihaly & Weinberger. This letter commented on the Proposed Sequoia Resort and Spa Project at 40719 Old Three Rivers Road. In this letter we questioned the impacts to the environment in constructing a hotel development in the same parcel area as the proposed Hampton Inn and Suites. According to an email from the RMA: "The site has been zoned C-2 since at least 40-years and was identified in both the 1980 Three Rivers Community Plan and the 2018 Community Plan Update as the "Town Center". The triangle bounded by SR 198, Old Three River Road and South Fork Drive."

The Three Rivers Community Plan 2018 (TRCP2018) defined the Town Center as the "civic and cultural heart for the Three Rivers Community" with "a concentration of commercial, retail and social uses to help strengthen Three Rivers as a livable community." The TRCP2018 also states, at a minimum of 19 times, the implementation tool to guide development in the Town Center is the Specific Plan, Policy 1.6.2. Under Cal. Gov't. Code §65450, "After the legislative body has adopted a general plan, the planning agency may, or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan."

A Specific Plan, by law, is required to include land use regulations and development standards; a program of implementing measures; planned and needed public works projects to serve the Specific Plan area; and financing measures necessary to implement the Plan and its recommendations.

A Specific Plan is also subject to environmental review under CEQA. Moreover, the EIR for a Specific Plan is required to have a greater level of detail and study than an EIR prepared for a General Plan.

No Specific Plan has been developed for this geographic area and according to Mr. Aaron Bock: "*There is no specific plan, and in the 3 Rivers Community Plan, we have found a specific plan to be infeasible at this time.*" Mr. Bock is referring to page 769 in the TRCP2018 regarding an FSU Feasibility Study conducted in 2005 stating "Implementation (Currently Infeasible)" (attached). The definition of infeasible means incapable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors. Mr. Bock basis his statement on a study conducted many years ago. This definition does not represent the current situation as economic, environmental, legal, social and technological factors have certainly changed in sixteen years. Also, the Specific Plan was

and is proposed in the Three Rivers General Plan that was adopted in 2018. In fact the Future Feasibility Studies Implementation Program (see attached) lists the responsible party, the RMA, to consider and evaluate strategies to implement the community vision included in the plan during the years 2018-2022. Mr. Bock's statement is a discretionary interpretation of the TRCP2018.

From the Hampton Inn DEIR pg. 3.11-12

The Three Rivers Community Plan is a component in Part III of the Tulare County General Plan and, as such, has the same force and effect as any other adopted element of the General Plan. Structurally, the Three Rivers Community Plan is part of the **Land Use** and Circulation Element of the overall General Plan. The principal emphasis of the community plan is on establishing **local land use** and circulation system patterns and prescribing associated standards and policies. In addition to the specific prescriptions of the community plan, the broader policies and standards of the overall **Land Use** and Circulation Element apply to Three Rivers. Also applicable to Three Rivers, and governing all future development in the community, are the other elements (e.g. Planning Framework, Environmental Resources Management, Air Quality, Health and Safety, Transportation and Circulation, etc.) of the Tulare County General Plan. **In instances where the policies and/or standards of the Three Rivers Community Plan are more specific or more restrictive than those in other elements of the General Plan, the community plan shall take precedence and prevail.”²⁵**

“Another overall principle to guide the reading and interpreting of the Community plan and its policies is that none of its provisions will be interpreted by the County in a manner that violates State or Federal law. For example, PFS-1.3: Impact Mitigation (Tulare County General Plan Chapter 14), requires new development to pay for its proportionate share of the costs of infrastructure required to serve the project. This policy will be implemented subject to applicable legal standards, including but not limited to the U.S. Constitution's "Takings" clause. In reading every provision of the Community plan, one should infer that it is limited by the principle: "to the extent legally permitted.”²⁶

Following are goals, objective, policies within the Three Rivers Community Plan 2018 Update that apply to the proposed Project: **Goal 1: Compatible Development: Maintain the Rural Gateway Character of Three Rivers through land uses and new development that are compatible and consistent with the existing development in Three Rivers, preserve the unique visual and community character and natural environment and create a distinct sense of place.**

25 Ibid.

Land Use and Planning Chapter 3.11

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Project Impact Analysis: **No Impact**

The proposed Project is located within the Three Rivers Community Plan Urban Development Boundary and is properly zoned to accommodate the proposed Project. Further, the proposed Project is consistent with Tulare County General Plan policies and Three Rivers Community Plan goals, objectives, and policies noted earlier. The Project will not physically divide any established community or cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the Project would result in no impact to this resource.

This Project conflicts with the **General plan, Specific Plan, FEMA flood zone map and zoning ordinance.**

The DEIR for the Hampton Inn and Suites is inconsistent with the Three Rivers Community Plan 2018 which proposed a Specific Plan (Policy 1.6.2 attached reference) to guide development in the area bordered by Highway 198, South Fork Dr, and Old Three Rivers Dr, also known as the "Town Center". According to the Future Feasibility Studies Implementation Program in the TRCP2018, which lists the responsible agency to be the RMA, the evaluation dates are 2018-2022, also in the TRCP2018 the Town Center Specific Plan in Three Rivers is listed as a priority (attached). Only after a due diligence evaluation can the RMA propose Project development for this geographical area.

As the proposed Specific plan has not been adopted, commercial development is prematurely planned in the "Town Center" area of Three Rivers and has a potentially significant effect on the environment.

The DEIR is incorrect in stating these parcels are in Flood Zone X (area of minimal flooding).
ii) Runoff resulting in Flooding On- or Off-site; Less Than Significant Impact: The site will not resulting in waters capable of flooding either on- or off-site. The site is not subject to flooding and lies within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map.2

These parcels and The Comfort Inn and Suites are in the shaded X zone on the FEMA map, https://msc.fema.gov/portal/search?AddressQuery=Three%20Rivers%2C%20ca#searchresults_anchor

Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.

This analysis is inaccurate and possible mitigation could be involved. According to the RMA in the application for Tentative Parcel Map No. PPM 21-003 and also in the TRCP2018 page 485: *Construction of buildings within a shaded Zone X (0.2 percent chance flood) require no specific flood mitigation measures, however, it is recommended that all finished floor levels be elevated one (1) foot above adjacent natural ground.*

This is a significant omission by the RMA and a significant effect to the environment.

The Project is planned in the General Commercial, Mixed Use, Scenic Corridor (C2-MU-SC) zone of Three Rivers. According to Section 14.4 SC Scenic Corridor Combing Zone.
*APPLICATION B. This zone is intended to be combined with other zones and may be applied only to those areas visible from and adjacent to those scenic highways and scenic roads established by the Tulare County General Plan. When this zone is applied to property in conjunction with another zone set forth in this Ordinance, a new zone is thereby created and the regulations set forth in this section shall be applicable in addition to those otherwise applicable in the underlying or base zone. In addition, where the provisions of the underlying or base zone conflict with the requirements of this section, **the requirements of this section shall prevail over those in the underlying or base zone.** The new combined zone shall be shown on the Zoning Map by the letters "SC" following the symbol of the underlying or base zone.*

According to the Foothill Growth Management Plan
FGMP-6.4 Development Within Scenic Corridors The County shall require that projects located within a scenic corridor be designed in a manner, which does not detract from the visual amenities of that thoroughfare. The County shall support through the use if its authority and police powers, the design of infrastructure that minimizes visual impacts to surrounding areas by locating roadways in areas that minimize the visual impact on rural and natural places whenever feasible.(see attached).

Land Improvements: Building Standards

22. *The maximum building height measured at foundation ground level shall be 35 feet.*

Though the Scenic Corridor Zone is not adjacent to a designated scenic highway and scenic road the Scenic Corridor Zone was adopted in the Foothill Growth Management Plan and was adopted in the Three Rivers Community Plan 2018. The SC zone follows regulations that prevail over the General Commercial and Mixed-Use zones. A three-story hotel visually impacts the surrounding area and thoroughfare. Also, mitigation may be involved in raising the ground floor level one foot (see above) this would raise the building height of the planned 34' 8" above the limits set forth in the Scenic Corridor Zone. This would have a significant effect on the environment and violate local zoning ordinance in the TRCP2018 and the FGMP.

Cumulative Impact Analysis: *No Impact*

As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, as such, the proposed Project will not significantly contribute to a cumulative impact to this resource. Mitigation Measure(s): *None Required.*

The DEIR is incorrect in stating there are no hotels in the vicinity of the proposed Project. The Project abuts the parking lot of the Comfort Inn and Suites (see attached parcel map). The Comfort Inn has had effects on the environment. Since 2002 they have had 19 drinking water violations (CA Drinking Water Watch) and sewage spills (Central Valley Regional Water Quality Control Board).

https://sdwis.waterboards.ca.gov/PDWW/JSP/Violations.jsp?tinwsys_is_number=6964&tinwsys_st_code=CA

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/2014-0153-dwq_noas/2014-0153-dwq-r5314.pdf

To my knowledge no EIR was conducted for the Comfort Inn when it was built, and possibly no mitigation measures were enforced regarding its status in the shaded Zone X flood zone. According to the RWD, groundwater in the area of the Comfort Inn is approximately 10 feet below ground surface, see the above link: Central Valley Regional Water Quality Control Board. According to Google Earth the Comfort Inn is at an elevation of 761 ft and the proposed Hampton Inn parcels are at an elevation of 754 ft. The Kaweah River, across the highway from the Project is at an elevation of 755 ft and at a distance of 200 ft.

The elevation of the Project, proximity to the river, and location in the 500-year flood zone can all lead to additional water quality issues. Also, an increased septic load will impact the local groundwater and the Kaweah River.

The parcel adjacent to the Hampton Inn, APN 068-080-011-000, was bought by Gautam Patel, associated with Zero Capitol LLC and Yosemite Resort LLC. Gautam Patel had plans to develop a large by-right spa and hotel complex in Three Rivers in 2019. This parcel is owned by Gautam Patel, according to the Tulare County Recorder's office. Mr. Patel's group is still heavily involved in the hotel business, especially in Mariposa and Oakhurst.

Present and future development would significantly contribute a cumulative effect on the environment.

By omission, the analysis impact is incorrect, there is a cumulative impact leading to a significant effect on the environment.

Sincerely,
Delores Lucero
Friends of Three Rivers

TOWN CENTER CONCEPT REPORT

(2) DESIGN PROGRAM

→ PUBLIC SPACE AMENITIES

- ⇒ PUBLIC SEATING
- ⇒ PUBLIC EATING AREA
- ⇒ LANDSCAPING
- ⇒ PATIO AND WALKWAYS

→ IMPLEMENTATION (CURRENTLY INFEASIBLE)

- ⇒ NO CURRENT FUNDING—NEEDS A FUNDING MECHANISM (MAYBE THROUGH CSD?)
- ⇒ MIXED COMMUNITY INTEREST
- ⇒ REQUIRES ANCHOR MARKET & RESTAURANT

REQUIRES INTERESTED LAND OWNERS

DRAFT THREE RIVERS COMMUNITY PLAN UPDATE

- (20) Develop a Traffic Circulation Plan with management strategies and improvements to increase safety and community access.
- (21) Develop of a Community Park.
- (22) Preserve the Kaweah River, in its natural course through the community.

Table 1 provides a demonstration as to how the community vision is implemented through the Three Rivers Community Plan policy plan.

Table 1: Matrix of Three Rivers Community Plan Policies and the Visioning Statement for Three Rivers Community

Three Rivers Community Plan Vision Statements (VS)	Community Plan Proposed Policies	Implementation Mechanism
(1) Create a Town Center or centers with a Concentration of Commercial, Retail and Social Uses to Help Strengthen Three Rivers as a Livable Community.	Policy 1.6.1 (Designating a Town Center) Policy 1.1.13 (LU-7.4 Streetscape Continuity in Town Centers) Policy 1.5.1 (UDB and Future Development) Policy 1.6.2 (Specific Plan Development) Policy 1.6.3 (Commercial Clusters) Policy 1.6.4 (Mixed-Use Development-Town Center) Policy 1.6.5 (Community Centers and Neighborhoods) Policy 2.1.2 (Community Commercial Shopping Area) Policy 3.1.3 (Land Designation for Multi-Family & Senior Housing) Policy 3.1.4 (Cluster Development) Policy 3.1.5 (Mixed Use Development) Policy 9.1.6 (LU-1.1 Smart Growth and Healthy Communities)	Community Plan Map Specific Plan Design/Development Tools Development Regulations (Zoning) Design Guidelines Development Review County Project Review Committee
(2) Establish Standards for signage which balances practical business	Policy 1.3.5 (Signage Standards) Policy 1.2.3 (SL-2.2 Gateways	Design Guidelines Development Standards County Project Review

Future Feasibility Studies Implementation Program

The following table documents the Supporting Reference Materials and Future Feasibility Studies included with the Three Rivers Community Plan Update to consider an evaluate strategies to implement the Community Vision included in the policy plan.

Implementation	Implements what Policy	Who is Responsible	2018-2022	2022-2027	2027-2032	On-Going
1. The County shall consider implementing a work program to work with citizens groups, TCAG and Caltrans to prepare background materials, inventories of candidate areas, evaluate strategies such as specific plans, development standards, "Sequoia Gateway Guidelines" and other documents required to determine the feasibility to support the adoption of a Town Center Specific Plan in Three Rivers.	1.15 1.1.13 1.5.1 1.6.1 1.6.2 1.6.3 1.6.4 1.6.5 2.1.2 3.1.3 3.1.4 3.1.5	RMA	■			
2. The County shall consider implementing a work program to	1.2.18 1.3.12	RMA		■		

2. Three Rivers Conservation Plan (see Figure 17).
3. Biological Assessment (see EIR).
4. Cultural Resources Assessment (see EIR)

COMMUNITY PLAN PRIORITY PROGRAM AND FUTURE FEASIBILITY STUDIES IMPLEMENTATION PROGRAM KEY FEATURE:

The following section identifies the Community Plan Priority Program and Future Feasibility Studies Implementation Program that have been identified by the community during numerous public outreach meetings and community visioning process. The Three Rivers Community Plan Priority Program and Future Feasibility Studies Implementation Program includes the following 11 programs:

1. Town Center Specific Plan in Three Rivers.
2. State scenic highway designation for SR 198.
3. Development of a Community Park, greenway, trails, and recreation areas.
4. County Noise Ordinance.
5. Identification of Emergency Evacuation Routes.
6. Dark Sky Ordinance or Equivalent Dark Sky Strategy.
7. Three Rivers Incorporation Feasibility.
8. Wildlife Safety/Bear resistant containers Ordinance of equivalent strategy.
9. Urban Forestry Program.
10. Oak Woodland Ordinance.
11. Three Rivers Community Information (Welcome Wagon Concept).

The purpose of the following discussion is to describe the relationship between the programmatic nature of the Community Plan and the Future Feasibility Studies Implementation Program in addressing these priority programs. The discussion will provide guidance as how each program is addressed in the Community Plan and how it is implemented in the Implementation Program.

The Community Plan (Policy Plan) is a programmatic document that includes policies and diagrams to implement the goals and objectives of the community. The California Governor's Office of Planning and Research General Plan Guidelines identifies the basic tenants of a community plan as follows, "Area plan" and "community plan" are terms for plans that focus on a particular region or

FGMP-6

To provide local protection of scenic highways and routes within the foothills.

FGMP-6.1 Preservation of Scenic Highways

The County shall ensure that the visual qualities of State Highways 190 and 198 and County scenic routes are maintained and protected against obtrusive development improvements.

FGMP-6.2 Identification of Scenic Highways

The County shall continue to seek and identify County routes, which due to their scenic and rural characteristics, should receive a County "scenic routes" designation.

FGMP-6.3 Development Along Scenic Highways

The County shall require that development along all scenic highways and routes meet the development standards of the FGMP.

FGMP-6.4 Development Within Scenic Corridors

The County shall require that projects located within a scenic corridor be designed in a manner, which does not detract from the visual amenities of that thoroughfare. The County shall support through the use of its authority and police powers, the design of infrastructure that minimizes visual impacts to surrounding areas by locating roadways in areas that minimize the visual impact on rural and natural places whenever feasible.

FGMP-6.5 Cluster Development

The County shall encourage projects proposed on lands within a scenic corridor with a non-agricultural or non-open space land use designation, to use a cluster development concept. Appropriate land uses for the open space areas shall include, but will not be limited to, public or private open space, wildlife habitat or agriculture.



Attachment 13

Comments Received from Marilyn Messa

From: [Jessica R Willis](#)
To: [Bill / Marilyn](#)
Subject: RE: Hampton Inn and Suites
Date: Tuesday, March 23, 2021 3:44:59 PM

Good afternoon Marilyn.

Per our conversation this afternoon, the EIR (inclusive of the Technical Appendices and Mitigation and Monitoring Reporting Program) can be found on the RMA website at <https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-impact-reports/hampton-inn-suites-three-rivers/> (click the link in all caps).

As we discussed, the commenting period on this EIR ends on April 22, 2021.

Regards,

Jessica Willis

Planner IV
RMA Environmental Planning
Ph: (559) 624-7122

From: Jessica R Willis
Sent: Monday, March 22, 2021 5:24 PM
To: Bill / Marilyn <bnmm@att.net>
Subject: RE: Hampton Inn and Suites

Good afternoon Ms. Messa.

Your comments have been received and will be placed in the public record.

Jessica Willis

Planner IV
RMA Environmental Planning
Ph: (559) 624-7122

From: Bill / Marilyn <bnmm@att.net>
Sent: Monday, March 22, 2021 3:26 PM
To: Jessica R Willis <JWillis@tularecounty.ca.gov>
Subject: Hampton Inn and Suites

I am writing as a resident of 43 yr. in Three Rivers .
I have seen plenty of proposals come and go. Plenty of high water and non functioning septic systems especially in the area of this proposal.

To add that many people on a small acreage with a hotel next door that the county has never resolved the septic situation, is unrealistic.

Let's see the water source?

The septic plan?

The flood history?

Where are the CEQA studies and a more extensive DIER?

To add this kind of development along the already overcrowded scenic corridor is unconscionable.

1 recently added restroom

1/2 of the restaurants closed.

Not enough available parking. Sequioa National Park traffic backs up 6miles on most weekends.

This IS NOT OAKHURST.

Please enter my objection to this, or any project in that area into the public record.

Marilyn Messa

Box 174

Three Rivers, CA. 93271

559 561 3479

Marilyn Messa
PO Box 174
Three Rivers, Ca. 93271

Hector Guerra Chief Planner Tulare County RMA

Jessica Willis Project Planner Tulare County RMA

Michael Washam , Resource Management Agency's Planning Director

Draft Environmental Impact Report

Three Rivers-Hampton Inn & Suites

SCH# 2020110016

“Project Location: The proposed Project will be located at 40758 Sierra Drive, immediately south of the existing Comfort Inn & Suites, located along the eastern side of Sierra Drive/State Route 198, in Three Rivers.”

I would like to note that the Comfort Inn in this same vicinity had similar mitigation measures that were NOT implemented or enforced by Tulare County RMA.

First off I would like RMA to enforce their own codes when considering and after approving these projects.

I believe this project would have several cumulative effects and or issues that would negatively impact the area of the project and our community.

The site of this project is in a floodplain where at one time the river did run. The septic system located at the Comfort Inn has had many issues and is nonfunctioning and remains so.

LIGHTING to be shielding and pointed down is another problem that needs addressing not only with this project. The Comfort Inn has not complied. The new owners of the Village Market and Liquor directly east have added a wall of glaring new flood lights, left on 24 – 7.

LANDSCAPING : The proposed hotel will be approximately 34'-8" in height and will be setback approximately 300 feet from Sierra Drive/SR 198 and screened with vegetation (trees and shrubs) to effectively minimize line-of-sight views from the public right-of-way. A map of the landscaping plan is provided in Figure 3.1-1.

This was never followed through on at the Comfort Inn site as well.

The County writes :

- 1) The Project will facilitate the availability of overnight accommodations for visitors/tourists in the Three Rivers area by making available 105 rooms.
- 2) Here the applicant notes 70 car trips but 105 rooms could create much more traffic in that already overburdened area. The turn off to the Post Office and Village Market to the East of this project is significantly over stressed.

2) The Project will directly create approximately 12 new, full-time jobs for Tulare County

Residents. Economic Effects - The proposed Project will not result in negative impacts to the region.

It will result in increases in economic benefits as the Project is anticipated to provide up to

12 permanent jobs which are anticipated to be filled by the local labor force.

☐ Social Impacts - The proposed Project would not result in disproportionate environmental effects on minority populations, low income populations, or Native Americans. The proposed Project does not pose any adverse environmental justice issues that would require mitigation.

☐ Growth Inducing Effects - The proposed Project would not result in significant growth inducing impacts. The proposed Project will result in 12 permanent jobs which are anticipated to be filled by the local labor force. The Project will not result in new housing.

I believe with Tulare County's lack of a Short Term Rental ordinance. 12 minimum wage jobs, where no housing is provided in our community, is a recipe for disaster. Somewhere in the area of 40% of Three Rivers homes are now owned by NON RESIDENT property owners operating STRs. It is impossible for seasonal, and minimum wage holding residents to find or afford local housing.

This project will have immense impacts on Traffic, Air Quality and Overburdening of our resources.

Our town has been overburdened with daily visitation, especially in this last year with Covid 19. Even though the Governor handed down a Stay at home mandate, our Sheriff's Dept. decided to not enforce it.

The park traffic has constantly been backed up sometimes 6 miles. All of the restaurants, Pubs and parking areas have been overflowing and it is not uncommon to drive west from the Candy Store to the North Fork bridge and have cars parked on the shoulders, all along the way, in the Cal Trans right of way.

Trespassing to look for river access has affected everyone.

County has said " 3) With the availability of up to 105 rooms, visitors/tourists would not have to drive to Visalia (or other communities) thereby reducing vehicle miles travelled. As such, air quality emissions, greenhouse gas emissions, and energy (in the form of gasoline/diesel usage) would be reduced.

CEQA Guidelines Section 15126.6 requires that a reasonable range of Alternatives to the proposed Project be discussed in the EIR"

This is a nonsensical statement. How can we expect to add to the traffic and tax the overburdened parking situation and Air Quality when we cannot do so now? Cars lined up idling, with no place for the public to relieve themselves while they wait to access the park is an issue that Three Rivers and Sequoia Park NEED to resolve ASAP.

I ask that my concerns be entered into the public record and seriously considered before any decision is made

I would propose

Alternative 1 – No Build / No Project

Sincerely a 43 year resident of Three Rivers

Marilyn Messa

Attachment 14

Comments Received from Norma Nevarez

This is in reference to Draft Environmental Impact Report (SCH#2020110016)

Three Rivers Hampton Inn and Suites

ATT: Mr Hector Guerra, Chief environmental planner (HGuerra@tularecounty.ca.gov)

ATT Jessica Willis, Planner IV (JWillis@tularecounty.ca.gov)

Tulare County Resource Management Agency

Economic Development & Planning Branch

Environmental Planning Division

5961 S. Mooney Blvd.

Visalia, CA 93277-9394

Ph # 559-624-7122

To whom it may concern,

As a resident of Three Rivers for over 30 years, we have many concerns about this large development in our small area of Three Rivers. One of our main concerns is that of water. This year Ash Mountain records show that we are approximately 30% of normal in precipitation, the lowest that has ever been recorded. Prior to this, records show this year is a 3 year drought with 1 normal year break prior to a 4 year drought, causing a significant deficit to the local aquifer

This lack of precipitation is part of a hotter and drier pattern that has devastated CA and the western USA for decades is a clear indicator of climate change. Last year's fire, Castle/SQF Complex fire, in our vicinity threatened much of Three Rivers causing mass evacuation in the most populated part of Three Rivers. In this most populated area is the proposed Hampton INN & Suites. The increase in traffic and people would be a significant impact on the evacuation of people in Three Rivers during devastating fires. There is already a problem of people walking from the Comfort Inn to the Village Market, Pharmacy. Pizza factory complex, with no side walk or cross walk to the area along the small road shoulder. These pedestrians are frequently distracted by phones and other family members and not very observant of the vehicle traffic. It is only a matter of time before a pedestrian vs vehicle accident occurs as the human traffic increases along the highway.

This project will increase the number of people in the area this could lead to a significant rise in the probability of human caused fires. At the elevation of the Hampton Inn Suites project, human activity is the dominant cause of wildfires, contributing to well over 90% of wildland fire ignitions. When combined with the current drought situation we discussed above, this will lead to a higher probability of severe and devastating wildland fire in our small town.

As concerned citizens of Three Rivers, we thank you for the opportunity to comment on this project.

Norma Nevarez & Clarence M. Conover III

normanevarez61@gmail.com

corkyconover@gmail.com

From: [Hector Guerra](#)
To: [Norma Nevarez](#)
Cc: [Jessica R Willis](#)
Subject: RE: Draft Environmental Impact Report (SCH#2020110016)
Date: Thursday, April 22, 2021 10:13:56 AM

Thank you for the additional information, we'll add this to the record too.

Hector

From: Norma Nevarez <normanevarez61@gmail.com>
Sent: Thursday, April 22, 2021 10:00 AM
To: Hector Guerra <HGuerra@tularecounty.ca.gov>
Subject: Re: Draft Environmental Impact Report (SCH#2020110016)

Thank you. Also please note that currently wells on the East & South Fork of the Kaweah have been going dry. We on Sierra King Drive where we have 2 wells that serve 40+ homes, both have both stopped working since yesterday.

Thank you,

Norma Nevarez

On Thu, Apr 22, 2021 at 9:55 AM Hector Guerra <HGuerra@tularecounty.ca.gov> wrote:

We are in receipt of your e-mail.

Thank you from sending us your comments. They will be incorporated into the record and accordingly be part of the CEQA process.

Best Regards,

Hector

From: Norma Nevarez <normanevarez61@gmail.com>
Sent: Thursday, April 22, 2021 9:50 AM
To: Hector Guerra <HGuerra@tularecounty.ca.gov>; Hector Guerra <HGuerra@tularecounty.ca.gov>
Subject: Draft Environmental Impact Report (SCH#2020110016)

Please confirm receipt of this email.

Thank you,

Norma Nevarez

Attachment 15

Comments Received from Bob Powell

From: [Aaron R Bock](#)
To: tcweb-notify@tularecounty.ca.gov; [RMAPublicRequest](#); [Hector Guerra](#); [Jessica R Willis](#)
Cc: [Michael G Washam](#)
Subject: RE: Information Request
Date: Tuesday, April 13, 2021 4:08:30 PM

More Hampton Inn Comment. I think they named it the wrong hotel.

Thanks,

Aaron R Bock, MCRP, JD, LEED AP
Assistant RMA Director - Economic Development & Planning
5961 South Mooney Blvd.
Visalia, CA 93277
559-624-7050 - Direct

-----Original Message-----

From: tcweb-notify@tularecounty.ca.gov <tcweb-notify@tularecounty.ca.gov>
Sent: Tuesday, April 13, 2021 3:47 PM
To: [RMAPublicRequest](#) <RMAPublicRequest@tularecounty.ca.gov>
Subject: Information Request

Submitted: Apr 13, 2021 3:46 PM

NAME: Bob Powell
EMAILADDRESS: dinfgoboy47@gmail.com
PHONE: (559)561-2220.
PREFERREDCONTACTMETHOD: Email

MESSAGE: Regarding the proposed Ramada Inn wanting to build in Three Rivers.

NO NO and NO. The spot they want to put it is a well known Flood Plain. The water supply there is inadequate as well. The Comfort Inn was built on the same Flood Plain. Their Septic System has already failed. Polluting our River. Plus they promised low water landscaping. And failed to do it. They promised to have low light pollution. Failed there too. The LAST thing the people of Three Rivers want is another boondoggle right next door. This town already has far too many tourists for the Highway. And they litter. A LOT. I read that only half the Households in Three Rivers returned a census because so many are short term vacation rentals. The people that work in all our businesses now cannot find reasonable housing. Working for minimum wage and having to commute from Woodlake, Exeter, Farmersville and even Visalia. With gas prices set going up insanely, how can they even afford to come to work?

Attachment 16

Comments Received from Greg and Laurie Schwaller

April 22, 2021

TO: Hector Guerra, Chief Environmental Planner
Tulare County Resource Management Agency
via HGuerra@tularecounty.ca.gov

FR: Greg and Laurie Schwaller
43857 South Fork Drive, Three Rivers, CA 93271
via lschwaller1@wildblue.net

RE: DEIR Hampton Inn and Suites Three Rivers Project (SCH#2020110016), Comments from
Greg and Laurie Schwaller, Three Rivers

Dear Hector:

Here are our comments re the above DEIR. Thank you for ensuring that the DEIR will address them. Please let us know by return email that you have received these comments timely.

The pages are not consecutively numbered in the DEIR document; we will be referring to page numbers per the way they are shown on the computer while scrolling through the document.

Trying to locate and access specific information in the DEIR document is very tedious. As requested previously, please issue these documents that are for review and comment by the general public in a format that is easily searchable via key words and page numbers and that has pages that are consecutively numbered throughout the entire document.

* * * * *

EXECUTIVE SUMMARY (p. 8):

This summary briefly describes the proposed Project and then states that "The DEIR has been prepared consistent with the California Environmental Quality Act (CEQA)." Its intent is to inform the public and the Tulare County Planning Commission and Tulare County Board of Supervisors of the potential environmental impacts the proposed Project could have on resources as specified in the CEQA Guidelines. . . . CEQA requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An EIR is a public disclosure document designed to provide local and state governmental agency decision makers with an objective analysis of potential environmental consequences to support informed

decision-making. . . . This document focuses on issues determined to be potentially significant as discussed in the Initial Study and the public scoping process completed for this Project, as well as comments received on the Notice of Preparation (NOP) circulated by Tulare County in November 2020."

Unfortunately, the DEIR has not been prepared consistent with CEQA and therefore does not properly carry out its intent to inform the public and the County of the proposed Project's potential environmental impacts, as discussed below, so that informed decision-making can take place.

CEQA requires that the Project Description must include all components of the proposed project. The entire project must be described. The CEQA Guidelines define a "project" as "the whole of an action" that may result in either a direct physical environmental change or a reasonably foreseeable indirect change. A complete project description is necessary to ensure that the environmental impacts of the entire project are considered. A lead agency may not split a single large project into smaller ones resulting in piecemeal environmental review that fails to consider the environmental consequences of the entire project.

Project Description (p. 9, ES-2): "The Applicant is pursuing a Building Permit through Tulare County for the establishment of a 3-story, 105-guest room hotel and associated site improvements including a 108-stall parking lot, an outdoor swimming pool and a cabana building, septic system, and on-site storm drainage system." The Project Description is incomplete because it fails to describe all components of the entire project. Therefore, all of the studies (except the "Hampton Inn & Suites Report of Waste Discharge Technical Report" (see DEIR Appendices), on which the DEIR relies, and the NOP/IS comments, which are based on the information in the DEIR, are also incomplete because they are based on the incomplete Project Description.

As noted in our 12/01/20 comments on the NOP/IS/DEIR:

"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): The description mentions only the hotel, its driveway and parking lot, its laundry and outdoor swimming pool, and its septic system, new domestic well, and on-site storm drainage (with biofiltration option). It anticipates 12 employees, 70 customers, 1 delivery, and 1 shipment per day, for an average total of 825 daily vehicle trips.

The description does not mention the adjoining vacant lot north/west of the proposed hotel parcel and the service station, market, and restaurant that the owner of the lots plans to develop on that parcel, requiring the installation of a single wastewater system for the two

parcels.. On page 544 (now p. 1019 ff), details are provided "for the proposed Hampton Inn Hotel and future service station, market, and subway [sic], or equivalent, onsite wastewater treatment system. **The project is comprised of two undeveloped parcels (APN# -68-080-010 [2.81 acres] and 068-100-010 [1.58 acres]) that cumulatively comprise 4.39 acres and are located at 40758 Sierra Drive in three Rivers, California.**" **"These properties are owned by Satwant Sanghera .** The proposed development of the aforementioned parcels has site limitations (e.g. setbacks to wells, available space) that require the installation of a single wastewater system for the two parcels." The proposed hotel is to be developed on APN #068-080-010, while the "future Commercial Development on frontage lot (APN #068-100-010) includes a service station with 3 pump islands and a market, and Subway restaurant, or equivalent." "The proposed facilities will be located at the site shown in Appendix B." The 3R News online also reported that **"The two parcels . . . are where the 105 room three story Hampton Inn and secondary commercial development (3 pump island gas station, market, Subway restaurant or equivalent) are slated to be built."** [This information is repeated in the current DEIR on p. 1019.]

The current IS/DEIR must be completely revised in order to describe the whole action involved, as defined above. Once the revision is complete, covering the proposed plans and actions for both parcels, the revised IS/DEIR must be reissued for public comment."

The County did not revise and reissue the NOP/IS/DEIR. The current DEIR is again not prepared consistent with CEQA's requirement to describe the "whole of the action involved. The current DEIR must be completely revised in order to describe the whole action involved, as defined above, covering the proposed plans and actions for both of the Applicant's adjoining parcels so that the studies and subsequent reviews and comments can be made on the whole project.

Also requested in our 12/01/20 comments was some information about the Project proponent, as almost nothing can be found online about Ineffable Hospitality, Inc. The current DEIR does not respond to this request:

" Initial Study Checklist: What is the hotel ownership/development/management experience of Ineffable Hospitality, Inc./Haren-Deep Singh Sanghera and owners Sukhjinder and Kulvinder Sanghera? Construction of the proposed hotel/gas station/market/restaurant project would have a very large and lasting impact on Three Rivers, probably for many decades. **The IS/DEIR should fully describe the history of the Applicant, Ineffable Hospitality, Inc., and the owners in the planning, construction, and management of such projects and their impact on their surrounding communities.**"

Please revise the current DEIR to include this Applicant/owner information.

Project Elements (p. 10, ES-3): Here again, only the proposed hotel facilities are described, but not the whole project, which must include the elements for the upcoming gas station/market/restaurant, including description of these buildings and facilities, anticipated number of their employees, customers, deliveries, and shipments per day, average total of daily vehicle trips, and complete overall site plan and floor plans for both phases.

Parking Facilities: Parking for the gas station/market/restaurant must be described. Parking facilities for this portion of the proposed Project and/or the hotel portion should include parking for public transit (e.g., Park shuttle, van transport, etc.).

Water and Sewer: Wastewater treatment and potable water provision must be described for the whole project.

Storm Drainage: Storm drainage for the gas station/market/restaurant portion of the Project must be described.

Landscaping: Building heights, setbacks, and vegetative screening to minimize line-of-sight views from the public right-of-way for the gas station/market/restaurant portion of the Project must be described, and a map of the landscaping plan for this portion of the Project must be provided.

To comply with CEQA, the Project Elements section must be revised to describe the whole project, including the elements for the upcoming gas station/market/restaurant development.

Project Objectives (p. 10 ff, ES-3): The current DEIR states that "The proposed Project would implement many Three Rivers Community Plan goals, objectives, and policies" and lists several Objectives and Policies, but **the DEIR does not serve to promote the balance between economic development and the community's rural, scenic character and quality of life, as expressed in these citations.** The DEIR never mentions the community's long-emphasized goal of a mixed-use zone that would serve as Three Rivers' Town Center, providing a community gathering and events site, office and retail space for local businesses, a visitor and community information center, and a transit center; it must be revised to discuss this goal and the impact of approving the proposed whole Project on the achievement of this goal. Instead, the County continues to promote in that zone large-scale commercial hotel complex developments that would benefit their owners and visitors who want to stay in big-box motel/hotels, but offer few benefits to the community that would outweigh their costs.

The County cites, for example (p. 11), "**Objective 1.1 Development Compatibility:** Ensure compliance with the Community Plan to ensure compatibility between and within new and existing development." However, almost all of the existing development in Three Rivers is

relatively small scale, low profile, rustic, individualized, and compatible in size and character with the rural, small-town, "natural" environment of the community. Nowhere does the DEIR show how the proposed Project meets this compatibility compliance. It must be revised to do so.

"Policy 1.1.2 Mixed Uses to ensure that development to accommodate growth includes a balanced mix of residential, commercial, and public uses that enhance the community's economic vitality while maintaining its rural character and quality of life." Despite comments on the NOP/IS/DEIR requesting that it do so, nowhere in the current DEIR is there any clear description of the appearance of the proposed Project -- its style, its character, its materials, its colors, its scale. There are no illustrations of the proposed buildings or the landscaping, nothing to show the development in the context of its surroundings, nothing to indicate how the Project would maintain the rural character and quality of life of the community. The DEIR must be revised to show in detail how the proposed whole Project will be required to comply with this policy.

"Policy 1.2.1 New Development Compatibility to ensure that the size, type, and scale of new development in Three Rivers is compatible with the rural character of the community." See and apply here also comment on Policy 1.1.2 above.

"Policy 1.2.13 SL-3.3 Highway Commercial wherein the County shall require highway commercial uses to be located and designed to reduce their visual impact on the travel experience along State scenic highways and County scenic routes." When the proposed Project is built out, SR 198 will be faced with a 3-pump-islands gas station, market, and restaurant, backed by a large chain hotel and its appurtenances, blocking the current view of open land, hills, oak woodlands, and mountains, The DEIR must be revised to show in detail how the location and design of the whole proposed Project will reduce visual impact on the travel experience.

"Goal 2 Economic Vitality: A strong, diversified economic environment within Three Rivers which is consistent with the rural and visual atmosphere of the community." Again, nowhere does this DEIR show how the whole proposed Project is consistent with the rural and visual atmosphere of the community. It must be revised to do so.

"In summary, the proposed Project is consistent with and implements these and many other Three Rivers Community Plan goals, objectives, and policies." This whole section of the DEIR must be revised as indicated above to clearly describe and illustrate how the whole proposed Project would actually be consistent with and implement these and many other three Rivers Community Plan goals, objectives, and policies.

"Objective 1.1 Development Compatibility, Policy 1.1.4 Compatible Commercial Establishments, to encourage compatible commercial establishments necessary to serve residents and tourists that are commensurate with the scale and intensity of the community, preserve the environment, and which do not have to the extent feasible, significant traffic, light, noise or visual impacts to the community" (p. 11, ES-3): The whole proposed Project of a 105 room, three story Hampton Inn and its appurtenances and the 3-pump-islands gas station/market/restaurant complex on the lot immediately bordering SR 198 will be one of the largest commercial developments in Three Rivers, with not only a very large footprint, but also a very large scale of visual impact and intensity of development, very much out of the scale of the typical low-rise, much more individualized and significantly smaller commercial developments that are characteristic of Three Rivers' rural, small-town, largely "natural" environment.

The proposed Project appears to plan to do very little to preserve the environment and it will obviously have very significant impacts on traffic, light, and noise also. As it will be right next door to the existing 103-room Comfort Inn, it will create a substantial barrier to wildlife movement and to the scenic view to the south. The impacts to traffic on two-lane SR 198 of having two large adjacent hotels plus a gas station/market/restaurant in such close proximity, especially with westbound vehicles wanting to cross the eastbound lane to enter these multiple facilities could be severe and dangerous, and degrade the LOS on the highway -- especially since Caltrans has limited the Project to a single driveway (p. 1661). Of course, the consultant preparing the Traffic Impact Study was also unaware of the whole project, as the impacts of the gas station/market/restaurant were never considered (although it does mention a proposed 200-room hotel to be located on Old Three Rivers Road, 700 feet east of SR 198 nearby).

The DEIR also fails to address the impacts to light and noise of the 3-pump-islands gas station/market/restaurant complex, since the consultants conducting the studies related to these elements relied on the Lead Agency's Project Description, which failed to mention this highly impactful part of the whole Project. Only the Wastewater Treatment study addresses the whole Project and its estimated water use and wastewater generation.

The DEIR must be extensively revised to clearly describe and illustrate how the whole proposed Project will address these elements so important to the Three Rivers community and emphasized in the Three Rivers Community Plan: preserving/protecting the environment and minimizing traffic, light, and noise impacts.

Pages 1019-1021, in Appendix F, Wastewater Treatment, provide a minimal description of this commercial complex. Based on uses identified by the client, it will have a calculated total average monthly influent rate of 3420 gpd, with a cumulative anticipated flow of 17,145 gallons per day. The proposed wastewater treatment facility for the whole Project will be constructed

in two phases, with all the facilities constructed in the first (hotel) phase, except for the STEP tank to be installed in the second phase (gas station/market/restaurant). The consultant's client provided information on the estimated number of employees (6), gas pump islands (3, one with 2 multi-pump dispensers), retail space (4,000 sq. ft.), and fast food (e.g., Subway) restaurant space (1,000 sq. ft., 100 meals/day). (Note that there is already a Subway restaurant just up SR 198 from the proposed Project, at 40840 Sierra Dr./SR 198.)

The DEIR must be revised to completely describe and illustrate this follow-on phase of the Project and its operation. For example, what will these structures look like? What materials will they be built with? How will they be arranged on the site? How much parking will be provided? What will their hours of operation be? What will the retail space be selling? How many vehicles per day will likely use the Project's single driveway to get in and out of these facilities? How will this impact traffic flow and LOS on SR 198? How will they be lighted and signed? What will make them energy-efficient? How will they be landscaped and screened from SR 198? Will their lighting meet Dark Sky standards? How will the additional environmental impacts be mitigated? There should be at least one or two EV charging stations, perhaps in place of one of the fossil fuel pump islands. There should be a designated parking area on this parcel or the hotel parcel for public transit vehicles (e.g., TCAT bus, Sequoia Shuttle).

Once the description of this phase of the Project is complete, the entire DEIR must be revised to include this phase in all considerations of Project impacts and compliance with County, Foothill, and Three Rivers Community plans. All of the agencies and consultants must redo their studies and comments to include this phase. As CEQA requires, the DEIR must describe and address 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.

The DEIR states (p. 11) that "The proposed Project is intended to implement Applicant's strategic business plan by planning, designing, constructing, and operating a facility which is economically, technologically, and environmentally feasible." However, as noted and requested above and in the NOP/IS/DEIR comments, the DEIR fails to describe the Applicant/owner's business plan and experience in planning, designing, constructing, and operating such a facility, especially in a highly environmentally sensitive community such as Three Rivers; the DEIR should be revised to fully describe the Applicant/owner's business plan and experience with comparable projects.

PROJECT BENEFITS (p. 13 ff, ES-6): 1) The DEIR states that "The Project will facilitate the availability of overnight accommodations for visitors/tourists in the Three Rivers area by making available 105 rooms." The Feasibility Study prepared for the project forecasted an unaccommodated demand equivalent to 7.3% of the base-year demand. However,

"unaccommodated demand" referred only to individuals unable to secure accommodations in the market because all the local *hotels* were filled. This evaluation does not consider the reportedly over 200 (and growing) short-term rental houses (e.g. VRBOs, AirBnBs) in Three Rivers that are responding to visitors' increasing desire to stay in that type of "local home" accommodation as opposed to a "big box" chain hotel. **The DEIR should consider this growing short-term rental market in Three Rivers when evaluating the appropriateness and/or likelihood of the proposed Hampton Inn to meet the lodging needs of visitors to Three Rivers and our National Parks.** Does the Applicant/owner's strategic business plan include an evaluation of the impact of this short-term rental market on the need for and economic feasibility of the addition of a 105-room "big box" hotel in Three Rivers? (There are also two campgrounds in Three Rivers, and another one in Lemon Cove.)

2) The DEIR states that "The Project will directly create approximately 12 new, full-time jobs for Tulare County residents." On page 570, the DEIR states that Tulare County employed 169,300 people in 2020, so 12 new jobs doesn't seem like a very significant benefit. Page 574 terms this job increase as "up to 12 new jobs," most of them "low-skill jobs" "available to any able-bodied person." Presumably these would therefore be minimum-wage jobs. Would some of them also be only seasonal and/or part-time, in accordance with the great fluctuations in visitor numbers depending on the season (summer being the high season) and demand during the week (weekends and holidays higher)? Would there be any guarantee that Three Rivers residents would have first consideration for these jobs? Would these considerations apply to the upcoming 6 possible jobs in the gas station/market/restaurant complex? **The DEIR should fully describe the new jobs that the whole proposed Project would create and how those jobs would benefit Three Rivers residents,** whose quality of life would not be improved by this Project.

3) As described in 1) above, the construction of the proposed hotel would not at all necessarily keep visitors/tourists from having to drive to Visalia (or other communities) to find lodging in Three Rivers. A plethora of non-hotel accommodations are available in Three Rivers, including an estimated 200 short-term rentals and also two campgrounds. **The DEIR should consider the growing short-term rental market in Three Rivers and its campground accommodations also when evaluating the appropriateness and/or likelihood of the proposed Hampton Inn to keep visitors/tourists from driving to Visalia or other communities to meet their lodging needs. The DEIR should describe the probability and the amount of reduction of VMTs, air quality emissions, GHG emissions, and energy attributable to the occupancy of the Project hotel and discuss whether that reduction would offset the VMTs, air quality emissions, GHG emissions, and energy attributable to the construction and operation of the Project hotel.**

4) Simply listing Tulare County General Plan and Three Rivers Community Plan policies does not make clear how they will be applied and how the proposed whole Project's Applicant/owner

will be required to comply with them. Please refer to and apply comments on Project Objectives on pp. 4-12 above.

5) The DEIR states that "The proposed Project would generate sales taxes, transit occupancy taxes, and result in an overall increase in property valuation at the site." Presumably, this is true. However, these benefits of the proposed Project seem unlikely to benefit Three Rivers. While Three Rivers has been for decades consistently the chief source of TOT taxes accruing to the County, the County has consistently refused to allocate a portion of these taxes back to Three Rivers to help to allay some of the costs to the community and its vital environment generated by the construction and operation of the TOT-producing facilities, such as increasingly heavy traffic, increasingly damaged roads with no increase in County maintenance, increasing air, noise, light, and visual pollution, decreasing water security, decreasing quality of life, and increasing demand on local law enforcement and fire operations. This is not to mention the increasing difficulty of successfully evacuating the community in case of disasters such as wildfire or floods. The DEIR should be revised to show much more clearly the balance between the costs and the benefits of the proposed whole Project to the community. Who would actually benefit from this Project? What are its full, true costs? How would they be required (not just "encouraged") to be reduced?

TABLE ES-1 ALTERNATIVES COMPARISON, p. 18, ES-7: This table is a rather specious comparison of the alleged advantages and disadvantages of various alternatives to the proposed Project. In light of the fact that the County (and the Applicant/owner?) chose to violate the CEQA requirement to describe the whole Project, part of a beneficial Alternative could be to require the Applicant/owner to abandon the upcoming portion of the proposed Project, the 3-island gas station/market/restaurant, and instead construct on that parcel of his property a public transit stop (e.g., for TCAT, the Sequoia Shuttle, and local sightseeing services), a carpool/van pool/ride-share stop, and at least two EV charging stations, which could actually help to meet Caltrans' recommendations, reduce VMTs and GHG emissions, and benefit the visitors/tourists staying at the hotel, most of whom would be planning to visit Sequoia National Park and could take advantage of these environmentally friendly transportation options. This alternative could include a pedestrian walkway linking the hotel to these services and a bikeway/walkway connecting the hotel to "downtown" Three Rivers. Well landscaped with primarily native plants, this alternative could provide a multi-purpose buffer between the hotel and the highway, reducing noise, masking lights, softening the visual pollution of the hotel, providing enriched habitat to mitigate that lost to the hotel development, and providing natural storm drainage, on-site storm water retention and detention, and groundwater recharge, thus serving to help protect water quality in the river right across the road and the groundwater. A walking path on this parcel could offer guests an opportunity for relaxation and exercise. Informational kiosks or displays could educate visitors

about the local community, native plants and animals, local attractions and services, the Kaweah River and its forks, local history and pre-history, and other useful subjects. And there would be no air, soil, and groundwater polluting fossil fuel dispensing gas station. Additionally this much more "natural" development of the highway-fronting parcel could be helpful for flood water abatement; haven't the Applicant/owner's parcels been flooded in the past by the nearby river? It would also, by eliminating the gas station/market/fast food restaurant, greatly reduce traffic impacts and noise. There are already two gas stations right up the road from the proposed Project, as well as two markets and two fast food restaurants (as well as a full-service, sit-down restaurant), so it is not at all clear how the Applicant/owner's proposed redundant development would be of any benefit to the community or its visitors. **The DEIR should be revised to offer at least one such beneficial Alternative as the one described above that would enable the Project to actually benefit the community and meet some of the goals and comply with some of the policies in the County's General Plan and Three Rivers' Community Plan.**

p. 35, Chapter 1 - Introduction, Identification of Potentially Significant Impacts: "(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. (1) In regulating public or private activities, agencies are required to give major consideration to preventing environmental damage. (2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment." [emphasis added]

"IDENTIFICATION OF POTENTIALLY SIGNIFICANT IMPACTS: CEQA Guidelines Section 15002 (h) addresses potentially significant impacts, to wit, "CEQA requires more than merely preparing environmental documents. The EIR by itself does not control the way in which a project can be built or carried out. Rather, when an EIR shows that a project could cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods: (1) Changing a proposed project; (2) Imposing conditions on the approval of the project; (3) Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes;(4) Choosing an alternative way of meeting the same need;(5) Disapproving the project;(6) Finding that changes in, or alterations, the project are not feasible.(7) Finding that the unavoidable, significant environmental damage is acceptable as provided in Section 15093." [emphasis added]

p. 36, "CONSIDERATION OF SIGNIFICANT IMPACTS: . . . The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical

resources, scenic quality, and public services. . . . Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas." [emphasis added]

p. 37 (A)The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR."

Chapter 2 Figures -- The Figures for this chapter (Figure 2-1 through 2-5c), beginning on p. 49, are too small to be read. As commented on in the NOP/IS/DEIR, the DEIR must be revised to provide them in such a way that they can be magnified and searched so that readers can decipher them and gain the information they are intended to provide. For example, Figure 2-4 - Overall Site Plan shows the site plan for the hotel on its parcel, but it also has text and drawings on the adjoining highway-fronting parcel, the site of the upcoming gas station/market/restaurant, which are too small to be read, even with a magnifying glass.

Chapter 3 - Impact Analysis, Aesthetics (3.1), p. 56, p. 3.1-1, Three Rivers Community Plan

Update: The DEIR states that "Three Rivers is a standalone destination unique in its natural and social ambiance. A gateway to the Sequoia and Kings Canyon National Park, it is a destination that the residents are proud of. The County acknowledges the strong views its residents hold as to how its future is managed and history protected." This paragraph does not mention that the County adopted the Three Rivers Community Plan Update on June 26, 2018, nor does it mention that several of the community's chief objectives, such as a Dark Sky Ordinance and corresponding plan/goals/policies/implementation measures, a Town Center site specific plan, an Oak Woodlands Management Plan, and an Urban Forest plan , were, shockingly, not included in the adopted plan as expected, but were simply listed at the end as something the County might consider working on in the future. The County has had almost three years in which to complete these vital parts of the Three Rivers Community Plan Update, but it appears not to have worked on any of them, per several follow-up calls from concerned citizens. The County should not permit any major developments, such as the proposed Project, in Three Rivers until it completes and adopts these critical plan portions so important to the community's vision, goals, and objectives, in order to ensure that such developments will comply with them. Community members working with County planning staff throughout the years when the County sporadically provided staff to work on the Three Rivers Community Plan Update provided extensive material on these measures and even offered to draft them for the

County (this offer was rejected). If the County has the time to work on one DEIR after another in support of Applicants wanting permission to construct major developments in Three Rivers, it seems reasonable that the County should be able to find the time to complete the Three Rivers Community Plan Update. This would provide much clearer and more complete guidelines for future Applicants and would help to prevent significant negative impacts on the environment, health, safety, welfare, economy, sustainability, and quality of life of this unique, scenic, historic, habitat-rich, rural gateway community, while promoting responsible, compatible, sustainable development.

REGULATORY SETTING, p. 58 (3.1-1): This paragraph cites Tulare County General Plan 2030 Update, but does not cite the Three Rivers Community Plan Update, adopted in June, 2018. The DEIR should be revised to include and emphasize the goals, policies, and implementation measures of the Three Rivers plan.

p. 59: "The Tulare County General Plan 2030 Update includes a number of goals and policies relating to scenic protection of County resources. The Framework Concepts (3) addresses Scenic Landscapes: "The scenic landscapes in Tulare County will continue to be one of the County's most visible assets. The Tulare County General Plan emphasizes the enhancement and preservation of these resources as critical to the future of the County. The County will continue to assess the recreational, tourism, quality of life, and economic benefits that scenic landscapes provide and implement programs that preserve and use this resource to the fullest extent."[emphasis added]

The impact of the proposed Project to Aesthetic/Visual Resources will be significant, and will be especially significant in Three Rivers because the beauty of the environment is key to the community's economy, which is based primarily on tourism and recreation, and to its attracting a stable residential base. Protecting Three Rivers' exceptionally aesthetic environment is of prime importance not only to the community, but also to the County as a whole, since Three Rivers provides a significant share of tourism tax revenue to the County while also providing a beautiful, readily-accessible resort area for Valley residents, and a scenic landscape viewshed to the east of many who live in the Valley.

The County's General Plan, its Foothills Growth Management Plan, and the Three Rivers Community Plan emphasize the importance of protecting and preserving scenic landscapes and community character:

Tulare County's General Plan opens with statements of its values. The first of these is, **"The beauty of the County and the health and safety of its residents will be protected and enhanced."**

The General Plan's Framework Concept 4-Natural and Cultural Resources states that, "As Tulare County develops its unincorporated communities, **the County will ensure that development occurs in a manner that limits impacts to natural and cultural resources** through the

implementation of its Goals and Policies and through proper site planning and design techniques."

The General Plan's Planning Framework Goals and Policies Report 2.1 General PF-1 is "To provide a planning framework that promotes the viability of communities . . . while **protecting the agricultural, open space, scenic, cultural, historic, and natural resource heritage of the County.**

LU-7.9 Visual Access: "The County **shall require new development to maintain visual access to views of hillsides, creeks, and other distinctive natural areas by regulating building orientation, height, and bulk.**"

LU-7.14 Contextual and Compatible Design: "The County shall **ensure that new development respects Tulare County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly fashion which is compatible with the scale of surrounding structures.**"

SL-1 "To protect and feature the beauty of Tulare County's views of working and natural landscapes."

SL-1.1 Natural Landscapes: "During review of discretionary approvals . . . , the County shall as appropriate, **require new development to not significantly impact or block views of Tulare County's natural landscapes.** To this end, the County may require new development to:

1. **Be sited to minimize obstruction of views from public lands and rights-of-ways.**
2. **Be designed to reduce visual prominence by keeping development below ridge lines, using regionally familiar architectural forms, materials, and colors that blend structures into the landscape.**
3. **Screen parking areas from view.**
4. **Include landscaping that screens the development.**
5. **Limit the impact of new roadways and grading on natural settings, and**
6. **Include signage that is compatible and in character with the location and building design.**

7.2 Scenic Corridors and Places, SL-2.2 Gateways to the Sequoias: "The County shall **ensure that the 'gateway highways' (State Highway 190 and State Highway 198) to the Sequoias feature the County's unique history and scenery by:**

1. **Maintaining the rural character of roadway rights-of-ways, highway signage, and related roadway and structure design,**
2. **Protecting primary viewsheds from development,**
3. **Prohibiting development of highway commercial projects that do not respond to their physical cultural context, and**
4. **Featuring the community centers/main streets of the gateway communities of Three Rivers and Springville.**

The **Foothills Growth Management Plan** also emphasizes the importance of aesthetics and visual resources and preservation and protection of scenic landscapes and vistas and of community character:

FGMP-1.6 Establish Citizens Advisory Committee: **"A citizen's advisory committee representative of residents of the affected area shall be utilized in any specific plan undertaken which impacts an established community."**

FGMP-4.1 Identification of Environmentally Sensitive Areas: **"The County shall identify and protect those environmentally sensitive areas in the foothill development corridors which should be maintained as open space, such as areas characterized by floodplains, . . . habitat of special status species, and scenic vistas."**

FGMP-6.1 Preservation of Scenic Highways: **"The County shall ensure that the visual qualities of State Highways 190 and 198 and County scenic routes are maintained and protected against obtrusive development improvements."**

The **Three Rivers Community Plan** also emphasizes the importance of aesthetics and visual resources:

"The purpose of the Three Rivers community plan is to preserve and protect the values, character and assets of the community, including preservation of its historical rural character and valuable natural resources, while ensuring that economic growth remains vibrant and sustainable, consistent with the desired character of the community. Three Rivers possesses significant historical and cultural resources that the community wishes to preserve and maintain as the area grows. One of the shared visions for Three Rivers is a community that contains a strong central core area with clustered commercial development, which can help create a focal point or town center for the community, and can also reinforce a sense of place and community identity. The community plan will help to maintain a rural atmosphere, while ensuring that an appropriate type and scale of future development is provided for, along with adequate community infrastructure while protecting natural resources, and upholding community values."

Three Rivers Community Plan Vision Statements: (1) Create a Town Center or centers with a concentration of commercial, retail and social uses to help strengthen Three Rivers as a livable community. (2) Establish standards for signage that balance practical business considerations with community design standards. (3) Develop noise standards reflective of a Foothill and Canyon Community Environment. (4) Establish standards for fences. (5) Apply Rural Compatibility Standards through the County Project Review Committee process. (6) Establish Lighting Standards for Dark Sky conservation and protection. (7) Protect and preserve oak, sycamore and cottonwood woodlands. (8) Preserve Visual Resources, including viewsheds and ridgelines. (9) Preserve Historical, Cultural and Archaeological Resources including the Kaweah Post Office, Historical Bridges, and Native American Cultural Resources. (10) Provide Land Uses consistent with community character including an Urban Development Boundary (UDB) that is

contiguous with the existing Planning Area Boundary. (11) Ensure adequate land use supplies for residential, commercial, industrial, and public uses to accommodate future growth and ensure the community's economic viability. (12) Manage growth. (13) Ensure compatibility between land use types and intensities. (14) Encourage a diversity of housing options for all Three Rivers residents, including affordable housing for families, seniors, and National Park Service employees. (15) Ensure that future development is compatible with existing development and the natural environment. (16) Establish rural compatibility standards. (17) Establish vegetation standards. (18) Establish Setback standards for residential development. (19) Establish Streetscape guidelines for roadways, paths and sidewalks. (20) Develop a Traffic Circulation Plan with management strategies and improvements to increase safety and community access. (21) Develop a Community Park. (22) Preserve the Kaweah River, in its natural course through the community.

Goal 1: Compatible Development: Maintain the Rural Gateway Character of Three Rivers through land uses and new development that are compatible and consistent with the existing development in Three Rivers, preserve the unique visual and community character and natural environment and create a distinct sense of place.

1.1.12 LU-4.5 Commercial Building Design: The County shall encourage that new commercial development is consistent with the existing design of the surrounding community or neighborhood by encouraging similar façades, proportionate scale, parking, landscaping, and lighting that provides for night sky conservation and protection.

1.1.13 LU-7.4 Streetscape Continuity in Town Centers: The County shall ensure that streetscape elements in Town Centers (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community including incorporating walkable community concepts and context sensitive standards.

1.1.15 LU-7.14 Contextual and Compatible Design: The County shall ensure that new development respects Three Rivers' long heritage by requiring that development respond to its context, be compatible with the traditions and character of the community, and develop in an orderly fashion which is compatible with the scale of surrounding structures.

1.2.2 Visitor Serving Uses: Encourage visitor serving uses which are low intensity, and which do not have negative traffic, noise or visual impacts to the community.

1.2.3 SL-2.2 Gateways to the Sequoias: The County shall ensure that the "gateway highway" (SR 198) to the Sequoias features the County's unique history and scenery by: a. Maintaining the rural character of roadway rights-of-ways, highway signage, and related roadway and structure design, b. Protecting primary viewsheds from development c. Prohibiting development of highway commercial projects that do not respond to their physical or cultural context.

1.3.5 Signage Standards: Require standards for signage in Three Rivers, including regulations for: size, height, scale, color, lighting, and material. Incorporate Caltrans signage standards with community standards, as they apply to SR198. a. Balance reasonable business considerations with community design standards that are feasible to direct persons within appropriate sight distances that will determine, size, height, and bulk .b. Prohibit the use of exterior neon or blinking signs and source lit signs.

1.3.6 Lighting Standards: Establish lighting standards and guidelines as feasible and appropriate to minimize light pollution, glare, and light trespass and to protect the dark skies in Three Rivers. a. Require outdoor light fixtures on public and private property to be fully shielded. b. Externally illuminated signs, displays, and building identification shall use top mounted light fixtures which shine light downward and which are fully shielded. c. Require motion sensors for security purposes, rather than intrusive security lights. d. Require that lights are pointed in a downward direction, and are turned off when not in use or if the business is not open. e. Restrict the use of commercial lights during nighttime hours to indirect, non-glaring lighting. f. Consider the International Dark Sky Association Model Ordinance to establish lighting standards and guidelines to minimize light pollution, glare, and light trespass.

1.3.7 Vegetation Standards: Establish vegetation standards for residential and commercial development, and encourage the use of native vegetation in landscaping, when visible to common roadways. a. Encourage the use of drought resistant vegetation. b. Minimize the disturbance of existing vegetation. c. Prohibit the use of invasive plant species.

1.3.9 Fencing Standards: Establish standards for fences and other similar structures to ensure that they are aesthetically pleasing, and compatible with the character of the neighborhood.

Goal 4: Protection And Conservation Of The Environment: Land use patterns and design solutions which protect and conserve the environmental quality and natural beauty in Three Rivers. Objective 4.1 Protection of the Natural Environment: Protect the natural environment by prohibiting land uses, activities, and development patterns that will have an adverse effect on the environmental quality of Three Rivers.

4.1.1 Preserving the Natural Environment: Maintain a serene and attractive natural environment by prohibiting land use activities that create excessive and unwanted noise and/or light in the community.

4.3.1 Removing Native Trees: Removal or grading around native trees (6" or larger in diameter at breast height (measured at 1.4 m above ground)) which may disturb the root system shall not be allowed during the construction process unless the County deems it is necessary because of road alignment or infrastructure improvements. In the event that mitigation is required resulting from such improvements, it shall be mitigated to the extent feasible.

4.3.2 Removing Native Trees-Exceptions: Removal of native trees in designated open space areas or on private property shall not be allowed unless the health, safety or welfare of

residents associated with the on-site or adjacent development is endangered. In the event that mitigation is required resulting from such removal, it shall be mitigated to the extent feasible. Any trees proposed for removal must be indicated on the submitted site plan with accompanying information stating the reason for tree removal.

Objective 4.4 Native Vegetation and Habitat: Protect and preserve native vegetation and wildlife habitat areas.

4.4.1 Unnecessary Removal of Native Trees: Prohibit to the extent allowed by law unnecessary removal of native trees on development sites prior to the approval of development plans to control erosion, preserve wildlife habitat, and maintain the natural character of Three Rivers.

4.4.2 Removal of Natural Vegetation: Restrict to the extent feasible and appropriate the removal of natural vegetation, except for wildland fire prevention purposes.

4.4.4 Ensure Appropriate Landscaping: Ensure to the extent feasible and appropriate that landscaping of development contains plant material compatible with the surrounding native vegetation.

4.4.5 ERM-1.7 Planting of Native Vegetation Including Investigation of establishing an Urban Forestry Program. The County within the Three Rivers Area shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation and wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained.

Objective 4.5 Visual Resources: Preserve visual resources in Three Rivers, including viewsheds and ridgelines.

4.5.2 Proposals Subject to County Project Review Committee: New development proposals may be subject to County Project Review Committee to ensure minimal impacts to visual resources including but not limited to significant native trees and oak woodlands, erosion, and night sky protection. Projects subject to Project Review Committee review requirements shall be determined by the Planning Director, Planning Commission, or Board of Supervisors.

4.5.3 Design Quality: Ensure the quality of design of structures along SR198 to maintain the visual quality of the views from the Highway.

Goal 8: Enhance Community Character: Enhancing attributes in a community to make it special, both in terms of the natural and built environment and its population.

Objective 8.1 Foothill Identity: To maintain the natural beauty of the Three Rivers Area while allowing focused growth in identified growth areas.

The DEIR should be extensively revised to clarify, detail, and illustrate (including color illustrations) how the whole proposed Project will comply with and further the goals and objectives of the Three Rivers Community Plan Update as well as those of the Tulare County General Plan and the Foothill Growth Management Plan.

SL-2.1 Designated Scenic Routes and Highways, p. 61 (3.1-1): Note that despite having included in its General Plan since 1975 a Scenic Highways Element (and also in its 1981 Foothill Growth Management Plan), the County has never yet designated a County scenic route or gotten a State scenic highway designation for SR 198 or SR 190. Too often, action plans and mitigation measures are vague and/or toothless, timelines for accomplishment get stretched to vapor, and inspiring, sensible, beneficial, and necessary policies are never implemented or carried out. The Three Rivers community does not want this to be the case with its plan and the plan's implementation and enforcement.

IMPACT EVALUATION: Will the proposed Project a) Have a substantial adverse effect on a scenic vista? Impact Analysis; Less Than Significant Impact, p. 62 (3.1-1): The Impact Analyses in Chapter 3 are almost all invalid because they fail to disclose and discuss the impacts of the whole proposed Project, since they do not mention the impacts of the upcoming gas station/market/restaurant development on the Applicant/owner's adjacent parcel bordering SR 198. The DEIR's Impact Evaluation chapter must be completely revised to include a full evaluation of the impacts of the whole Project.

As for the proposed Project's impact on a scenic vista, the discussion should be revised to state that there are views of foothills in every direction from the Project site, and of imposing mountains in most directions. Additionally, the citizens participating in the many research and planning sessions with County staff for the Three Rivers Community Plan Update insisted on a maximum building height of three stories in the community, not to exceed, as I recall, about 36 feet, NOT the 75 feet stated in this evaluation paragraph. Note that the following paragraph, Cumulative Impact Analysis, states that the hotel "will be three stories (34'-8" in height; the C-2-MU-SC zone allows a maximum height of 35 feet)." Further, the upcoming gas station/market/restaurant complex and its parking lot will be located very near the edge of SR 198; the exact distance must be specified and illustrated in the revised DEIR. How can the County suddenly define a scenic vista as only a "**designated scenic vista**?" How would this designation be made, and by whom? What would be its criteria? How would it be signified? If a scenic view is only one somehow so designated, then, as far as I know, there are no scenic views anywhere on SR 198 or on the Generals Highway through Sequoia National Park, Sequoia National Forest, and into Kings Canyon National Park. Is there no scenery or scenic value without a sign that says there is?

The Definitions on p. 68, 3.1-1, define "Scenic landscapes - Landscapes that include agricultural lands, woodlands, forestlands, watercourses, mountains, meadows, structures, communities, and other types of scenery that contribute to the visual beauty of Tulare County. Natural Landscapes - An expanse of naturally-formed scenery that contribute to the visual beauty of Tulare County. . . . Viewshed - an area of land, water, or other environmental features that is visible from a fixed vantage point. Viewsheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change." Do scenic landscapes, natural landscapes, and viewsheds not exist unless they are somehow so designated? The DEIR must be revised to define and explain "**designated scenic vista**" and how it applies to the County's scenic routes and highways and the discussions of and goals and policies relating to scenic values in the County's General Plan, the Foothills Growth Management Plan, and the Three Rivers Community Plan.

Cumulative Impact Analysis: Less Than Significant Impact, p. 63, E-3.1-1: The DEIR must revise this paragraph and its finding, along with all the other Impact Analysis paragraphs, to include a full discussion and evaluation of the impacts of the whole Project, including the upcoming planned gas station/market/restaurant. This paragraph notes that the proposed Project is screened by existing cottonwood trees along its frontage of SR 198. It should also note that in or about December, 2008, and/or January, 2009, all of these cottonwood trees were cut to the ground, along with all the mature oak trees bordering the opposite boundary line of the two adjacent parcels owned by Saki Sanghera at 6425 E. Hatch Rd. in Hughson, CA. The fast-growing cottonwoods have been growing back since then, but the many beautiful oaks that were destroyed have not regenerated. That wanton, senseless destruction spurred a campaign to protect and preserve the County's valuable oaks and oak woodlands. The Board of Supervisors consequently promised in 2009 that the County would prepare and adopt an Oak Woodland Management Plan, perhaps even before the County's General Plan Update was completed. That Plan has never been prepared or adopted. A Three Rivers Voluntary Oak Woodland Plan was prepared as part of the Three Rivers Community Plan Update, adopted in 2018. The County has never taken the steps to get the plan approved by the State and implemented.

This paragraph states "As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers that would impact aesthetics, the proposed Project will not significantly contribute to the overall visual character or quality of the site and its surroundings." What is the logic of this assertion? Are there currently any other hotel (or motel) development proposals in the Three Rivers area at all? Are there some that would not impact aesthetics? What do these other proposals have to do with the proposed Project's

contribution to the overall visual character or quality of its site and surroundings? The DEIR must be revised to delete this sentence or rewrite it so that it makes sense.

Figure 3.1-1 Landscape Plan, p. 66, 3.1-1: The Plan cannot be read because it has been shrunk from a much larger format so that the text is so tiny that it is indecipherable even with a magnifying glass. The DEIR must be revised to show the Landscape Plan for the whole proposed Project, including the upcoming planned gas station/market/restaurant, and it must be formatted so that readers can expand it and search it in order that they may be informed of the Plan.

Chapter 4 - Summary of Cumulative Impacts, p. 551, p. 4-17: This entire section of the DEIR (including Table 4-2, beginning on p. 552) must be revised to take into account the cumulative impacts of the proposed whole Project, including the upcoming planned gas station/market/restaurant.

Chapter 5 - Alternatives, p. 556 ff, p. 5-1 ff: This entire section of the DEIR (including Table 5-2, on p. 568) must be revised to take into account the ramifications and cost/benefit analysis of the proposed whole Project, including the upcoming planned gas station/market/restaurant on the Applicant/owners' adjoining parcel fronting on SR 198.

Appendices, p. 604 ff: As discussed earlier, all of the consultants' reports in the Appendices, except for the report of ALD General Engineering, Inc., must be redone on the basis of a complete Project description that includes the upcoming gas station/market/restaurant of the whole Project plan. It appears that only ALD General Engineering, Inc., in Appendix F: Wastewater Treatment, was aware of the whole plan of the proposed Project, as outlined in their report, "Hampton Inn & Suites Report of Waste Discharge Technical Report."

* * * * *

As the comments we made on the NOP/IS/DEIR have not been responded to or acted on in the current DEIR, we repeat them here (the page numbers cited are per the NOP/IS/DEIR) as comments on the current DEIR, so that they may be effectively addressed:

December 1, 2020

TO: Hector Guerra, Chief Environmental Planner
Tulare County Resource Management Agency
via hguerra@co.tulare.ca.us

FR: Greg and Laurie Schwaller
43857 South Fork Drive, Three Rivers, CA 93271

via Ischwaller1@wildblue.net

RE: Initial Study for DEIR Hampton Inn and Suites Three Rivers Project (CEQ 20-004),
Comments from Greg and Laurie Schwaller, Three Rivers

Dear Hector:

Here are our comments re the above IS/DEIR. Thank you for ensuring that the DEIR will address them. Please let us know by return email that you have received these comments timely.

* * * * *

p. 2 -- Initial Study Checklist: What is the hotel ownership/development/management experience of Ineffable Hospitality, Inc./Haren-Deep Singh Sanghera and owners Sukhjinder and Kulvinder Sanghera? Construction of the proposed hotel/gas station/market/restaurant project would have a very large and lasting impact on Three Rivers, probably for many decades. **The IS/DEIR should fully describe the history of the Applicant, Ineffable Hospitality, Inc., and the owners in the planning, construction, and management of such projects and their impact on their surrounding communities.**

p.2 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): The description mentions only the hotel, its driveway and parking lot, its laundry and outdoor swimming pool, and its septic system, new domestic well, and on-site storm drainage (with biofiltration option). It anticipates 12 employees, 70 customers, 1 delivery, and 1 shipment per day, for an average total of 825 daily vehicle trips.

The description does not mention the adjoining vacant lot west of the proposed hotel parcel and the service station, market, and restaurant that the owner of the lots plans to develop on that parcel, requiring the installation of a single wastewater system for the two parcels.. On page 544, details are provided "for the proposed Hampton Inn Hotel and future service station, market, and subway [sic], or equivalent, onsite wastewater treatment system. **The project is comprised of two undeveloped parcels (APN# -68-080-010 [2.81 acres] and 068-100-010 [1.58 acres]) that cumulatively comprise 4.39 acres and are located at 40758 Sierra Drive in three Rivers, California.**" **"These properties are owned by Satwant Sanghera .** The proposed development of the aforementioned parcels has site limitations (e.g. setbacks to wells, available space) that require the installation of a single wastewater system for the two parcels." The proposed hotel is to be developed on APN #068-080-010, while the "future Commercial

Development on frontage lot (APN #068-100-010) includes a service station with 3 pump islands and a market, and Subway restaurant, or equivalent." "The proposed facilities will be located at the site shown in Appendix B." The 3R News online also reported that **"The two parcels . . . are where the 105 room three story Hampton Inn and secondary commercial development (3 pump island gas station, market, Subway restaurant or equivalent) are slated to be built."**

The current IS/DEIR must be completely revised in order to describe the whole action involved, as defined above. Once the revision is complete, covering the proposed plans and actions for both parcels, the revised IS/DEIR must be reissued for public comment.

p. 7 -- NOTE: Figure 4 - Overall Site Plan appears to indicate some fixtures or features on the gas station/market/restaurant parcel in the first phase related to the development of the hotel parcel, but it **does not show any of the rest of the development (apparently in phase 2) for the gas station parcel.** Most of the labels on the Site Plan cannot be read on the e-version of the IS/DEIR, a hindrance to the viewer's understanding of the plan, which should be corrected. **The Overall Site Plan must be revised in order to depict all of the planned facilities.**

p. 11 -- Environmental Factors Potentially Affected: **The checklist must be revised by adding an X to Aesthetics, to Noise, and to Land Use/Planning,** as these factors will certainly be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact." Evaluation answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

p. 13 --- Aesthetics: **The ratings of "Less than Significant"** for "substantial adverse effect on a scenic vista," "substantially degrade the existing visual character or quality of public views," "conflict with regulations governing scenic quality," and "create a new source of substantial light or glare which would adversely affect day or nighttime views in the area" **should be changed to "Significant Impact" or, at best, "Less than Significant Impact with Mitigation."**

p. 14 -- California Scenic Highway Program: The proposed project is immediately adjacent to SR 198, which is an **Eligible State Scenic Highway.** The natural scenic beauty of this highway should be protected and enhanced through special conservation treatment. In 2006, the Three Rivers Village Foundation, with the support of CalTrans, made a major effort to get 16 miles of SR 198 designated as State Scenic Highway, to enhance and protect regional identity, promote local tourism, and secure eligibility for grant funding for maintenance. At the April 25 Supervisors' meeting, as a result of a presentation by the Village Foundation, the Supervisors voted unanimously in favor of pursuing the Scenic Highway designation, but it was not obtained. The Scenic Highways Element of the Tulare County General Plan was adopted by the

Board of Supervisors in 1975. In 1981, the Foothill Growth Management Plan also recognized that scenic highways (and byways) should be designated and protected from obtrusive and inappropriate development. The Tulare County **General Plan 2030 Update SL-2.1 Designated Scenic Routes and Highways** "is intended to protect views of natural and working landscapes along the County's highways" and "encourages citizen and private sector initiatives to promote and protect such areas." **The proposed hotel/gas station/market/restaurant project would significantly impact the natural scenic beauty of SR 198 in Three Rivers. This impact and how it could be mitigated must be addressed in the IS/DEIR.**

p. 14 -- The County's General Plan 2030 Update: Chapter 7 - Scenic Landscapes, LU-7.14 Contextual and Compatible Design: **The General Plan states** that "the County shall ensure that new development respects Tulare County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly fashion which is compatible with the scale of surrounding structures." Nowhere in the IS/DEIR is there any depiction of what the proposed hotel/gas station/market/restaurant project will look like in terms of its scale, architecture, details, colors, landscaping, signage, lighting, etc. and its relationship to the highway, the surrounding landscape, and the scenic viewshed.

The IS/DEIR must be revised to fully describe and illustrate how the proposed project will respond to its rural foothill village context with scenic mountain views and a river across the road; **be compatible with the rural small-town community of Three Rivers, with its traditions and character** of ranching, specialty agriculture, historic community events, artists and artisans, close ties to the nearby National Parks and other nearby public lands, including Lake Kaweah, that enhance its quality of life and bring it many visitors, and hospitality to the hundreds of thousands of tourists from all over the world who experience the community as the gateway to Sequoia National Park, in addition to the many visitors from the local area who come to Three Rivers to enjoy its scenic beauty, its rivers, its dark skies, its unique events and businesses and its small-town charm; and **its compatibility with the scale of surrounding structures.**

Unfortunately, the Comfort Inn, the structure immediately adjacent to the proposed project is one of the largest structures in all of Three Rivers. None of the other structures visible from the project area is on anywhere near that scale. Putting an even larger project right next to the Comfort Inn, parking lot to parking lot, greatly magnifies the impact of the inappropriate scale of the proposed project and blots out a lot more of the scenic view. It increases the incompatibility of the development with the rural, small-scale, natural context and character of Three Rivers.

pp. 14-15 -- Three Rivers Community Plan: **Goal 1: Compatible Development: "to maintain the Rural Gateway Character of Three Rivers through land uses and new development that**

are compatible and consistent with the existing development in Three Rivers, preserve the unique visual and community character and natural environment and create a distinct sense of place. Clearly, a big-box, 3-storey chain hotel is incompatible with the great majority of the existing development in Three Rivers and does nothing to preserve the unique visual and community character and natural environment and create a distinct sense of place. Looking online at photos of dozens of Hampton Inns across the country, one sees an almost complete lack of effort to preserve unique visual and community character and natural environment and create a distinct sense of place. However, there are a few examples of Hampton Inns which have made at least some effort to remedy these failures, viz.: Flagstaff, Manchester, Lexington, Miami, Richmond, Jekyll Island, Moab, Gettysburg, and Hudson. **The IS/DEIR must be revised to specifically describe and illustrate the measures that the proposed hotel/gas station/market/restaurant project will take in order to be compatible and consistent with the majority of existing development in Three Rivers, preserve the town's unique visual and community character and natural environment , and help to create its distinct sense of place.**

p. 15 -- 1.2.19 FGMP-6.4 Development Within Scenic Corridors: "The County shall require that projects located within a scenic corridor be designed in a manner which does not detract from the visual amenities of that thoroughfare."

p. 15 -- 1.3.4 Setbacks: "Require adequate setbacks for residential, commercial, and industrial uses, including side and rear yards, landscaping and screening, as determined by the County Project Review Committee." The IS/DEIR shows no setbacks, landscaping, or screening for the proposed hotel/gas station/market/restaurant project. **The IS/DEIR must be revised to specifically describe and illustrate the setbacks, landscaping, and screening that will be provided for the proposed project. Landscaping and screening should be primarily drought-tolerant plants, preferably native plants wherever possible, and landscaping should include bioswales to reduce and cleanse run-off from paved areas.**

p. 15 -- 1.3.5 Signage Standards: "Require standards including regulations for size, height, scale, color, lighting, and material. Incorporate Caltrans signage standards with community standards." "Balance reasonable business considerations with community design standards that are feasible to direct persons within appropriate sight distances that will determine, size, height, and bulk." "Prohibit the use of exterior neon or blinking signs and source lit signs." There is nothing in the current IS/DEIR showing the proposed signage for the proposed hotel/gas station/market/restaurant project. **The IS/DEIR must be revised to specifically describe and illustrate the signage that will be provided for the proposed project, including its size, height, scale, color, lighting, and material.**

p. 15 -- 1.3.6 Lighting Standards: "To minimize light pollution, glare, and light trespass and to protect the dark skies in Three Rivers," light fixtures to be fully shielded; externally illuminated

signs, displays, and building identification shall use top mounted light fixtures which shine light downward and which are fully shielded; require motion sensors for security purposes, rather than intrusive security lights; lights to be turned off when not in use or when the business is not open; commercial lights during nighttime restricted to indirect, non-glaring lighting; International Dark Sky Association Model Ordinance lighting standards and guidelines to minimize light pollution, glare, and light trespass. **The IS/DEIR must be revised to specify how the proposed lighting for the proposed hotel/gas station/market/restaurant project will minimize light pollution, glare, and light trespass, and protect the dark skies of Three Rivers.**

p. 15 -- Vegetation Standards: "To establish vegetation standards for residential and commercial development," encourage the use of native vegetation in landscaping, encourage the use of drought-resistant vegetation, minimize the disturbance of existing vegetation, and prohibit the use of invasive plant species. **The IS/DEIR must be revised to specifically describe and illustrate the vegetation that will be provided for the proposed hotel/gas station/market/restaurant project. Vegetation should be primarily drought-tolerant plants, preferably native plants wherever possible, and should not include any invasive species. Existing vegetation, especially native oaks, including their drip lines, must not be disturbed.**

pp. 15-16 -- a) Less Than Significant Impact: "For purposes of this proposed Project, a scenic vista is defined as an area that is designated, signed, and accessible to the public for the purpose of viewing and sightseeing." What is the reason and what is the justification for this completely arbitrary and unprecedented definition of a scenic vista? Three Rivers has long been recognized by the County and by the touring public for its high-quality scenic vistas of foothills, mountains, oak and sycamore woodlands, rivers, and its picturesque, historic rural community. I have never seen a sign in Three Rivers designating an area as a scenic vista. It is all scenic vistas, and that is a key factor in its attractiveness and its economy. **The IS/DEIR must be revised to remove the preposterous definition of a scenic vista "as an area that is designated, signed, and accessible to the public for the purpose of viewing and sightseeing for purposes of this proposed Project."** You cannot logically, reasonably, or justifiably declare that the project would not adversely affect a real, live scenic vista simply because there are no "designated" "signed" scenic vistas within visible distance of the proposed project site, and thus declare that the project would result in a less than significant impact to this resource. **The IS/DEIR should also be revised to note the 35-foot height limit specified in the Three Rivers Community Plan** (not just the 75-foot maximum in the Zoning Ordinance).

p. 16 -- b) No Impact and Less Than Significant Impact: True, the Three Rivers Community segment of SR 198 is only an "eligible" Scenic Highway and is not yet a "designated" Scenic Highway, since the County has failed since adopting the Scenic Highways Element of the General Plan in 1975 to nominate any of its eligible highways for designation. It is important to

the environment, the economy, and the attractiveness of Three Rivers for the community to continue to work through its Community Plan and other actions to maintain its segment's eligibility so that some day it may enjoy the benefits of official designation as a California Scenic Highway (see California Scenic Highway Program, p. 14 above).

p. 16 -- c) No Impact: It is not correct that the proposed project will be located greater than 200 feet from SR 198, because the gas station/market/restaurant portion of the project will obviously be located much closer than that to the highway. As noted above, **the current IS/DEIR must be revised in order to describe the whole action involved, the Overall Site Plan must be revised in order to depict all of the planned facilities, the IS/DEIR must be revised to specifically describe and illustrate the measures that the proposed hotel/gas station/market/restaurant project will take in order to be compatible and consistent with the majority of existing development in Three Rivers, preserve the town's unique visual and community character and natural environment , and help to create its distinct sense of place; it must specifically describe and illustrate the setbacks, landscaping, and screening that will be provided for the proposed project, specify how the proposed lighting for the proposed hotel/gas station/market/restaurant project will minimize light pollution, glare, and light trespass, and protect the dark skies of Three Rivers, and specifically describe and illustrate the vegetation that will be provided for the proposed hotel/gas station/market/restaurant project. Only then will reviewers be able to determine whether the project as a whole "would not substantially degrade the existing visual character of the site and its surroundings" and "would not conflict with applicable regulations governing scenic quality."**

p. 16 -- d) Less than Significant Impact: As with c) above, **the determination of impact cannot be made until the IS/DEIR has been revised in order describe the whole action involved, depicting, describing, and illustrating all of the planned facilities, and specifying how they will comply with the County's General Plan and the Three Rivers Community Plan. Therefore, the determination of Less Than Significant Impact cannot stand at this time.**

p. 16 -- Cumulative Impact: As with c) and d) above, **the determination of impact cannot be made until the IS/DEIR has been revised in order describe the whole action involved, depicting, describing, and illustrating all of the planned facilities, and specifying how they will comply with the County's General Plan and the Three Rivers Community Plan. Therefore, the determination of Cumulative Impact cannot stand at this time.**

p. 20 -- Air Quality: As above, **the determination of impact cannot be made until the IS/DEIR has been revised in order describe the whole action involved, depicting, describing, and illustrating all of the planned facilities, and specifying how they will comply with the County's General Plan and the Three Rivers Community Plan. It appears that the Air Quality section of the IS/DEIR does not consider the impacts of the gas station/market/restaurant portion of the**

proposed project. The gas station deserves particular attention; with what would be the community's two largest hotels plus a hotel and market in its immediate vicinity, it seems to be an incompatible land use. There are already two gas stations just up the road from the proposed project. Adding a third here seems both unnecessary and not healthy for the environment and the concentration of people in the two hotels. An electric vehicle charging station or two should be considered instead. The much too-often unhealthy air quality in Tulare County and Three Rivers does not need the contribution of yet another gas station.

p. 41 -- Biological Resources: In this section, as always, we encounter the ongoing death by a thousand cuts of our biological resources. As noted in a), "Consultant utilized Google Earth aerial photographs which previous [sic] showed an area of oak woodland was present in the eastern portion of the site through 2005 but had been cut down and removed by 2009." This destruction occurred when the speculative property owner at the time, who had "for sale" signs up on the property, brought in a crew of workers who, to the horror and dismay of the community, cut down every oak growing along the eastern fence line of the property, for no apparent reason. These were large, beautiful, mature trees, providing beauty, shade, habitat, and cover, cleaning and cooling the air, sequestering carbon, holding and building soil, and contributing significantly to the character and quality of life of Three Rivers. This unwarranted destruction spurred community members to campaign for County protection of the area's oaks and an Oak Woodlands Management Plan. Therefore, **the IS/DEIR must be revised to emphasize that the oaks adjoining the proposed project site must be protected by ensuring that they and their driplines and root systems are not adversely affected by the construction of the proposed project or its subsequent operation and maintenance.** This will help to ensure compliance with many of the goals and policies of the Community Plan, several of which are cited above. It will also help to maintain habitat for special status species including Nuttall's woodpecker, Oak titmouse, Lawrence's goldfinch, and Townsend's big-eared bat. Native oaks should be included in the proposed project's landscaping.

Three Rivers' wildlife is a vital component of its biological resources, essential to the health and vitality of its environment and the community's quality of life and also its economy, as wildlife are a major tourist attraction. If the proposed project is built, it will pave over several acres of grassland and will also, in conjunction with the adjoining Comfort Inn, block wildlife movement for quite a long stretch where they would formerly move east/west to cross the highway to access the river and the riparian environment there. Too many animals are killed by vehicles on that stretch of the highway already. The proposed project will significantly increase vehicle trips in the area. Therefore, **the IS/DEIR should require mitigation for these adverse impacts: the proposed project should be required to install approved warning signs (both directions) indicating wildlife crossing areas and advising caution.**

p. 52 -- ERM-4.1 Energy Conservation and Efficiency Measures - encourages use of solar energy, solar hot water panels, and other features. ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation - encourage planting of shade trees along streets and within parking areas to reduce radiation heating etc.

p. 53 -- No Impact: "As visitors will have the opportunity to lodge within the community of Three Rivers, there will be fewer vehicle miles traveled to the nearest communities for lodging. As such, vehicle fuel consumption will be reduced. Therefore, the proposed project will have a less than significant impact resulting from energy consumption." This evaluation implies that the proposed project is beneficial because it will reduce the number of visitors who, without access to the proposed hotel, would be forced to travel to other communities in order to find overnight lodging. This evaluation does not consider the reportedly over 200 (and growing) short-term rental houses (e.g., VRBOs, AirBnBs) in Three Rivers that are responding to visitors' increasing desire to stay in that type of "local home" accommodation as opposed to a "big box" chain hotel. **The IS/DEIR should consider the short-term rental market in Three Rivers when evaluating the appropriateness of the proposed Hampton Inn to meet the lodging needs of visitors to the Three Rivers and our National Parks.** It may be that a new hotel hasn't been built in Three Rivers in over two decades because there is no demand or need for one.

p. 53 -- Cumulative Impact: Apply No Impact comment above. Also, **the IS/DEIR must be revised so that the proposed project's energy-efficiency and water conservation features are specified in detail for the whole hotel/gas station/market/restaurant project.**

p. 62 -- Environmental Setting: The IS/DEIR's discussion of global warming seems designed to cast doubt and uncertainty on the science of climate change and its findings, and on their applicability to Tulare County. **The IS/DEIR should be revised to state that "the potential resulting effects in California of global warming [which] may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years" are not just "potential" in Tulare County. All of these (except for sea level rise) are already severely and increasingly impacting our environment, our health, and our economy. Therefore, it is increasingly essential and urgent that we act to decrease our contributions to the causes of climate change/global warming.**

p. 73 -- Table GHG-6. CAP Consistency Checklist, Renewable Energy: The proposed project does not appear to include solar on its buildings, nor does it provide EV Charging facilities. Given the very large footprint of the whole project, and the very sunny climate of Three Rivers, the project should certainly include extensive solar panels and EV Charging facilities. **Instead of a counter-productive gas station, the proposed project should consider installing EV charging and a well-designed public transit stop near the highway.**

p. 74 -- GHG-1 and GHG-2: The proposed project's plans for renewable energy system(s) and EV Charging accommodation should not be delayed until its building plans are done. **The IS/DEIR should be revised to describe and illustrate the proposed project's plans for these facilities for the whole project (hotel/gas station/market/restaurant), so that their sufficiency and efficacy can be evaluated as part of the IS/DEIR process.**

pp. 84-85 -- Water Supply Evaluation: "[T]he placement of individual wells could have an adverse impact on other local wells if not properly spaced or otherwise constructed to protect existing well operations." **The IS/DEIR must be revised to detail the water supply plans, conditions, and impacts of the whole proposed project (hotel/gas station/market/restaurant), so that their sufficiency and effects can be fully evaluated as part of the IS/DEIR process, in addition to their cumulative impact with the usage of the adjacent Comfort Inn.** Will the cones of depression of the wells of the proposed project and the Comfort Inn overlap? Will the combined usage of the proposed whole project plus that of the adjacent Comfort Inn produce the greatest concentration and volume of groundwater withdrawal in the whole community of Three Rivers? As well as the greatest concentration and volume of wastewater? The impacts of the proposed project cannot be considered in isolation from those of the adjacent Comfort Inn.

p. 86 -- Less Than Significant Impact: Note that "Ald Engineering also provided as [sic] estimate for a parcel directly west of the proposed Project site of 3,450 gallons per day of water usage (or 1,259,250 gallons per year or 3.86 acre-feet per year)." This estimate must be for the usage of the second part of the proposed project, the gas station/market/restaurant, making it additionally clear that **the IS/DEIR must be extensively revised to describe and evaluate the whole project, not just the hotel portion.** Are these (Comfort Inn and proposed project) wells hard rock or alluvial?

p. 91 -- Tulare County General Plan, LU-7.15 Energy Conservation and LU-7.16 Water Conservation: **The IS/DEIR must describe and illustrate how the proposed whole (hotel/gas station/market/restaurant) project will use solar power and what energy conservation building techniques it will use, and also what "extra-ordinary" water conservation and demand management measures will be used, both indoors and out.**

pp. 91-92 -- Three Rivers Community Plan: The Plan calls for development that is compatible and consistent with existing development in Three Rivers, preserves its unique visual and community character and natural environment, and creates a distinct sense of place. As previously noted, **the IS/DEIR must be revised to describe how the proposed whole project will constructively respond to these goals and policies.** Unfortunately, the adjacent Comfort Inn was built long before the current Three Rivers Plan was adopted in 2018, and the Comfort Inn indeed falls short in regard to these goals and policies. But two wrongs don't make a right,

so the proposed project of the Hampton Inn and its adjoining gas station/market/restaurant must not strive for compatibility with the Comfort Inn next door, but rather with the character and scale and sense of place of the great majority of the structures in this rural community in its beautiful, scenic natural setting.

p. 92 -- 1.1.12 LU-4.5 Commercial Building Design: "[T]he County shall encourage that new commercial development is consistent with the existing design of the surrounding community . . . by encouraging similar facades, proportionate scale, parking, landscaping, and lightning that provides for night sky conservation and protection." As previously noted, the **IS/DEIR must be revised to describe and clearly illustrate how the proposed whole project will meet these goals and policies. This project should receive County Project Review Committee review for evaluation of its compliance.**

p. 109 -- Environmental Setting: "Three Rivers does not have any public parks." It may be noted here that Three Rivers long ago had a County park, but the County closed it. During the almost 20-year period in which the community worked with the County on the County's sporadic off-and-on schedule to update its original (1980) community plan, community members repeatedly urged the County to provide a park again for Three Rivers, which would be an asset to its visitors, its tourism economy, its public health, its open space, and its quality of life. The County has never done so. The County seems to be in a hurry to get the proposed project approved and built, perhaps due to anticipating increased TOT revenues. It would be appropriate (and long overdue) for a portion of the considerable TOT revenues generated in Three Rivers to be returned to the community in the form of a County park. Possible locations and design elements were determined as part of the Community Plan process.

pp. 123-124 -- Utilities and Service Systems: **The IS/DEIR must be revised to show that it is including the proposed whole project (hotel/gas station/market/restaurant) in evaluating the nature and significance of its impacts in this category.**

p. 141 -- AQ and GHG Assessment: The Introduction to this section describes the proposed project for which the AQ/GHG Assessment was prepared as simply the hotel portion. Obviously, the ensuing construction of a gas station/market/restaurant by the owner on the adjoining lot would significantly alter the scope and content of this Assessment. **The IS/DEIR must be revised to include an Air Quality and Greenhouse Gas Assessment for the whole action, including the gas station/market/restaurant.**

p. 180 -- "The County will also review the trash enclosure design to ensure solid waste pick-up is feasible and will ensure the Project meets the CalRecycle requirements." **The County must also review the trash enclosure design to ensure that it is as bear-proof as possible.** The bears are getting into Three Rivers trash containers again this fall.

p. 193 -- The proposed whole project (hotel/gas station/market/restaurant) will have over an acre of paving. **The IS/DEIR should encourage the use of permeable paving on both phases of the project.**

p. 217 -- Mitigation Measures Water: Low flow faucets, toilets, and showers are listed, but what about irrigation for landscaping and bioswales? **The IS/DEIR should require drought-tolerant landscaping plants, preferably natives, and water-efficient drip irrigation systems (or similar) for the whole of the proposed project (hotel/gas station/market/restaurant).** **Additionally, water-saving washers should be required to be used for laundry and the restaurant should serve water only upon request.** Is there a way to recycle swimming pool water for re-use, as perhaps on landscaping, or for window washing, floor cleaning, or other such purposes? If so, that could also help to provide mitigation.

p. 288 -- Introduction: It is noted that the Biological Resources Assessment describes "the approximately 4.57 Hampton Inn and Suites Three Rivers Project," indicating that it is dealing appropriately with the proposed whole project (hotel/gas station/market/restaurant) area, even though it lists only the hotel in its project description.

p. 297 -- Tulare County General Plan/Three Rivers Community Plan: "The vision for the Community Plan . . . will provide appropriate direction to help guide public and private decisions affecting the community, including provisions for the overall direction, density, type of growth and protection of the natural environment that are consistent with the needs and desires of the Three Rivers community to maintain its rural character. These vision statements intensify what is already recognized throughout the state that Three Rivers is a unique destination among Tulare County's rural foothill communities. The purpose of the Community Plan . . . is to preserve and protect the values, character and assets of the community, including preservation of its historical rural character and valuable natural resources, while ensuring that economic growth remains vibrant and sustainable, consistent with the desired character of the community. Vision Statement 7 effectuates the desire of the community to 'protect and preserve oak, sycamore and cottonwood woodlands.' Goal 4 (Protection and Conservation of the Environment) of the Community Plan includes objectives that are pertinent to biological resources, including: 4.1.1 Preserving the Natural Environment [and] 4.1.2 CEQA Compliance."

p. 302 -- Oak Woodland: "A small area of oak woodland is located in the southeastern corner of the Study Area. The oak woodland is largely situated on the adjacent property to the south but the dripline of the trees overlaps into the Study Area. Please see discussion above re p. 41 - Biological Resources re oaks. **The IS/DEIR must be revised to emphasize that the oaks adjoining the proposed project site must be protected by ensuring that they and their driplines and root systems are not adversely affected by the construction of the proposed project or its subsequent operation and maintenance.** This will help to ensure compliance

with many of the goals and policies of the Community Plan, several of which are cited above. It will also help to maintain habitat for **special status species** including Nuttall's woodpecker, Oak titmouse, Lawrence's goldfinch, and Townsend's big-eared bat, all of which can potentially be found on the site. **Native oaks should also be included in the proposed project's landscaping** for the same reasons. See pp. 314, 315, 317, 322, and 323 of the current IS/DEIR for information re these special status species. Birders staying at the Hampton Inn would be delighted to see these species on and near the property and would appreciate the owners' efforts to provide suitable lodging for these avians as well.

p. 319 -- Kaweah Brodiaea: This charming special-status flower has been found just .1 mile from the proposed project's site. It offers another opportunity for the proposed project to make an effort to comply with the goals of the Three Rivers Community Plan, by providing habitat and protection for this brodiaea in its landscaping. **The IS/DEIR should encourage this effort.**

p. 399 -- Cumulative Operational Noise: This paragraph and the whole Noise Impact Assessment must be redone because they consider the proposed project (see p. 377, etc.) to be only the hotel. **The IS/DEIR must be revised to assess noise impacts for the whole action of the proposed project (hotel/gas station/market/restaurant).**

p. 417 -- Traffic Impact Study, Executive Summary: Here again **the IS/DEIR must be revised to assess traffic impacts for the whole action of the proposed project (hotel/gas station/market/restaurant).** The proposed gas station, market, and restaurant could greatly increase disruption to traffic flow on SR 198 at the project site's single driveway. What would be the hours of operation of these facilities? How many parking spaces would they have? Pedestrian facilities in Three Rivers may be "nonexistent" (p. 418) in Three Rivers, but pedestrians are nevertheless regularly seen walking alongside SR 198. Their safety must also be considered in this assessment.

p. 419 -- Feasibility Study prepared for the project: "The Feasibility Study prepared for the Project forecasts an unaccommodated demand equivalent to 7.3% of the base-year demand, resulting from the analysis of monthly and weekly peak demand and sell-out trends. Unaccommodated demand refers to individuals who are unable to secure accommodations in the market because all the local *hotels* are filled [emphasis added]. These travelers must settle for less desirable accommodations or stay in properties located outside the market area. This evaluation does not consider the reportedly over 200 (and growing) short-term rental houses (e.g., VRBOs, AirBnBs) in Three Rivers that are responding to visitors' increasing desire to stay in that type of "local home" accommodation as opposed to a "big box" chain hotel. **The IS/DEIR should consider the short-term rental market in Three Rivers when evaluating the appropriateness of the proposed Hampton Inn to meet the lodging needs of visitors to the**

Three Rivers and our National Parks. It may be that a new hotel hasn't been built in Three Rivers in over two decades because there is no demand or need for one. Many visitors obviously do not consider these "local home" accommodations "less desirable" than the hotels on offer in Three Rivers.

p. 419 -- Less Than Significant Impact: "The Project would not result in hazards due to design features, since all proposed improvements (Project Driveway) would be built to County design standards." Again, this is based on the driveway serving only the hotel, not the additional proposed actions of the project, to build a gas station/market/restaurant in front of the hotel, beside the highway. **The IS/DEIR must be revised to determine the potential hazards resulting from the proposed whole project.** In an emergency situation, how long would it take the hotel guests and staff and the customers and staff at the gas station/market/restaurant to exit the project via a single driveway?

p. 428 -- Existing Conditions: "The first step toward assessing Project traffic impacts is to assess existing traffic conditions. . . . 2018 Traffic counts in the study area were used to evaluate existing traffic conditions in this traffic analysis. Intersection turning movement counts conducted for the Saturday and Sunday peak hour periods on February 3, 2018 and February 4, 2018, were used and are provided in Appendix B." The peak tourist season in Three Rivers and Sequoia National Park, when the proposed project would presumably be busiest, is not early February. It seems that a traffic study conducted then would be misleading and would heavily undercount the traffic impacts that would occur in the much busier six months of the year. The consultant, in consultation with Caltrans staff, used "a seasonal growth factor of 1.76 . . . to account for the increase in traffic in Three Rivers during the summer months." As a resident of Three Rivers for three decades, I would say that the growth factor between the first weekend in February and a summer weekend would likely be far greater than 1.76. **The IS/DEIR should include the basis for the 1.76 increase to verify its validity and applicability.**

p. 438 -- Near-Term Plus Project Traffic Conditions: "Traffic conditions with the Project in the Year 2022 were estimated by applying a growth rate of 1.3% per year to the existing traffic volumes. Historical growth in Tulare County is approximately 1.3% based on population trends as forecasted in the Tulare County General Plan 2030 Update." While population growth trends in Tulare County will likely be a factor in traffic volumes in Three Rivers, probably growth in visitation to Sequoia National Park is a much greater factor, as virtually all visitors reach the park via the highway, primarily SR 198 through Three Rivers, and a big percentage of these visitors come from outside of Tulare County. It appears from information online that Sequoia N.P. visitation increased from about 838,060 in 1996 to about 1,254,688 in 2016. **Perhaps the average growth rate of traffic volume could be more validly calculated from this information.**

p. 446 -- The penultimate paragraph mentions Sequoia National Forest and Kings Canyon National Park. It is likely that Sequoia National Park was intended, rather than the Forest. If so, the sentence should be corrected.

p. 449 -- **The site plan must be revised to show the whole action of the proposed project (hotel/gas station/market/restaurant).** It is also too small to enable much of it to be read. Where is the project's well? Where is its wastewater/septic system? Where is its landscaping? Where are the elevation drawings to show the project as a whole in its landscape and in relation to the highway and the Comfort Inn? **These must be provided in the IS/DEIR in order for their impacts to be evaluated.**

p. 545 -- Wastewater Treatment Facility: "Wastewater will be generated at the proposed hotel by domestic sources that include: sinks, toilets, showers, laundry, and limited food preparation and associated dish washing/dishwasher. The proposed hotel will serve breakfast, which consists of reheating prepackaged food in their food prep area and washing of cook wear used in the reheating process. All dinnerware and flatware will be disposable. Wastewater will be generated at the future development of the frontage lot (service station and market, and Subway restaurant) primarily via a public restroom (e.g. sinks, toilets) and limited food production for a Subway Restaurant, or equivalent." Does this mean that a single restroom will serve the gas station and the market and the restaurant? Page 546, Table 3 - Flow Rates - Commercial Development on Front Lot appears to indicate that the toilet use will produce only 7 gallons per day (is this per toilet?). The total Anticipated Flow for the gas station/market/restaurant portion of the project is 3,420, but it is not clear what it comprises. What is 2 gpd/single service for instance? This table needs to be clarified so that it can be understood. 17,145 gallons per day/365 days per year for the whole project seems like a lot to process. The adjacent Comfort Inn has had many problems with its wastewater disposal. **Where has the proposed wastewater treatment system for the proposed project been used? Has it been used successfully over time in similar conditions? Where is the proposed project's subsurface drip field?** p. 553 says that "the subsurface disposal systems shall hold in reserve sufficient land area for possible future 100-percent replacement of the subsurface disposal system." **What would cause the system to have to be entirely replaced? How often might that happen?**

p. 554, last paragraph, says that the proposed system must use disinfection due to minimum depth to groundwater and minimum soil depth from bottom of the dispersal system and per rates. This sounds ominous for impacts to groundwater quality. **What is the disinfection system? Is it automatic?**

pp. 558-559 discusses what can't be disposed of in the system. Many of the items on the list would be commonly part of the wastewater stream in the proposed whole project. **How will these items be properly disposed of?**

"DO NOT dispose of toxics or chemicals into system, such as restaurant degreasers, cleansers, wax strippers for linoleum, carpet shampoo and its waste products, and other toxics. As a general rule, nothing should go into any wastewater treatment system that hasn't been ingested, other than toilet tissue, mild detergents, and wash water. Every system user and qualified service provider should be familiar with the basic guidelines below:• No septic additives• No flammable or toxic products• No excessive household cleaners• No chlorine bleach, chlorides, and pool or spa products• No pesticides, herbicides, or agricultural chemicals or fertilizers• No RV waste (unless the system is specifically designed and engineered to treat such waste)• No water softener backwash• No surface runoff or stormwater runoff• No excessive amounts of fats, oils and grease (FOG)• No food byproducts• No cigarette butts• No paper towels, newspapers, sanitary napkins, diapers, disposable wipes, floss, gum or candy wrappers, etc.•According to the manufacturer: Kitchen dishwashing appliances used in conjunction with AdvanTex treatment must be high-temperature appliances."

p. 562 -- General Conditions required for final installation approval:

"General Conditions required for final installation approval: •A shared well agreement must be established for the frontage lot. •A utility easement must be established for the wastewater treatment facilities installed on the frontage lot (e.g. dispersal field, lines, 100-percent replacement area)

Shouldn't the IS/DEIR require that conditions be met prior to approval of the DEIR?

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Thank you for your consideration of these comments.

p.2 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): The description mentions only the hotel, its driveway and parking lot, its laundry and outdoor swimming pool, and its septic system, new domestic well, and on-site storm drainage (with biofiltration option). It anticipates 12 employees, 70 customers, 1 delivery, and 1 shipment per day, for an average total of 825 daily vehicle trips.

The description does not mention the adjoining vacant lot west of the proposed hotel parcel and the service station, market, and restaurant that the owner of the lots plans to develop on that parcel, requiring the installation of a single wastewater system for the two parcels.. On page 544, details are provided "for the proposed Hampton Inn Hotel and future service station, market, and subway [sic], or equivalent, onsite wastewater treatment system. **The project is comprised of two undeveloped parcels (APN# -68-080-010 [2.81 acres] and 068-100-010 [1.58 acres]) that cumulatively comprise 4.39 acres and are located at 40758 Sierra Drive in three Rivers, California.**" "These properties are owned by Satwant Sanghera . The proposed development of the aforementioned parcels has site limitations (e.g. setbacks to wells, available space) that require the installation of a single wastewater system for the two parcels." The proposed hotel is to be developed on APN #068-080-010, while the "future Commercial Development on frontage lot (APN #068-100-010) includes a service station with 3 pump islands and a market, and Subway restaurant, or equivalent." "The proposed facilities will be located at the site shown in Appendix B." The 3R News online also reported that **"The two parcels . . . are where the 105 room three story Hampton Inn and secondary commercial**

development (3 pump island gas station, market, Subway restaurant or equivalent) are slated to be built."

The current IS/DEIR must be completely revised in order to describe the whole action involved, as defined above. Once the revision is complete, covering the proposed plans and actions for both parcels, the revised IS/DEIR must be reissued for public comment.

p. 7 -- NOTE: Figure 4 - Overall Site Plan appears to indicate some fixtures or features on the gas station/market/restaurant parcel in the first phase related to the development of the hotel parcel, but it **does not show any of the rest of the development (apparently in phase 2) for the gas station parcel**. Most of the labels on the Site Plan cannot be read on the e-version of the IS/DEIR, a hindrance to the viewer's understanding of the plan, which should be corrected. **The Overall Site Plan must be revised in order to depict all of the planned facilities.**

p. 11 -- Environmental Factors Potentially Affected: **The checklist must be revised by adding an X to Aesthetics, to Noise, and to Land Use/Planning**, as these factors will certainly be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact." Evaluation answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

p. 13 --- Aesthetics: **The ratings of "Less than Significant"** for "substantial adverse effect on a scenic vista," "substantially degrade the existing visual character or quality of public views," "conflict with regulations governing scenic quality," and "create a new source of substantial light or glare which would adversely affect day or nighttime views in the area" **should be changed to "Significant Impact" or, at best, "Less than Significant Impact with Mitigation."**

p. 14 -- California Scenic Highway Program: The proposed project is immediately adjacent to SR 198, which is an **Eligible State Scenic Highway**. The natural scenic beauty of this highway should be protected and enhanced through special conservation treatment. In 2006, the Three Rivers Village Foundation, with the support of CalTrans, made a major effort to get 16 miles of SR 198 designated as State Scenic Highway, to enhance and protect regional identity, promote local tourism, and secure eligibility for grant funding for maintenance. At the April 25 Supervisors' meeting, as a result of a presentation by the Village Foundation, the Supervisors voted unanimously in favor of pursuing the Scenic Highway designation, but it was not obtained. The Scenic Highways Element of the Tulare County General Plan was adopted by the Board of Supervisors in 1975. In 1981, the Foothill Growth Management Plan also recognized that scenic highways (and byways) should be designated and protected from obtrusive and inappropriate development. The Tulare County **General Plan 2030 Update SL-2.1 Designated Scenic Routes and Highways** "is intended to protect views of natural and working landscapes

along the County's highways" and "encourages citizen and private sector initiatives to promote and protect such areas." **The proposed hotel/gas station/market/restaurant project would significantly impact the natural scenic beauty of SR 198 in Three Rivers. This impact and how it could be mitigated must be addressed in the IS/DEIR.**

p. 14 -- The County's General Plan 2030 Update: Chapter 7 - Scenic Landscapes, LU-7.14 Contextual and Compatible Design: **The General Plan states** that "the County shall ensure that new development respects Tulare County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly fashion which is compatible with the scale of surrounding structures." Nowhere in the IS/DEIR is there any depiction of what the proposed hotel/gas station/market/restaurant project will look like in terms of its scale, architecture, details, colors, landscaping, signage, lighting, etc. and its relationship to the highway, the surrounding landscape, and the scenic viewshed.

The IS/DEIR must be revised to fully describe and illustrate how the proposed project will respond to its rural foothill village context with scenic mountain views and a river across the road; **be compatible with the rural small-town community of Three Rivers, with its traditions and character** of ranching, specialty agriculture, historic community events, artists and artisans, close ties to the nearby National Parks and other nearby public lands, including Lake Kaweah, that enhance its quality of life and bring it many visitors, and hospitality to the hundreds of thousands of tourists from all over the world who experience the community as the gateway to Sequoia National Park, in addition to the many visitors from the local area who come to Three Rivers to enjoy its scenic beauty, its rivers, its dark skies, its unique events and businesses and its small-town charm; and **its compatibility with the scale of surrounding structures.**

Unfortunately, the Comfort Inn, the structure immediately adjacent to the proposed project is one of the largest structures in all of Three Rivers. None of the other structures visible from the project area is on anywhere near that scale. Putting an even larger project right next to the Comfort Inn, parking lot to parking lot, greatly magnifies the impact of the inappropriate scale of the proposed project and blots out a lot more of the scenic view. It increases the incompatibility of the development with the rural, small-scale, natural context and character of Three Rivers.

pp. 14-15 -- Three Rivers Community Plan: **Goal 1: Compatible Development: "to maintain the Rural Gateway Character of Three Rivers through land uses and new development that are compatible and consistent with the existing development in Three Rivers, preserve the unique visual and community character and natural environment and create a distinct sense of place.** Clearly, a big-box, 3-storey chain hotel is incompatible with the great majority of the existing development in Three Rivers and does nothing to preserve the unique visual and

community character and natural environment and create a distinct sense of place. Looking online at photos of dozens of Hampton Inns across the country, one sees an almost complete lack of effort to preserve unique visual and community character and natural environment and create a distinct sense of place. However, there are a few examples of Hampton Inns which have made at least some effort to remedy these failures, viz.: Flagstaff, Manchester, Lexington, Miami, Richmond, Jekyll Island, Moab, Gettysburg, and Hudson. **The IS/DEIR must be revised to specifically describe and illustrate the measures that the proposed hotel/gas station/market/restaurant project will take in order to be compatible and consistent with the majority of existing development in Three Rivers, preserve the town's unique visual and community character and natural environment , and help to create its distinct sense of place.**

p. 15 -- 1.2.19 FGMP-6.4 Development Within Scenic Corridors: "The County shall require that projects located within a scenic corridor be designed in a manner which does not detract from the visual amenities of that thoroughfare."

p. 15 -- 1.3.4 Setbacks: "Require adequate setbacks for residential, commercial, and industrial uses, including side and rear yards, landscaping and screening, as determined by the County Project Review Committee." The IS/DEIR shows no setbacks, landscaping, or screening for the proposed hotel/gas station/market/restaurant project. **The IS/DEIR must be revised to specifically describe and illustrate the setbacks, landscaping, and screening that will be provided for the proposed project. Landscaping and screening should be primarily drought-tolerant plants, preferably native plants wherever possible, and landscaping should include bioswales to reduce and cleanse run-off from paved areas.**

p. 15 -- 1.3.5 Signage Standards: "Require standards including regulations for size, height, scale, color, lighting, and material. Incorporate Caltrans signage standards with community standards." "Balance reasonable business considerations with community design standards that are feasible to direct persons within appropriate sight distances that will determine, size, height, and bulk." "Prohibit the use of exterior neon or blinking signs and source lit signs." There is nothing in the current IS/DEIR showing the proposed signage for the proposed hotel/gas station/market/restaurant project. **The IS/DEIR must be revised to specifically describe and illustrate the signage that will be provided for the proposed project, including its size, height, scale, color, lighting, and material.**

p. 15 -- 1.3.6 Lighting Standards: "To minimize light pollution, glare, and light trespass and to protect the dark skies in Three Rivers," light fixtures to be fully shielded; externally illuminated signs, displays, and building identification shall use top mounted light fixtures which shine light downward and which are fully shielded; require motion sensors for security purposes, rather than intrusive security lights; lights to be turned off when not in use or when the business is not open; commercial lights during nighttime restricted to indirect, non-glaring lighting;

International Dark Sky Association Model Ordinance lighting standards and guidelines to minimize light pollution, glare, and light trespass. **The IS/DEIR must be revised to specify how the proposed lighting for the proposed hotel/gas station/market/restaurant project will minimize light pollution, glare, and light trespass, and protect the dark skies of Three Rivers.**

p. 15 -- Vegetation Standards: "To establish vegetation standards for residential and commercial development," encourage the use of native vegetation in landscaping, encourage the use of drought-resistant vegetation, minimize the disturbance of existing vegetation, and prohibit the use of invasive plant species. **The IS/DEIR must be revised to specifically describe and illustrate the vegetation that will be provided for the proposed hotel/gas station/market/restaurant project. Vegetation should be primarily drought-tolerant plants, preferably native plants wherever possible, and should not include any invasive species. Existing vegetation, especially native oaks, including their drip lines, must not be disturbed.**

pp. 15-16 -- a) Less Than Significant Impact: "For purposes of this proposed Project, a scenic vista is defined as an area that is designated, signed, and accessible to the public for the purpose of viewing and sightseeing." What is the reason and what is the justification for this completely arbitrary and unprecedented definition of a scenic vista? Three Rivers has long been recognized by the County and by the touring public for its high-quality scenic vistas of foothills, mountains, oak and sycamore woodlands, rivers, and its picturesque, historic rural community. I have never seen a sign in Three Rivers designating an area as a scenic vista. It is all scenic vistas, and that is a key factor in its attractiveness and its economy. **The IS/DEIR must be revised to remove the preposterous definition of a scenic vista "as an area that is designated, signed, and accessible to the public for the purpose of viewing and sightseeing for purposes of this proposed Project."** You cannot logically, reasonably, or justifiably declare that the project would not adversely affect a real, live scenic vista simply because there are no "designated" "signed" scenic vistas within visible distance of the proposed project site, and thus declare that the project would result in a less than significant impact to this resource. **The IS/DEIR should also be revised to note the 35-foot height limit specified in the Three Rivers Community Plan** (not just the 75-foot maximum in the Zoning Ordinance).

p. 16 -- b) No Impact and Less Than Significant Impact: True, the Three Rivers Community segment of SR 198 is only an "eligible" Scenic Highway and is not yet a "designated" Scenic Highway, since the County has failed since adopting the Scenic Highways Element of the General Plan in 1975 to nominate any of its eligible highways for designation. It is important to the environment, the economy, and the attractiveness of Three Rivers for the community to continue to work through its Community Plan and other actions to maintain its segment's eligibility so that some day it may enjoy the benefits of official designation as a California Scenic Highway (see California Scenic Highway Program, p. 14 above).

p. 16 -- c) No Impact: It is not correct that the proposed project will be located greater than 200 feet from SR 198, because the gas station/market/restaurant portion of the project will obviously be located much closer than that to the highway. As noted above, **the current IS/DEIR must be revised in order to describe the whole action involved, the Overall Site Plan must be revised in order to depict all of the planned facilities, the IS/DEIR must be revised to specifically describe and illustrate the measures that the proposed hotel/gas station/market/restaurant project will take in order to be compatible and consistent with the majority of existing development in Three Rivers, preserve the town's unique visual and community character and natural environment , and help to create its distinct sense of place; it must specifically describe and illustrate the setbacks, landscaping, and screening that will be provided for the proposed project, specify how the proposed lighting for the proposed hotel/gas station/market/restaurant project will minimize light pollution, glare, and light trespass, and protect the dark skies of Three Rivers, and specifically describe and illustrate the vegetation that will be provided for the proposed hotel/gas station/market/restaurant project. Only then will reviewers be able to determine whether the project as a whole "would not substantially degrade the existing visual character of the site and its surroundings" and "would not conflict with applicable regulations governing scenic quality."**

p. 16 -- d) Less than Significant Impact: As with c) above, **the determination of impact cannot be made until the IS/DEIR has been revised in order describe the whole action involved, depicting, describing, and illustrating all of the planned facilities, and specifying how they will comply with the County's General Plan and the Three Rivers Community Plan. Therefore, the determination of Less Than Significant Impact cannot stand at this time.**

p. 16 -- Cumulative Impact: As with c) and d) above, **the determination of impact cannot be made until the IS/DEIR has been revised in order describe the whole action involved, depicting, describing, and illustrating all of the planned facilities, and specifying how they will comply with the County's General Plan and the Three Rivers Community Plan. Therefore, the determination of Cumulative Impact cannot stand at this time.**

p. 20 -- Air Quality: As above, **the determination of impact cannot be made until the IS/DEIR has been revised in order describe the whole action involved, depicting, describing, and illustrating all of the planned facilities, and specifying how they will comply with the County's General Plan and the Three Rivers Community Plan. It appears that the Air Quality section of the IS/DEIR does not consider the impacts of the gas station/market/restaurant portion of the proposed project. The gas station deserves particular attention; with what would be the community's two largest hotels plus a hotel and market in its immediate vicinity, it seems to be an incompatible land use. There are already two gas stations just up the road from the proposed project. Adding a third here seems both unnecessary and not healthy for the**

environment and the concentration of people in the two hotels. An electric vehicle charging station or two should be considered instead. The much too-often unhealthy air quality in Tulare County and Three Rivers does not need the contribution of yet another gas station.

p. 41 -- Biological Resources: In this section, as always, we encounter the ongoing death by a thousand cuts of our biological resources. As noted in a), "Consultant utilized Google Earth aerial photographs which previous [sic] showed an area of oak woodland was present in the eastern portion of the site through 2005 but had been cut down and removed by 2009." This destruction occurred when the speculative property owner at the time, who had "for sale" signs up on the property, brought in a crew of workers who, to the horror and dismay of the community, cut down every oak growing along the eastern fence line of the property, for no apparent reason. These were large, beautiful, mature trees, providing beauty, shade, habitat, and cover, cleaning and cooling the air, sequestering carbon, holding and building soil, and contributing significantly to the character and quality of life of Three Rivers. This unwarranted destruction spurred community members to campaign for County protection of the area's oaks and an Oak Woodlands Management Plan. Therefore, **the IS/DEIR must be revised to emphasize that the oaks adjoining the proposed project site must be protected by ensuring that they and their driplines and root systems are not adversely affected by the construction of the proposed project or its subsequent operation and maintenance.** This will help to ensure compliance with many of the goals and policies of the Community Plan, several of which are cited above. It will also help to maintain habitat for special status species including Nuttall's woodpecker, Oak titmouse, Lawrence's goldfinch, and Townsend's big-eared bat. Native oaks should be included in the proposed project's landscaping.

Three Rivers' wildlife is a vital component of its biological resources, essential to the health and vitality of its environment and the community's quality of life and also its economy, as wildlife are a major tourist attraction. If the proposed project is built, it will pave over several acres of grassland and will also, in conjunction with the adjoining Comfort Inn, block wildlife movement for quite a long stretch where they would formerly move east/west to cross the highway to access the river and the riparian environment there. Too many animals are killed by vehicles on that stretch of the highway already. The proposed project will significantly increase vehicle trips in the area. Therefore, **the IS/DEIR should require mitigation for these adverse impacts: the proposed project should be required to install approved warning signs (both directions) indicating wildlife crossing areas and advising caution.**

p. 52 -- ERM-4.1 Energy Conservation and Efficiency Measures - encourages use of solar energy, solar hot water panels, and other features. ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation - encourage planting of shade trees along streets and within parking areas to reduce radiation heating etc.

p. 53 -- No Impact: "As visitors will have the opportunity to lodge within the community of Three Rivers, there will be fewer vehicle miles traveled to the nearest communities for lodging. As such, vehicle fuel consumption will be reduced. Therefore, the proposed project will have a less than significant impact resulting from energy consumption." This evaluation implies that the proposed project is beneficial because it will reduce the number of visitors who, without access to the proposed hotel, would be forced to travel to other communities in order to find overnight lodging. This evaluation does not consider the reportedly over 200 (and growing) short-term rental houses (e.g., VRBOs, AirBnBs) in Three Rivers that are responding to visitors' increasing desire to stay in that type of "local home" accommodation as opposed to a "big box" chain hotel. **The IS/DEIR should consider the short-term rental market in Three Rivers when evaluating the appropriateness of the proposed Hampton Inn to meet the lodging needs of visitors to the Three Rivers and our National Parks.** It may be that a new hotel hasn't been built in Three Rivers in over two decades because there is no demand or need for one.

p. 53 -- Cumulative Impact: Apply No Impact comment above. Also, **the IS/DEIR must be revised so that the proposed project's energy-efficiency and water conservation features are specified in detail for the whole hotel/gas station/market/restaurant project.**

p. 62 -- Environmental Setting: The IS/DEIR's discussion of global warming seems designed to cast doubt and uncertainty on the science of climate change and its findings, and on their applicability to Tulare County. **The IS/DEIR should be revised to state that "the potential resulting effects in California of global warming [which] may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years" are not just "potential" in Tulare County. All of these (except for sea level rise) are already severely and increasingly impacting our environment, our health, and our economy. Therefore, it is increasingly essential and urgent that we act to decrease our contributions to the causes of climate change/global warming.**

p. 73 -- Table GHG-6. CAP Consistency Checklist, Renewable Energy: The proposed project does not appear to include solar on its buildings, nor does it provide EV Charging facilities. Given the very large footprint of the whole project, and the very sunny climate of Three Rivers, the project should certainly include extensive solar panels and EV Charging facilities. **Instead of a counter-productive gas station, the proposed project should consider installing EV charging and a well-designed public transit stop near the highway.**

p. 74 -- GHG-1 and GHG-2: The proposed project's plans for renewable energy system(s) and EV Charging accommodation should not be delayed until its building plans are done. **The IS/DEIR should be revised to describe and illustrate the proposed project's plans for these facilities for the whole project (hotel/gas station/market/restaurant), so that their sufficiency and efficacy can be evaluated as part of the IS/DEIR process.**

pp. 84-85 -- Water Supply Evaluation: "[T]he placement of individual wells could have an adverse impact on other local wells if not properly spaced or otherwise constructed to protect existing well operations." **The IS/DEIR must be revised to detail the water supply plans, conditions, and impacts of the whole proposed project (hotel/gas station/market/restaurant), so that their sufficiency and effects can be fully evaluated as part of the IS/DEIR process, in addition to their cumulative impact with the usage of the adjacent Comfort Inn.** Will the cones of depression of the wells of the proposed project and the Comfort Inn overlap? Will the combined usage of the proposed whole project plus that of the adjacent Comfort Inn produce the greatest concentration and volume of groundwater withdrawal in the whole community of Three Rivers? As well as the greatest concentration and volume of wastewater? The impacts of the proposed project cannot be considered in isolation from those of the adjacent Comfort Inn.

p. 86 -- Less Than Significant Impact: Note that "Ald Engineering also provided as [sic] estimate for a parcel directly west of the proposed Project site of 3,450 gallons per day of water usage (or 1,259,250 gallons per year or 3.86 acre-feet per year)." This estimate must be for the usage of the second part of the proposed project, the gas station/market/restaurant, making it additionally clear that **the IS/DEIR must be extensively revised to describe and evaluate the whole project, not just the hotel portion.** Are these (Comfort Inn and proposed project) wells hard rock or alluvial?

p. 91 -- Tulare County General Plan, LU-7.15 Energy Conservation and LU-7.16 Water Conservation: **The IS/DEIR must describe and illustrate how the proposed whole (hotel/gas station/market/restaurant) project will use solar power and what energy conservation building techniques it will use, and also what "extra-ordinary" water conservation and demand management measures will be used, both indoors and out.**

pp. 91-92 -- Three Rivers Community Plan: The Plan calls for development that is compatible and consistent with existing development in Three Rivers, preserves its unique visual and community character and natural environment, and creates a distinct sense of place. As previously noted, **the IS/DEIR must be revised to describe how the proposed whole project will constructively respond to these goals and policies.** Unfortunately, the adjacent Comfort Inn was built long before the current Three Rivers Plan was adopted in 2018, and the Comfort Inn indeed falls short in regard to these goals and policies. But two wrongs don't make a right, so **the proposed project of the Hampton Inn and its adjoining gas station/market/restaurant must not strive for compatibility with the Comfort Inn next door, but rather with the character and scale and sense of place of the great majority of the structures in this rural community in its beautiful, scenic natural setting.**

p. 92 -- 1.1.12 LU-4.5 Commercial Building Design: "[T]he County shall encourage that new commercial development is consistent with the existing design of the surrounding community . . . by encouraging similar facades, proportionate scale, parking, landscaping, and lightning that provides for night sky conservation and protection." As previously noted, the **IS/DEIR must be revised to describe and clearly illustrate how the proposed whole project will meet these goals and policies. This project should receive County Project Review Committee review for evaluation of its compliance.**

p. 109 -- Environmental Setting: "Three Rivers does not have any public parks." It may be noted here that Three Rivers long ago had a County park, but the County closed it. During the almost 20-year period in which the community worked with the County on the County's sporadic off-and-on schedule to update its original (1980) community plan, community members repeatedly urged the County to provide a park again for Three Rivers, which would be an asset to its visitors, its tourism economy, its public health, its open space, and its quality of life. The County has never done so. The County seems to be in a hurry to get the proposed project approved and built, perhaps due to anticipating increased TOT revenues. It would be appropriate (and long overdue) for a portion of the considerable TOT revenues generated in Three Rivers to be returned to the community in the form of a County park. Possible locations and design elements were determined as part of the Community Plan process.

pp. 123-124 -- Utilities and Service Systems: **The IS/DEIR must be revised to show that it is including the proposed whole project (hotel/gas station/market/restaurant) in evaluating the nature and significance of its impacts in this category.**

p. 141 -- AQ and GHG Assessment: The Introduction to this section describes the proposed project for which the AQ/GHG Assessment was prepared as simply the hotel portion. Obviously, the ensuing construction of a gas station/market/restaurant by the owner on the adjoining lot would significantly alter the scope and content of this Assessment. **The IS/DEIR must be revised to include an Air Quality and Greenhouse Gas Assessment for the whole action, including the gas station/market/restaurant.**

p. 180 -- "The County will also review the trash enclosure design to ensure solid waste pick-up is feasible and will ensure the Project meets the CalRecycle requirements." **The County must also review the trash enclosure design to ensure that it is as bear-proof as possible.** The bears are getting into Three Rivers trash containers again this fall.

p. 193 -- The proposed whole project (hotel/gas station/market/restaurant) will have over an acre of paving. **The IS/DEIR should encourage the use of permeable paving on both phases of the project.**

p. 217 -- Mitigation Measures Water: Low flow faucets, toilets, and showers are listed, but what about irrigation for landscaping and bioswales? **The IS/DEIR should require drought-tolerant landscaping plants, preferably natives, and water-efficient drip irrigation systems (or similar) for the whole of the proposed project (hotel/gas station/market/restaurant).** **Additionally, water-saving washers should be required to be used for laundry and the restaurant should serve water only upon request.** Is there a way to recycle swimming pool water for re-use, as perhaps on landscaping, or for window washing, floor cleaning, or other such purposes? If so, that could also help to provide mitigation.

p. 288 -- Introduction: It is noted that the Biological Resources Assessment describes "the approximately 4.57 Hampton Inn and Suites Three Rivers Project," indicating that it is dealing appropriately with the proposed whole project (hotel/gas station/market/restaurant) area, even though it lists only the hotel in its project description.

p. 297 -- Tulare County General Plan/Three Rivers Community Plan: "The vision for the Community Plan . . . will provide appropriate direction to help guide public and private decisions affecting the community, including provisions for the overall direction, density, type of growth and protection of the natural environment that are consistent with the needs and desires of the Three Rivers community to maintain its rural character. These vision statements intensify what is already recognized throughout the state that Three Rivers is a unique destination among Tulare County's rural foothill communities. The purpose of the Community Plan . . . is to preserve and protect the values, character and assets of the community, including preservation of its historical rural character and valuable natural resources, while ensuring that economic growth remains vibrant and sustainable, consistent with the desired character of the community. Vision Statement 7 effectuates the desire of the community to 'protect and preserve oak, sycamore and cottonwood woodlands.' Goal 4 (Protection and Conservation of the Environment) of the Community Plan includes objectives that are pertinent to biological resources, including: 4.1.1 Preserving the Natural Environment [and] 4.1.2 CEQA Compliance."

p. 302 -- Oak Woodland: "A small area of oak woodland is located in the southeastern corner of the Study Area. The oak woodland is largely situated on the adjacent property to the south but the dripline of the trees overlaps into the Study Area. Please see discussion above re p. 41 - Biological Resources re oaks. **The IS/DEIR must be revised to emphasize that the oaks adjoining the proposed project site must be protected by ensuring that they and their driplines and root systems are not adversely affected by the construction of the proposed project or its subsequent operation and maintenance.** This will help to ensure compliance with many of the goals and policies of the Community Plan, several of which are cited above. It will also help to maintain habitat for **special status species** including Nuttall's woodpecker, Oak titmouse, Lawrence's goldfinch, and Townsend's big-eared bat, all of which can potentially be

found on the site. **Native oaks should also be included in the proposed project's landscaping** for the same reasons. See pp. 314, 315, 317, 322, and 323 of the current IS/DEIR for information re these special status species. Birders staying at the Hampton Inn would be delighted to see these species on and near the property and would appreciate the owners' efforts to provide suitable lodging for these avians as well.

p. 319 -- Kaweah Brodiaea: This charming special-status flower has been found just .1 mile from the proposed project's site. It offers another opportunity for the proposed project to make an effort to comply with the goals of the Three Rivers Community Plan, by providing habitat and protection for this brodiaea in its landscaping. **The IS/DEIR should encourage this effort.**

p. 399 -- Cumulative Operational Noise: This paragraph and the whole Noise Impact Assessment must be redone because they consider the proposed project (see p. 377, etc.) to be only the hotel. **The IS/DEIR must be revised to assess noise impacts for the whole action of the proposed project (hotel/gas station/market/restaurant).**

p. 417 -- Traffic Impact Study, Executive Summary: Here again **the IS/DEIR must be revised to assess traffic impacts for the whole action of the proposed project (hotel/gas station/market/restaurant).** The proposed gas station, market, and restaurant could greatly increase disruption to traffic flow on SR 198 at the project site's single driveway. What would be the hours of operation of these facilities? How many parking spaces would they have? Pedestrian facilities in Three Rivers may be "nonexistent" (p. 418) in Three Rivers, but pedestrians are nevertheless regularly seen walking alongside SR 198. Their safety must also be considered in this assessment.

p. 419 -- Feasibility Study prepared for the project: "The Feasibility Study prepared for the Project forecasts an unaccommodated demand equivalent to 7.3% of the base-year demand, resulting from the analysis of monthly and weekly peak demand and sell-out trends. Unaccommodated demand refers to individuals who are unable to secure accommodations in the market because all the local *hotels* are filled [emphasis added]. These travelers must settle for less desirable accommodations or stay in properties located outside the market area. This evaluation does not consider the reportedly over 200 (and growing) short-term rental houses (e.g., VRBOs, AirBnBs) in Three Rivers that are responding to visitors' increasing desire to stay in that type of "local home" accommodation as opposed to a "big box" chain hotel. **The IS/DEIR should consider the short-term rental market in Three Rivers when evaluating the appropriateness of the proposed Hampton Inn to meet the lodging needs of visitors to the Three Rivers and our National Parks.** It may be that a new hotel hasn't been built in Three Rivers in over two decades because there is no demand or need for one. Many visitors

obviously do not consider these "local home" accommodations "less desirable" than the hotels on offer in Three Rivers.

p. 419 -- Less Than Significant Impact: "The Project would not result in hazards due to design features, since all proposed improvements (Project Driveway) would be built to County design standards." Again, this is based on the driveway serving only the hotel, not the additional proposed actions of the project, to build a gas station/market/restaurant in front of the hotel, beside the highway. **The IS/DEIR must be revised to determine the potential hazards resulting from the proposed whole project.** In an emergency situation, how long would it take the hotel guests and staff and the customers and staff at the gas station/market/restaurant to exit the project via a single driveway?

p. 428 -- Existing Conditions: "The first step toward assessing Project traffic impacts is to assess existing traffic conditions. . . . 2018 Traffic counts in the study area were used to evaluate existing traffic conditions in this traffic analysis. Intersection turning movement counts conducted for the Saturday and Sunday peak hour periods on February 3, 2018 and February 4, 2018, were used and are provided in Appendix B." The peak tourist season in Three Rivers and Sequoia National Park, when the proposed project would presumably be busiest, is not early February. It seems that a traffic study conducted then would be misleading and would heavily undercount the traffic impacts that would occur in the much busier six months of the year. The consultant, in consultation with Caltrans staff, used "a seasonal growth factor of 1.76 . . . to account for the increase in traffic in Three Rivers during the summer months." As a resident of Three Rivers for three decades, I would say that the growth factor between the first weekend in February and a summer weekend would likely be far greater than 1.76. **The IS/DEIR should include the basis for the 1.76 increase to verify its validity and applicability.**

p. 438 -- Near-Term Plus Project Traffic Conditions: "Traffic conditions with the Project in the Year 2022 were estimated by applying a growth rate of 1.3% per year to the existing traffic volumes. Historical growth in Tulare County is approximately 1.3% based on population trends as forecasted in the Tulare County General Plan 2030 Update." While population growth trends in Tulare County will likely be a factor in traffic volumes in Three Rivers, probably growth in visitation to Sequoia National Park is a much greater factor, as virtually all visitors reach the park via the highway, primarily SR 198 through Three Rivers, and a big percentage of these visitors come from outside of Tulare County. It appears from information online that Sequoia N.P. visitation increased from about 838,060 in 1996 to about 1,254,688 in 2016. **Perhaps the average growth rate of traffic volume could be more validly calculated from this information.**

p. 446 -- The penultimate paragraph mentions Sequoia National Forest and Kings Canyon National Park. It is likely that Sequoia National Park was intended, rather than the Forest. If so, the sentence should be corrected.

p. 449 -- **The site plan must be revised to show the whole action of the proposed project (hotel/gas station/market/restaurant).** It is also too small to enable much of it to be read. Where is the project's well? Where is its wastewater/septic system? Where is its landscaping? Where are the elevation drawings to show the project as a whole in its landscape and in relation to the highway and the Comfort Inn? **These must be provided in the IS/DEIR in order for their impacts to be evaluated.**

p. 545 -- Wastewater Treatment Facility: "Wastewater will be generated at the proposed hotel by domestic sources that include: sinks, toilets, showers, laundry, and limited food preparation and associated dish washing/dishwasher. The proposed hotel will serve breakfast, which consists of reheating prepackaged food in their food prep area and washing of cook wear used in the reheating process. All dinnerware and flatware will be disposable. Wastewater will be generated at the future development of the frontage lot (service station and market, and Subway restaurant) primarily via a public restroom (e.g. sinks, toilets) and limited food production for a Subway Restaurant, or equivalent." Does this mean that a single restroom will serve the gas station and the market and the restaurant? Page 546, Table 3 - Flow Rates - Commercial Development on Front Lot appears to indicate that the toilet use will produce only 7 gallons per day (is this per toilet?). The total Anticipated Flow for the gas station/market/restaurant portion of the project is 3,420, but it is not clear what it comprises. What is 2 gpd/single service for instance? This table needs to be clarified so that it can be understood. 17,145 gallons per day/365 days per year for the whole project seems like a lot to process. The adjacent Comfort Inn has had many problems with its wastewater disposal. **Where has the proposed wastewater treatment system for the proposed project been used? Has it been used successfully over time in similar conditions? Where is the proposed project's subsurface drip field?** p. 553 says that "the subsurface disposal systems shall hold in reserve sufficient land area for possible future 100-percent replacement of the subsurface disposal system." **What would cause the system to have to be entirely replaced? How often might that happen?**

p. 554, last paragraph, says that the proposed system must use disinfection due to minimum depth to groundwater and minimum soil depth from bottom of the dispersal system and per rates. This sounds ominous for impacts to groundwater quality. **What is the disinfection system? Is it automatic?**

pp. 558-559 discusses what can't be disposed of in the system. Many of the items on the list would be commonly part of the wastewater stream in the proposed whole project. **How will these items be properly disposed of?**

"DO NOT dispose of toxics or chemicals into system, such as restaurant degreasers, cleansers, wax strippers for linoleum, carpet shampoo and its waste products, and other toxics. As a general rule, nothing should go into any wastewater treatment system that hasn't been ingested, other than toilet tissue, mild detergents, and wash water. Every system user and qualified service provider should be familiar with the basic guidelines below:• No septic additives• No

flammable or toxic products• No excessive household cleaners• No chlorine bleach, chlorides, and pool or spa products• No pesticides, herbicides, or agricultural chemicals or fertilizers• No RV waste (unless the system is specifically designed and engineered to treat such waste)• No water softener backwash• No surface runoff or stormwater runoff• No excessive amounts of fats, oils and grease (FOG)• No food byproducts• No cigarette butts• No paper towels, newspapers, sanitary napkins, diapers, disposable wipes, floss, gum or candy wrappers, etc. •According to the manufacturer: Kitchen dishwashing appliances used in conjunction with AdvanTex treatment must be high-temperature appliances."

p. 562 -- General Conditions required for final installation approval:

"General Conditions required for final installation approval: •A shared well agreement must be established for the frontage lot. •A utility easement must be established for the wastewater treatment facilities installed on the frontage lot (e.g. dispersal field, lines, 100-percent replacement area)

Shouldn't the IS/DEIR require that conditions be met prior to approval of the DEIR?

#

Thank you for your consideration of these comments.

Attachment 17

Comments Received from James O. Sickman, Ph.D

April 22, 2021

Hector Guerra
Resource Management Agency
Tulare County
5961 South Mooney Boulevard
Visalia, CA 93277

Dear Mr. Guerra:

This letter comments on the Draft Environmental Impact Report regarding the proposed Hampton Inn and Suites in Three Rivers, CA. In the letter I discuss deficiencies and associated risks of the wastewater treatment at the proposed Hampton Inn and cumulative effects of wastewater discharge from other hotels in the immediate area.

Background

The proposed Hampton Inn and Suites will be located in the floodplain of the Kaweah River nearby the existing Comfort Inn. Together, these hotels will have 210 rooms and represent, by far, the largest concentration of lodging and wastewater generated in Three Rivers. The Comfort Inn has had several issues with wastewater treatment in the 2000s. The Central Valley Regional Water Quality Control Board received a citizen's report in June 2018 that wastewater was surfacing in the leach field and subsurface irrigation system of the Comfort Inn. This condition likely existed for many years based on Google Earth imagery showing green grass growing on the leach field and subsurface irrigation system in the dry season of 2009 and 2012 (Figure 1); in other years, lower resolution Google Earth images also show green grass growing during the dry season as far back as 2005.

In the 28-August-2019 report from the State Water Board (APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2014-0153-DWQ-R5314), the groundwater level reported was within ten feet of the surface in the leach field and subsurface irrigation areas. Given that the soils in the area are sandy, the travel time of septic effluent into the shallow groundwater, based on the percolation rate for local soils presented in the Hampton Inn and Suites DEIR of 0.45 minutes per inch, will be less than an hour (120 inches x 0.45 min/inch = 54 minutes). The rate of lateral movement of groundwater from the Comfort Inn to the Kaweah River is unknown since no systematic measurements of subsurface hydraulic head have been made.

In 2018, likely in response to problems with the leach field and subsurface irrigation system, upgrades were made to the wastewater treatment system (see February 2018 Google Earth image), including the import of 3 to 4 feet of fill dirt used to cover most of the subsurface irrigation field. I believe that these improvements were made under the supervision of Rafael D. Divina, a project engineer currently employed by ALD General Engineering Inc. I would also note that Mr. Divina led the design of the Hampton Inn wastewater treatment system.

Figure 1. Google Earth images of the Three Rivers Comfort Inn from 2009, 2012 and 2018. In 2009 and 2012, note that septic effluent is surfacing and keeping the vegetation green north of the hotel. In 2018, note the grading and filling of the leach field and subsurface irrigation area.



The designs of the wastewater systems at the Comfort Inn and the proposed Hampton Inn share many similarities. Differences include: i. the Hampton Inn system will have a final UV sterilization step, ii. the distance between the leach field/subsurface irrigation area at the Hampton Inn (~270 feet) is less than the distance between the effluent fields and river (~525 feet) at the Comfort Inn, iii. the land surface elevation at the Hampton Inn is about 7 feet lower than the land elevation at the Comfort Inn and therefore closer to the elevation of the Kaweah River and iv) the primary septic leach area for the Hampton Inn, 4,766 square feet is much smaller than the apparent septic leach area for the Comfort Inn, 18,000 to 27,000 square feet (green areas circled in red north of Comfort Inn in Figure 1). Soils at the proposed Hampton Inn hotel are described as “fine to medium-grained sand” of alluvial origin, which is not surprising since the hotel is proposed for the floodplain of the Kaweah River. Percolation tests show that water moves vertically at a rate of 0.45 min/inch or 2.2 inches per minute.

I believe there is strong evidence that the cumulative effects of wastewater discharges from the proposed Hampton Inn development and the existing Comfort Inn will produce a significant effect on the environment. Here are my reasons:

1. The septic design of the Hampton Inn is based on a 105 rooms producing an average effluent volume of 60 gallons per room per day. Combining the hotel effluent volume with the effluent from the proposed gas station, sandwich shop and retail space yields a total effluent volume of 17,145 gallons. Combining the Hampton Inn effluent with the effluent estimated for the Comfort Inn (105 rooms x 100 gallons/room/day = 10,500 gallons per day) means that over 27,000 gallons of septic effluent will be discharged per day into the shallow groundwater along 1/10 of mile of river frontage. This is the equivalent effluent of more than 100 single family homes. The soils at the hotel sites have very high hydraulic conductivity and the groundwater levels are very shallow. Transit times for wastewater movement into the groundwater are on the scale of hours.

Neither the wastewater management plan at the Comfort Inn nor the plan for the Hampton Inn requires any type of groundwater monitoring to determine whether effluent is leaving the hotel properties and making their way into the nearby Kaweah River. This effluent will contain pathogens, nitrogen, pharmaceuticals, personal care products and other contaminants that are regulated by the US EPA and State of California. The effluent plumes from these two hotels represents a clear risk to the water quality of the local shallow groundwater and to the Kaweah River. At a minimum, the wells used to supply water to the Comfort Inn, the vacation rental house across the road from the proposed Hampton Inn and any new wells drilled on the site of the Hampton Inn should be regularly sampled for indicators of septic contamination (fecal coliform, pharmaceuticals, personal care products, nitrogen and dual isotope analysis of nitrate). Similarly, the Three Rivers Community Service District (TRCSD) should monitor bacterial levels in the Kaweah River just above the Comfort Inn and just below the Hampton Inn (but above the confluence with the South Fork of the Kaweah), so that impacts of the hotel effluent can be assessed on the Kaweah River. In addition to pathogens, nitrogen concentrations should be measured by the TRCSD.

2. The design of the Hampton Inn wastewater treatment system seems inadequate to handle the estimated sewage leachate. If the Comfort Inn, which produces 10,500 gallons per day requires a leach field and subsurface irrigation area of 18,000 to 27,000 square feet, how will the Hampton Inn be able to safely dispose of 17,145 gallons per day of wastewater in a primary leach area of only 4,766 square feet (see site map on page 1634 of the Hampton Inn DEIR)? It seems certain that the development will have to use some or all of the 14,300 square feet of leach area reserve along the Highway 198 frontage (see site map on page 1634 of the Hampton Inn DEIR). If this reserve leach area is needed, is it still possible for the developer to build a large gas station, restaurant and retail space on the property?

3. The septic design for the Hampton Inn is based on an average rate of sewage production of 60 gallons per day per room. This rate is based on an unpublished (non peer-reviewed) study of wastewater provided to Mr. Divina by Chris Ott, HTL Hospitality Advisor for the Hampton Inn project. The study is based on water usage at the St. Regis Resort in Aspen Colorado. I am very skeptical of this study. Firstly, the State Water Resources Control Board assumes that hotels in California produce, on average, 100 gallons per day per room. Secondly, it is in the financial interests of the developer to underestimate the amount of wastewater produced from the Hampton Inn development since it will require a smaller and less expensive treatment system

and, when waste volumes exceed 20,000 gallons per day, additional nitrogen monitoring is required which costs the hotel money.

4. Tertiary treatment of wastewater from the Hampton Inn will be achieved through UV sterilization. This sounds easy, but in practice, many things can go wrong. In a recent report by the Washington State Department of Health (<https://www.doh.wa.gov/Portals/1/Documents/Pubs/337-155.pdf>), investigators noted many problems with on-site UV sterilization systems (UVD):

“Of the studied UVD units, 25% could not provide disinfection because the UV bulb was not glowing. Additionally, 8% of the UVD units had thick biofilm deposits on the protective sleeve that likely inhibited disinfection. The study results showed that UV bulb malfunction and biofilm buildup often occurred in the same units. UV bulb malfunction was also common in systems that had electrical damage. This shows that thorough maintenance and repair of electrical damage are important to ensure proper functioning.”

“Review of service records showed that some UVD units had not been adequately maintained. 51% of the UV bulbs were more than 2 years old, and 44% of the protective sleeves had not been cleaned within the last year. Even though certified maintenance providers had inspected most systems when required by local regulations, the maintenance was not adequate.”

I am skeptical that personnel at the Hampton Inn have the technical skill and motivation to maintain these problematic UV sterilization systems, so it is likely that there will be many instances of discharge of fecal pathogens into the shallow groundwater near the Kaweah River.

5. Given the issues described above with the wastewater treatment plan for the Hampton Inn (and ongoing problems at the Comfort Inn), the Tulare County RMA should have the Hampton Inn wastewater treatment plan reviewed by an independent groundwater hydrologist/engineer who is an expert in on-site wastewater treatment and groundwater transport processes. Ideally, this independent review would also involve some sampling of hydraulic head and modeling of groundwater movement from the hotel sites to the Kaweah River. Without this type of in-depth study, the RMA is flying blind and creating a potential time-bomb of water pollution for the citizens of Three Rivers to live with.

Sincerely

James O. Sickman Ph.D
Emeritus Professor of Hydrology
University of California, Riverside

April 22, 2021

Hector Guerra
Resource Management Agency
Tulare County
5961 South Mooney Boulevard
Visalia, CA 93277

Dear Mr. Guerra:

This letter comments on the Draft Environmental Impact Report regarding the proposed Hampton Inn and Suites in Three Rivers, CA. In the letter I discuss errors in the DEIR in regard to the risk of flooding.

In regard to the flood risk for the Hampton Inn development, the DEIR states:

“ii) Runoff resulting in Flooding On- or Off-site; Less Than Significant Impact: The site will not resulting in waters capable of flooding either on- or off-site. The site is not subject to flooding and lies within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map.2”

“The Project is not located on or near any areas that would result in or be impact by a flood hazard, tsunami, or seiche zones, that would result in a risk release of pollutants due to project inundation. As noted earlier in Item 10 c) ii), the Project does not lie within an area nor is it subject not subject to flooding within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map”

Notwithstanding the poor grammar and typos in these statements, the FEMA flood map referenced in these quotes (Figure 1 below) does not show that the hotel will be located in an area not subject to flooding (Zone X areas in Figure 1). The map actually shows that the hotel will be built in an area where FEMA predicts a 0.2% annual chance of flood and that the easternmost part of the development (an area designated for septic leaching in the DEIR) may be in an area with a 1.0% annual chance of flood.

Furthermore, the flood hazard indicated in the FEMA map demonstrably underestimates the true flood risk along this section of the Kaweah River. I direct the RMA to read the Chapter entitled “High Water” in the book *Echoes of Three Rivers* (ISBN 978-1544868110). In this chapter the authors recount the events of December 22 and 23, 1955, when the largest flood of the 20th century struck Three Rivers. Here are some relevant quotes from the chapter:

“Bridges across the main river had been built with low clearances. the torrent unleashed in the high country in 1955 – twice the volume of the 1950 flood- carried mountains of debris that caught on the (bridge) supports and piled up into virtual dams. Witnesses said that torrents of water shot over the top. About three in the morning, the force collapsed the bridge at Dinely. The main bridge, dammed by debris that backed up the

churning waters around the Noisy Water, split apart when it was hit by the surge released at Dinely. This is the collapse that wrecked havoc downstream. A wall of water tore down the canyon..(and) swept everything clean where today's Red Barn Sequoia Nursery, Comfort Inn and the old pizza place stand."

Photographic evidence shown in Figure 2 corroborates this eyewitness account. The site of the Comfort Inn was completely scoured by the flood as was the site of the proposed Hampton Inn, A large section of Highway 198 was swept away. In Figure 3, I have used a Google Earth image to better show the extent of the flooding in 1955. The red dashed line shows the approximate extent of the flood wave released by the collapse of a debris dam formed at the old main bridge to North Fork Drive.

Figure 4 is an old aerial photograph of Three Rivers from the summer of 1955. There are a couple of relevant features. First, the red dashed line denotes the approximate extent of the December 1955 inundation which closely follows an arc of very large oak trees – these trees denote the natural floodplain of the Kaweah in this part of town. Second, notice how light the vegetation was along this stretch of the river before the December 1955 flood. Based on Echoes of Three Rivers, it seems like the 1950 flood did a good job of clearing out vegetation in the river bottom. Contrast the relative lack of vegetation in 1955 (pre and post flood), to the heavily vegetated condition of the river bottom in Figure 3. The last large flood on Kaweah was 24 years ago in 1997. Since that time, vegetation has exploded along the river and the river is now invaded by *Arundo donax* a tall perennial cane that is a major invasive species in California riparian areas.

The 1955 flood demonstrates, unequivocally, that the Hampton Inn Development is at significant risk of flooding. Such flooding could involve loss of life and the release of contaminants from the proposed hotel's leach field and any fuel tanks associated with the proposed gas station.

I also assert that the current FEMA map does not adequately represent the true flood hazard of the river in the vicinity of the Comfort Inn and proposed Hampton Inn. FEMA flood maps are derived mainly from topographic analyses. The mechanism that generated the 1955 flood, damming of coarse woody debris and catastrophic failures of debris dams, is not a scenario considered by FEMA. Furthermore, the FEMA map ignores climate change. It is well known that climate change is raising the winter snow line and that rain-on-snow events, driven by atmospheric river storms (aka the "pineapple express") are increasing the risk of flooding along the western slope of the Sierra Nevada (<https://link.springer.com/article/10.1007/s10584-011-0298-z>). The worst flood to strike Three Rivers occurred in 1861-1862 when a so called Arkstorm took place fueled by a stalled atmospheric river (<https://pubs.usgs.gov/of/2010/1312/>). If such a storm were to occur today, there would be an unimaginable amount of property damage along the main stem of the Kaweah River, including the likely destruction of both the Comfort Inn and proposed Hampton Inn and Suites.

In summary, I believe that the Tulare County RMA has not done their due diligence in assessing the hydrologic hazards for the proposed Hampton Inn development. The RMA cannot just simply quote the FEMA map when there is incontrovertible evidence that the project site was

swept clean by the Kaweah River 66 years ago and that moving forward larger flood will inevitably happen.

Sincerely

James O. Sickman Ph.D
Emeritus Professor of Hydrology
University of California, Riverside

Figure 1. FEMA flood map referenced in the Hampton Inn DEIR. Note that the hotel site will be located in an area with significant flood risk. Also note that Zone X areas in the FEMA map are upland areas far away from river channels and have minimal flood risk.

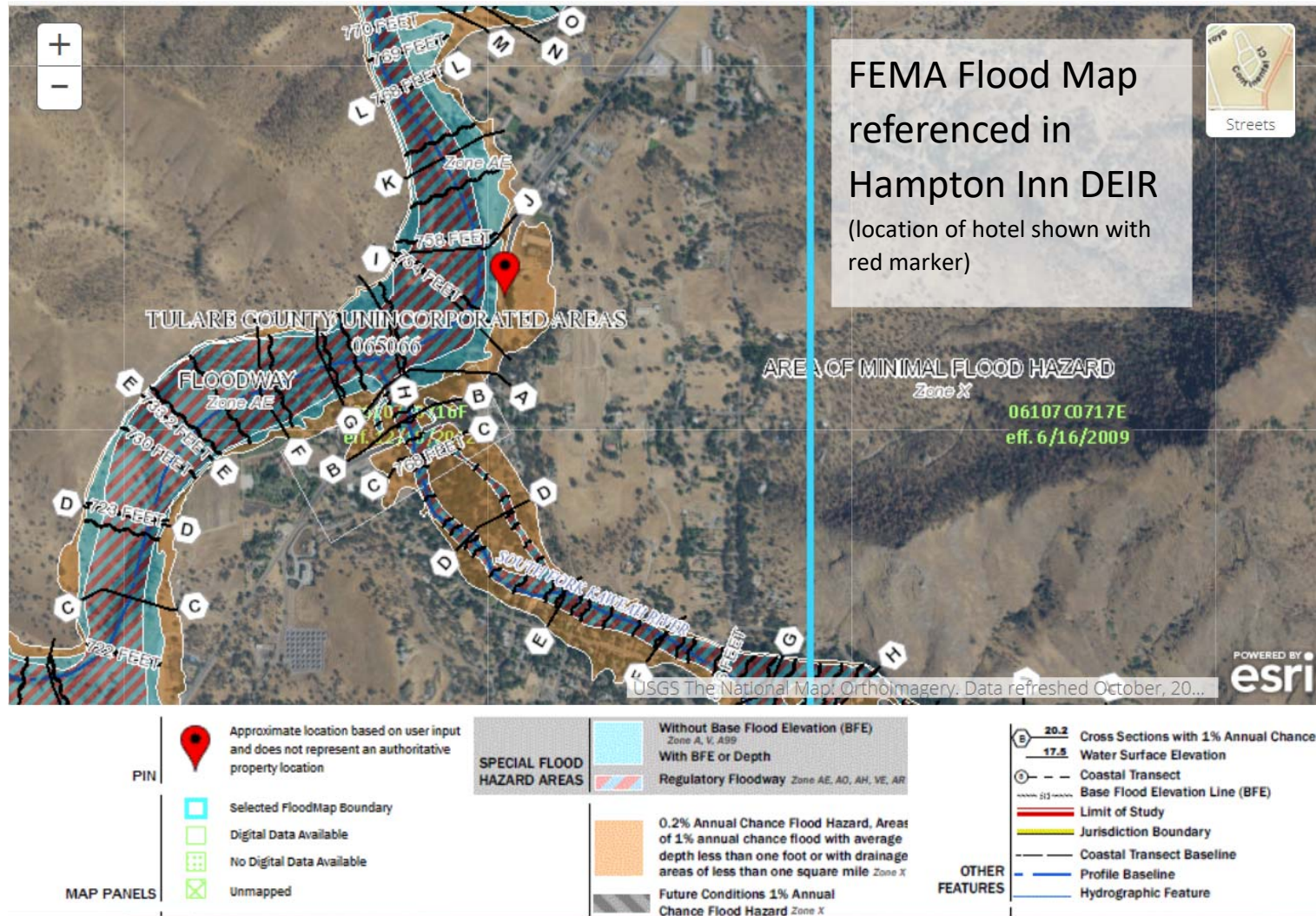


Figure 2. Historical photo of the aftermath of the December 1955 flood. The photographer was near the confluence of the South Fork and Main stems of the Kaweah facing northeast. Locations of the current Three Rivers Post Office, the current location of the Comfort Inn (formerly referred to as the Holiday Inn Express) and the proposed Hampton Inn are shown with red arrows. The approximate location of the washed-out section of Highway 198 is also shown. Source: Sequoia and Kings Canyon National Parks.

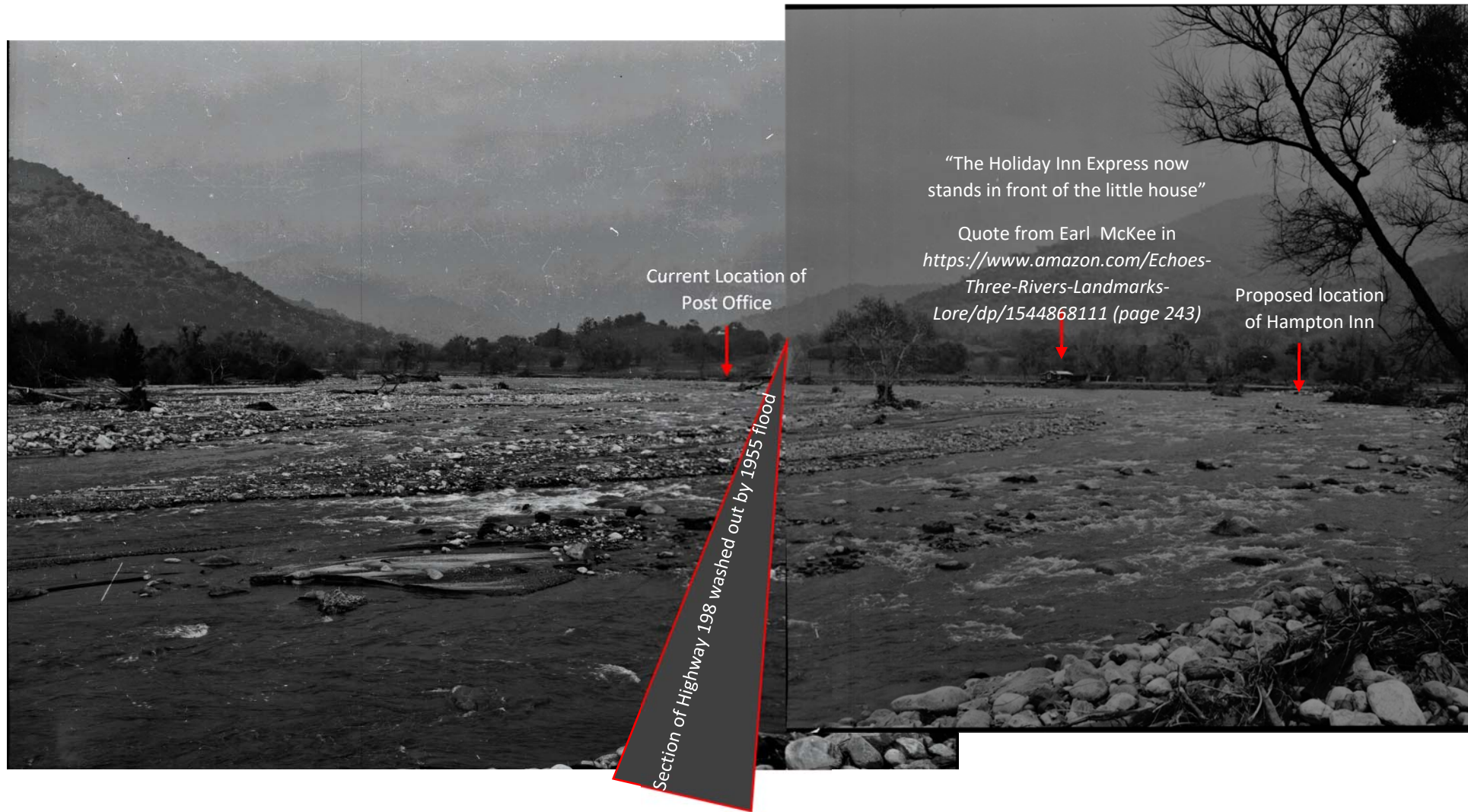


Figure 3. Google Earth image showing the current locations of the Comfort Inn (formerly the Holiday Inn Express) and the proposed Hampton Inn. also, shown are the approximate path of the washed-out section of Highway 198. The red boundary line delineates the area flooded in December 1955 within in the vicinity of the two hotels.

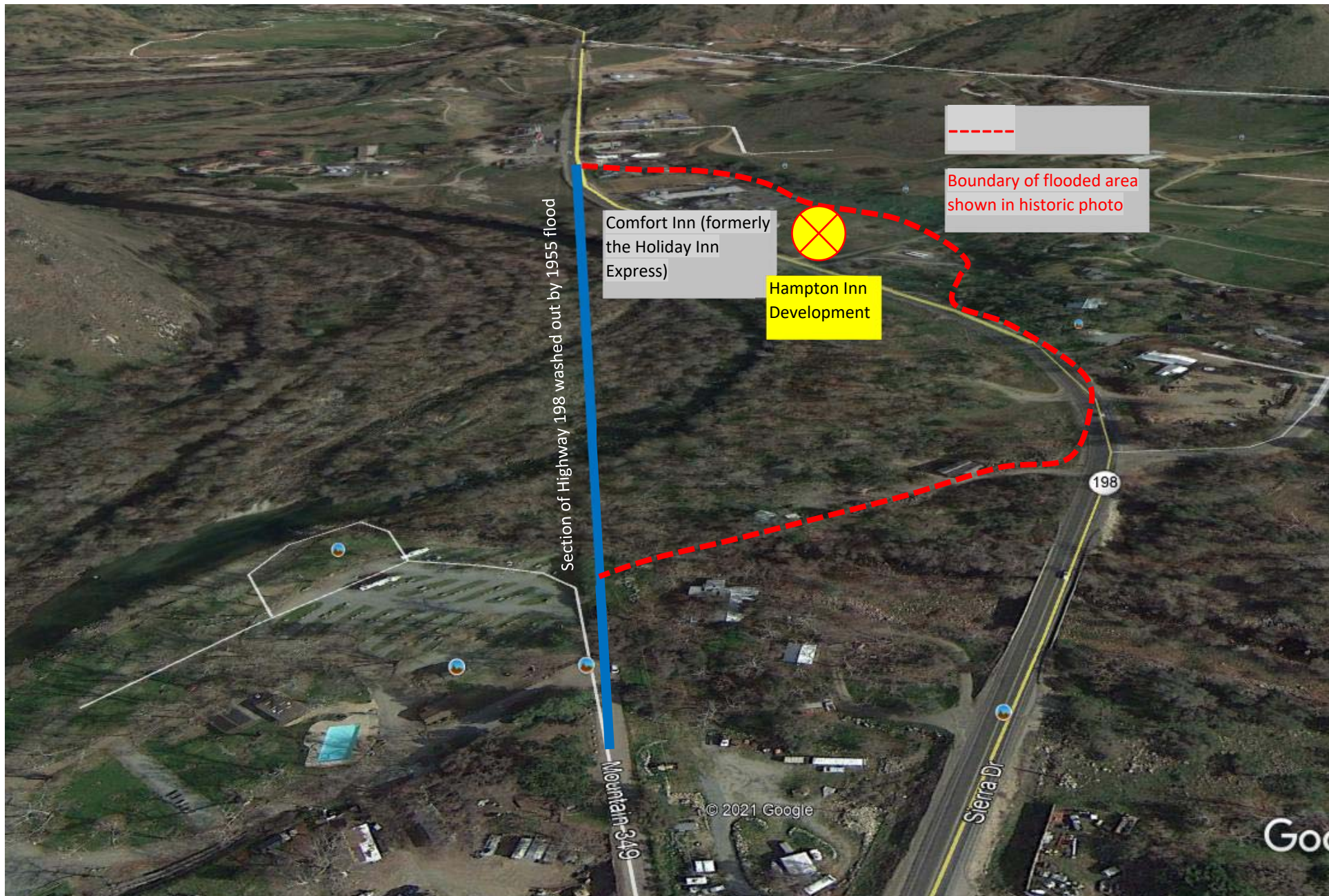
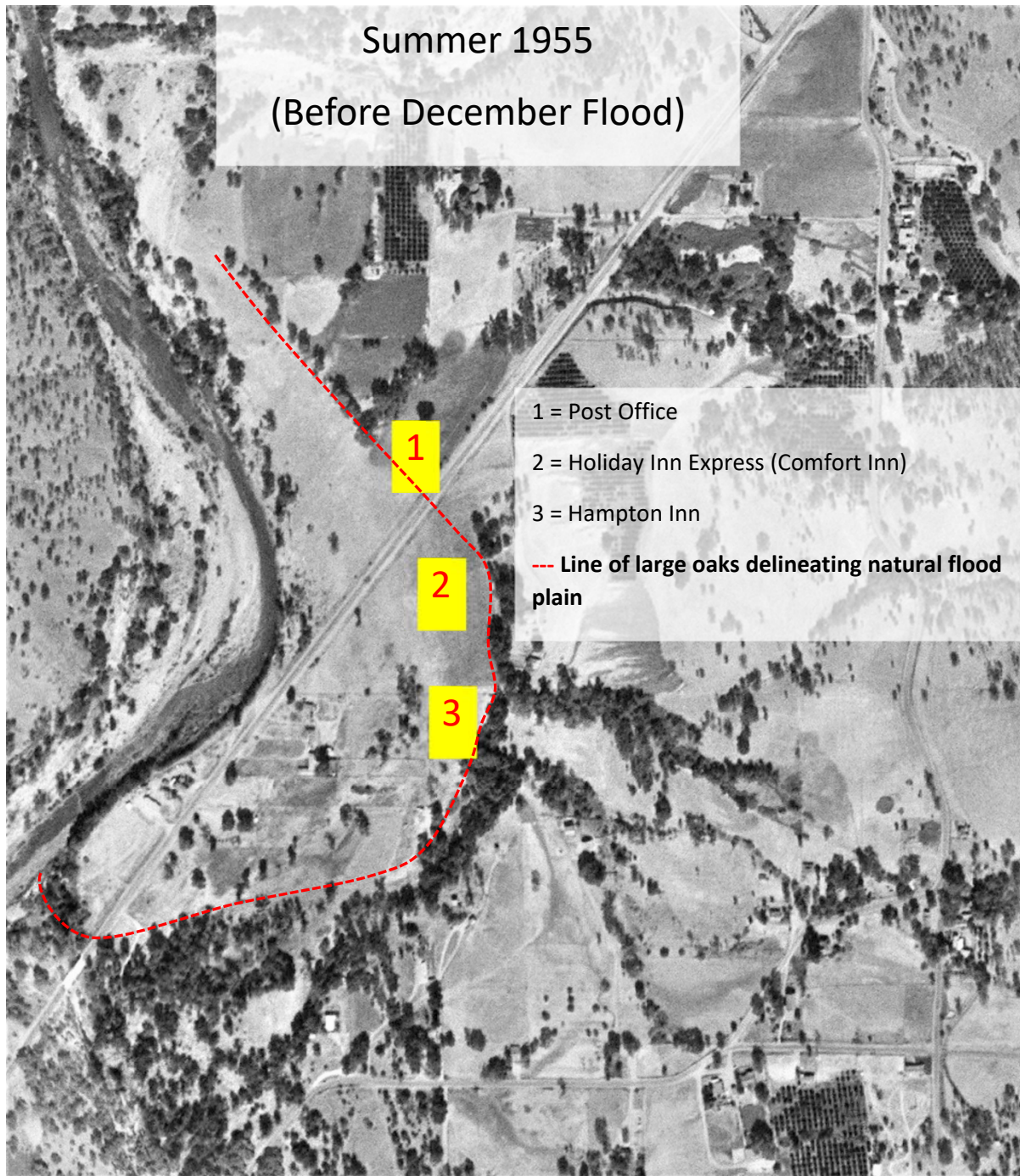


Figure 4. Aerial photo of Three Rivers from the summer of 1955. The current locations of the Post Office, Comfort Inn and Hampton Inn are shown. The red line denotes an area bordered by large, old oak trees and likely represents the natural flood plain of the Kaweah River. Note the relative lack of riparian vegetation surrounding the river and contrast this to the heavy vegetation now choking the river visible in Figure 3.



Attachment 18

Comments Received from Rod Simonian

From: [Rod Simonian](#)
To: [Jessica R Willis](#)
Subject: Re[2]: Hampton Inn & Suites,
Date: Wednesday, March 10, 2021 8:50:18 AM

Hi thanks you think it will do any good?

----- Original Message -----

From: "Jessica R Willis" <JWillis@tularecounty.ca.gov>
To: "Rod Simonian" <sim559@gmail.com>
Cc: "Hector Guerra" <HGuerra@tularecounty.ca.gov>
Sent: 3/9/2021 3:57:50 PM
Subject: RE: Hampton Inn & Suites,

Good afternoon Mr. Simonian.

Your comments have been received and put into the public record.

Best Regards.

Jessica Willis

Planner IV
RMA Environmental Planning
Ph: (559) 624-7122

From: Rod Simonian <sim559@gmail.com>
Sent: Tuesday, March 9, 2021 11:25 AM
To: Jessica R Willis <JWillis@tularecounty.ca.gov>
Subject: Hampton Inn & Suites,

Hi

There are many reason why this should not be approved. It is in the flood plain and the water table is less than 10 feet.

The land could be better used as a public park. which would be more beneficial than another Hotel. We need to start doing something for all the people of Three rivers, not just a few. I have lived here since 1971 . Finding a place to rent was hard back then and it is almost impossible now.

The long term residents has fallen to a very low level. It is not impossible for any family with kids to find some place to live here.

last note this project is not good for the environment and they will be hard pressed to find enough employees to run the hotel. The ones they do find will have to commute to work from more than 20 miles.

Thanks for your time

Rod Simonian

Attachment 19

Comments Received from David D. Wood, Ph.D

From: [Michael G Washam](#)
To: [Larry Micari](#)
Cc: [Jason Britt](#); [Aaron R Bock](#); [Jessica R Willis](#); [Hector Guerra](#)
Subject: RE: 3R Development
Date: Wednesday, March 10, 2021 3:03:29 PM
Attachments: [Hampton NOA Notice Tracking Table.docx](#)

Supervisor Micari,

David Wood, PhD, is an involved citizen in the Three Rivers Community and often comments on proposed economic development projects and other matters related to the community. The email address below (dwoodphd@gmail.com) is different than his old email 3rdw93271@gmail.com. In addition, Mr. Woods was formerly associated with the Three Rivers Village Foundation which is the way RMA staff had communicated with him in the past. However, that email address is not accepting our notice. As you can see by the comprehensiveness of the attached 14-page list of Federal Agencies, State & Regional Agencies, Local Agencies, Tribes, Neighboring Properties, and Other Interested Parties, that the RMA is fully transparent in this process and will add Mr. Wood's new email address to this list. The time/date of Mr. Wood's email indicates he was informed of the Notice of Availability within hours of its release and publication.

Jessica, please add the following to the Hampton Inn Interested Parties List:

David D. Wood
44828 Mineral king Road
Three Rivers, CA 93271
dwoodphd@gmail.com

Thanks.

Michael Washam, ACE

Associate Director

Tulare County Resource Management Agency
5961 South Mooney Boulevard
Visalia, CA 93277- 9394
Telephone: (559) 624-7128

Please note my email is now mwasham@tularecounty.ca.gov

From: Larry Micari <LMicari@tularecounty.ca.gov>
Sent: Wednesday, March 10, 2021 1:46 PM
To: Michael G Washam <mwasham@tularecounty.ca.gov>

Cc: Jason Britt <JTBritt@tularecounty.ca.gov>

Subject: FW: 3R Development

Mike, please see attached. Do we have an e-mail list? If so, can we please add David Wood? Please advise because I am sure I will be asked again. Thank you

Larry Micari

Tulare County Board of Supervisors District 1

2800 West Burrel

Visalia, CA 93291

Office (559)636-5000

Cell (559)909-8488

lmicari@tularecounty.ca.gov

Strength through service...

From: David D Wood PhD <dwoodphd@gmail.com>

Sent: Monday, March 8, 2021 7:57 PM

To: Larry Micari <LMicari@tularecounty.ca.gov>

Subject: 3R Development

"March 8, 2021

Notice of Availability of a Draft Environmental Impact Report for the Three Rivers Hampton Inn and Suites Project

This notice was published in the Sun-Gazette on Wednesday, March 3, 2021."

This was sent to me by a 3R person now relocated to Orange County. I did not receive this directly from RMA despite

- 1) hosting Town Halls for a couple years (including discussing other proposed 3R developments),
- 2) serving as last President of the Three Rivers Village Foundation, and
- 3) testifying at Planning Council and also participating directly at specific meetings with RMA staff .

It's not as though I haven't listed my contact info repeatedly over the years, or tried to be a community-minded volunteer or involved citizen again for years and years.

I count 60 residents RMA apparently e-mailed. I doubt any of us subscribe to or read the Exeter paper where the notice reportedly was posted last week. Do you know if the RMA plans to host a 3R community public meeting within the comment period?

This yet again appears to fail adequate “community service” other than seeming pro forma protocols and empty promises to collaborate.

Respectfully, David

David D. Wood
44828 Mineral king Road
Three Rivers, CA 93271

Sent from my iPhone

Attachment 20

Responses Provided by Consultant
ALD General Engineering, Inc.

Steve Rothenberg email from April 9, 2021.

Comments:

Your well is located 1,000 feet away based on Steve Rothenberg's measurement.

Concerned about "nature of off-site movements of soluble pollutants", and states that their nitrate levels (19.1 mg/L) exceed safe standards (10 mg/L).

Responses:

Dispersal field setback distances to domestic wells is 100 feet, pursuant to Tulare County Code and California Plumbing Code.

Wastewater effluent and drinking water standards are regulated by the Water Board.

Pursuant to Water Board Requirements we will be treating Nitrogen levels to provide a minimum reduction of 60%, by using an advanced treatment wastewater treatment system.

Leah Launey email from March 9, 2021

Comments:

Describes the site as a flood plain, creating not only flooding issues, but septic issues as well. Describes the area as a sand bar.

Responses:

Flood designations are regulated by FEMA. The site is mapped by FEMA as "Zone X". Areas of 0.2% annual change flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual change flood. For example, 1% annual chance flood is considered a 100-Year event.

The site is comprised of fine to medium-grained sand. The sands very high absorption potential and associated septic issues are being mitigated with an advanced treatment wastewater treatment system with UV disinfection and drip dispersal.

The system meets all county and California Plumbing Code minimum required setback distances.

Marilyn Messa email on March 22, 2021

Comments:

- Plenty of high water and non-functioning septic systems especially in the area of this proposal.
- To add that many people on a small acreage with a hotel next door that the county has never resolved the septic situation, is unrealistic.
- Let's see the water source?
- The septic plan?
- The flood history?

Response:

The proposed wastewater system meets all county and Water Board requirements (e.g. vertical and horizontal setbacks, treatment requirements, effluent quantity and quality).

The neighboring lots septic issues are beyond the scope of this analysis.

The water source is an onsite well.

James Sickman, letter on April 22, 2021

Comments:

Concerns about groundwater monitoring to determine whether effluent is leaving the hotel properties and making their way into the nearby Kaweah River. Describes effluent as containing pathogens, nitrogen, pharmaceuticals, personal care products and other contaminants that are regulated by the US EPA and State of California.

Requests for the wells used to supply water to the Comfort Inn, and wells on adjoining properties to be regularly sampled for indicators of septic contamination (fecal coliform, pharmaceuticals, personal care products, nitrogen and dual isotope analysis of nitrate).

Requests for the Three Rivers Community Service District (TRCSD) to monitor bacterial levels in the Kaweah River just above the Comfort Inn and just below the Hampton Inn (but above the confluence with the South Fork of the Kaweah), so that impacts of the hotel effluent can be assessed on the Kaweah River. In addition to pathogens, nitrogen concentrations should be measured by the TRCSD.

Specific System Design Concerns:

1. Sizing Concerns. The Comfort Inn, at 10,500 gallons per day requires a dispersal area of 18,000 to 27,000 square feet. Why is the Hampton Inn, at 17,145 gallons per day,

dispersal area only 4,766 square feet (see site map on page 1634 of the Hampton Inn DEIR)? It seems certain that the development will have to use some or all of the 14,300 square feet of leach area reserve along the Highway 198 frontage (see site map on page 1634 of the Hampton Inn DEIR). If this reserve leach area is needed, is it still possible for the developer to build a large gas station, restaurant and retail space on the property?

2. Application Area: The septic design for the Hampton Inn is based on an average rate of sewage production of 60 gallons per day per room. Concerns about the data source. Describes the State Water Resources Control Board assumes that hotels in California produce, on average, 100 gallons per day per room. Asserts the system is purposely undersized to fall below regulatory thresholds for nitrogen treatment (<20,000 gpd) for cost saving purposes.
3. UV System Issues: Provided literature about what can go wrong, a report prepared by Washington State Department of Health. Issues referenced include: UV bulb was not glowing, thick biofilm deposits on the protective sleeve, UV bulb malfunction. This shows that proper and adequate maintenance is important to ensure proper functioning. I am skeptical that personnel at the Hampton Inn have the technical skill and motivation to maintain these problematic UV sterilization systems, so it is likely that there will be many instances of discharge of fecal pathogens into the shallow groundwater near the Kaweah River.

Responses:

All tertiary treated effluent must meet regulatory treatment levels. Sampling and analysis is required to verify adequate treatment pursuant to the general order.

The hotels well and public wells on adjoining properties must be monitored in accordance with their permit with the Regional Water Quality Control Board – Division of Drinking Water.

The minimum dispersal area required is 14,287.5 square feet, not 4,766 square feet as you described. Which is calculated by dividing the total quantity of effluent per day (17,145 gpd) by the hydraulic loading rate (1.2 gpd/sq.ft.).

The systems capacity per hotel room is 130.7 gpd, based on a total daily use of 11,100 gpd, which exceeds the 100 gpd per room described by the Water Board. The references you described were used for comparison purposes only. The peak system capacity is theoretically 17,145 gpd, which provides for up to 163.3 gpd per room.

The system must be maintained by a maintenance provider with an appropriate Wastewater Treatment Plan Certification, pursuant to Section 13626 of the California Water Code. Additionally, the maintenance provider must be certified by the equipment manufacturer, Orenco. Furthermore, the wastewater treatment components that require repairs will be installed in duplicate (e.g. septic tank effluent pumps, recirculation pumps, discharge pumps, UV

treatment units) that alternate, or in the case of UV treatment are installed in series, and in the event one requires repairs, the other continues to operate.

ADDENDUM 1:

**REPORT OF WASTE DISCHARGE
FOR THE
PROPOSED HAMPTON INN & SUITES**

**40758 SIERRA DRIVE, THREE RIVERS, CALIFORNIA 93271
APN #068-100-010 and #068-080-010**

December 8, 2020

The purpose of this addendum is to clarify the evaluated uses on the frontage lot (APN #068-100-010). The uses defined in our Report of Waste Discharge (RWD) (service station and market, and Subway restaurant, or equivalent) are purely speculative and unknown at this time. The purpose of defining uses in the RWD was solely for calculation purposes for designing a single Wastewater Treatment Facility (WWTF) to service the following parcels: APN# 068-080-010 and 068-100-010. The future uses of the frontage lot will only be limited by the available WWTF capacity, which will be based on actual flows logged using flow meters. The anticipated capacity for the frontage lot is 3,420 gallons per day.

/s/ Dave Annis

David Annis, PG
ALD General Engineering
Project Geologist
PG 9,444

AdvanTex® Treatment Systems

AX-MaxTM

Manufactured by **Orenco Systems, Inc.**



This full-sized AdvanTex® AX-Max™ wastewater system was installed at a 50-site campground in the LaPine State Park, LaPine, Oregon, to handle design flows of 7,500 gpd (28.4 m³/day).

Decentralized Wastewater Treatment for Commercial Properties and Communities



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Applications:

- Municipal systems
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- Golf course developments, resorts
- Manufactured home parks
- Parks, RV parks, campgrounds
- Schools, churches, businesses
- Rest areas, truck stops

AdvanTex® AX-Max™ Treatment System

Reliable, Energy-Efficient Wastewater Treatment

Everywhere!

For more than 15 years, Orenco's AdvanTex® Treatment Systems have been providing reliable, energy-efficient wastewater treatment inside and outside the urban core. AdvanTex textile filter technology has been winning awards and coming out on top in field trials and demo projects, all over the world.

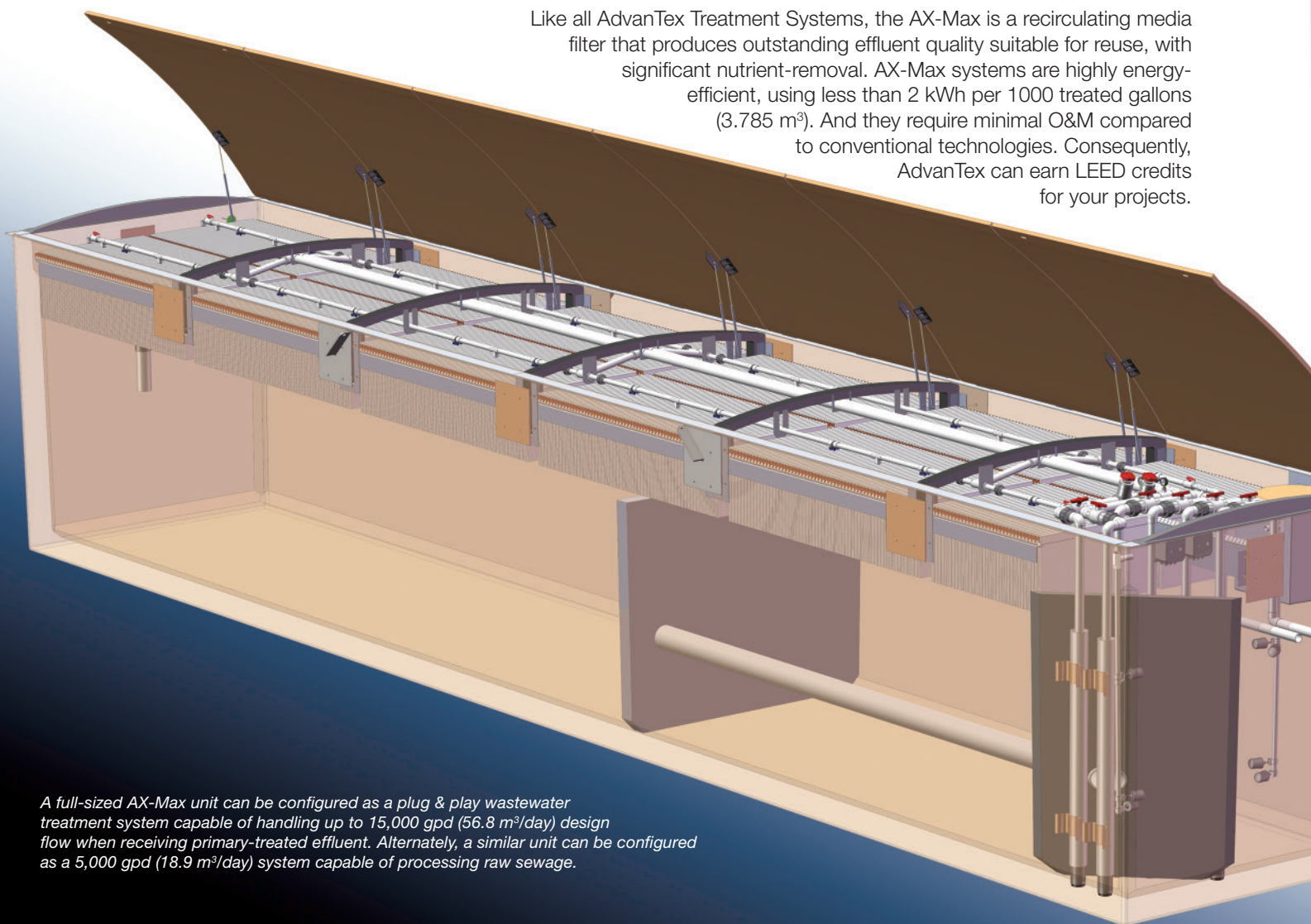
Orenco's newest product in the AdvanTex line is the AX-Max™: a completely-integrated, fully-plumbed, and compact wastewater treatment plant that's ideal for commercial properties and communities. It's also ideal for projects with strict discharge limits, limited budgets, and part-time operators.



The Yakama Nations Housing Authority in Washington state added five AdvanTex® AX-Max units (background) to its ten AdvanTex AX-100 units, increasing the capacity of its wastewater system by 50%. Photo courtesy of Fextex Systems, Inc.

A Sustainable Solution for Wastewater Treatment

Like all AdvanTex Treatment Systems, the AX-Max is a recirculating media filter that produces outstanding effluent quality suitable for reuse, with significant nutrient-removal. AX-Max systems are highly energy-efficient, using less than 2 kWh per 1000 treated gallons (3.785 m³). And they require minimal O&M compared to conventional technologies. Consequently, AdvanTex can earn LEED credits for your projects.



A full-sized AX-Max unit can be configured as a plug & play wastewater treatment system capable of handling up to 15,000 gpd (56.8 m³/day) design flow when receiving primary-treated effluent. Alternately, a similar unit can be configured as a 5,000 gpd (18.9 m³/day) system capable of processing raw sewage.

AdvanTex® AX-Max™ Treatment System



Set, Plumb, Wire, and Go

The AX-Max is pre-plumbed and easy to install, so AX-Max projects can meet the tightest deadlines. The entire system — including treatment, recirculation, and discharge — is built inside an insulated fiberglass tank that ranges from 14-42 feet (4.3-12.8 m) in length. AX-Max units can be installed above-ground — for maximum versatility in temporary or variable-flow situations — or in-ground. They can also be installed individually or in multi-tank arrays, treating up to 1 MGD (3,800 m³/day).

For Every Climate and Condition

AX-Max systems provide excellent treatment anywhere, and they have been installed all over the world. For example, AX-Max systems have been installed at Malibu's famous beach parks and New Zealand's Glendhu Bay campground. Several more were installed in Soyo, Africa, to serve a new hospital and school. Other AX-Max systems have been installed on top of Alaska's frozen tundra and St. Lucia's volcanic rock. Still more have been installed in mining camps from Alberta to Texas and, in the Midwest, at a U.S. Department of Defense demo site.



Units range from 14'-42' in length. This 21' unit is ideal for lower flows.

Benefits

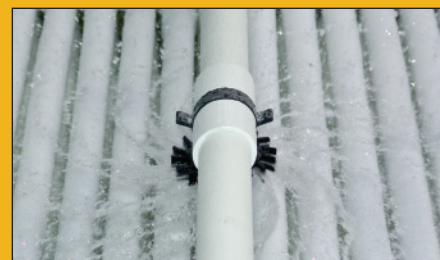
- Containerized, fully-plumbed
- Capable of meeting stringent permit limits
 - ~ Reuse-quality effluent
 - ~ Significant reductions in ammonia, total nitrogen
- Compact and versatile
- Above-ground or in-ground installation
- Easy to set
- Simple to operate
- Low energy usage: <2 kWh per 1000 treated gal. (<2 kWh per 3.785 m³)*

* When treating domestic waste



Textile Treatment Media

The treatment medium is a uniform, engineered textile. AdvanTex textile is easy to clean and allows loading rates as high as 50 gpd/ft² (2000 L/day/m²) with primary-treated influent.



Effluent Distribution

High-quality, low-horsepower pumps micro-dose the treatment media at regular intervals, and proprietary spin nozzles efficiently distribute the effluent, optimizing treatment.



Telemetry Controls

Orenco's telemetry-enabled control panels use a dedicated phone line or ethernet connection, ensuring 24/7 monitoring and real-time remote control.

AdvanTex[®] AX-Max[™] Treatment System

Carefully Engineered by Orenco

Orenco Systems has been re-searching, designing, manufacturing, and selling leading-edge products for small-scale wastewater treatment systems since 1981. The company has grown to become an industry leader, with about 300 employees and 300 points of distribution in North America, Australasia, Europe, Africa, and Southwest Asia. Our systems have been installed in more than 70 countries around the world.

Orenco maintains an environmental lab and employs dozens of civil, electrical, mechanical, and manufacturing engineers, as well as wastewater treatment system operators. Orenco's technologies are based on sound scientific principles of chemistry, biology, mechanical structure, and hydraulics. As a result, our research appears in numerous publications and our engineers are regularly asked to give workshops and trainings.



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Project Summary



Installation photos courtesy
of BioSolutions, Inc.

Point Dume State Beach and Preserve, Southern California

In spring, 2011, Los Angeles County needed to quickly upgrade restrooms at Malibu's Point Dume State Beach in time for the long — and busy — Memorial Day weekend. The county's engineer specified three AX-Max units, one for each restroom, and all three were installed in a matter of days. The small footprint of this configuration saved the county valuable space for visitor parking. After disinfection, the treated effluent is dispersed right into the sand. Point Dume is part of a large-scale upgrade of L.A. County beach parks, virtually all of which include AdvanTex Treatment Systems of various sizes and configurations.



Fully Supported by Orenco

AdvanTex Treatment Systems are part of a comprehensive program that includes ...

- Designer, installer, and operator training
- Design assistance, technical specifications, and plan reviews
- Installation and operation manuals
- Lifetime technical support

Distributed by:

Attachment 21

Responses Provided by Consultant
VRPA Technologies Inc.

MEMORANDUM

TO: Hector Guerra, Tulare County Resource Management Agency
FROM: Jason Ellard, VRPA Technologies, Inc. (VRPA)
THROUGH: Georgiena Vivian, VRPA
DATE: June 5, 2021
SUBJECT: Responses to Comments on Proposed Hampton Inn Hotel & Suites in Three Rivers

INTRODUCTION

The purpose of this memo is to respond to the comments regarding the Proposed Hampton Inn Hotel & Suites in Three Rivers; specifically in regard to traffic-related comments received.

As such, the remainder of this memo consists of VRPA'S responses to traffic related comments on the Project.

COMMENTS AND RESPONSES

Shivon Lavelly, 41050 Blossom Drive –

1. In the DEIR, you have included a traffic report that was conducted in February 2018, for another hotel (The Sequoia Spa and Hotel) so it is not site specific. It is also outdated. Caltrans considers any traffic impact report to be stale after 2 years.

Response: The Traffic Impact Study (TIS) for the proposed Project was completed in the year 2020. Typically, existing peak hour counts are collected in the study area for purposes of evaluating existing conditions. However, the COVID-19 pandemic has altered travel patterns in the State of California, especially with the closure of the Sequoia-Kings Canyon National Park. As a result, existing traffic counts would be skewed and wouldn't reflect typical travel patterns in the study area. 2018 Traffic counts in the study area were used to evaluate existing traffic conditions in this traffic analysis. In addition, a growth rate of 1.3% per year was applied to the 2018 counts to estimate Year 2020 traffic volumes in the study area. Historical growth in Tulare County is approximately 1.3% based on population trends as forecasted in the Tulare County General Plan 2030 Update.

2. This traffic report also uses metrics that are inconsistent. It gathered data using the Level of Service (LOS) but the conclusions were given in VMT. Senate Bill 743 states that after July 1, 2020, implementation of the new guidelines by CEQA, must be used. The traffic data was gathered before July 1, 2020, but the DEIR was drafted after July 1, 2020. All data should be gathered in VMT, not LOS, to reflect the current impact to the environment regarding greenhouse gases. An accumulation of greenhouse gases causes significant harm to the environment.

Response: The TIS prepared for the Project was completed under Caltrans oversight given the location of the Project with respect to the State Route (SR) 198 Corridor. On April 13, 2020, Caltrans prepared a Memorandum (attached) regarding *"VMT CEQA SIGNIFICANCE DETERMINATIONS FOR STATE HIGHWAY SYSTEM PROJECTS IMPLEMENTATION TIMELINE MEMORANDUM"*. In the memorandum, Caltrans indicated that *"Projects initiated on or after December 28, 2018 which have reached or will reach Caltrans' Milestone 020 ("Begin Environmental") before September 15, 2020, will be evaluated by the Department in consultation with project sponsors on a case-by-case basis to determine if the use of a VMT-based transportation impact significance determination in the draft environmental document is warranted."* The Project began its environmental process in the first quarter of 2020 and utilized the appropriate metric for analysis of Project impacts.

3. Traffic data was gathered on February 3rd and 4th in 2018, which is a weekend, and Caltrans has said that data should be gathered on weekdays. February traffic does not reflect the massive influx of visitor traffic, which occurs during the summer months. Over 1.2 million people visited Sequoia and Kings Canyon National Parks in 2019, and the majority of them came through Three Rivers! Currently, there are almost 200 Airbnb's in Three Rivers, which also adds to the number of vehicles on the road and traffic congestion.

Response: See response to Comment 1 above. Typically, impacts of a potential project will be evaluated against the weekday AM and PM peak hours. However, Caltrans determined that the appropriate peak hours to evaluate Project impacts was the Saturday and Sunday peak hours.

4. I do not believe that your traffic analysis is supported by substantial evidence nor do I believe it complies with the Senate Bill 743 requirements.

Response: See response to Comment 2 above.



Norma Navarez & Clarence M. Conover III –

1. As a resident of Three Rivers for over 30 years, we have many concerns about this large development in our small area of Three Rivers. One of our main concerns is that of water. This year Ash Mountain records show that we are approximately 30% of normal in precipitation, the lowest that has ever been recorded. Prior to this, records show this year is a 3-year drought with 1 normal year break prior to a 4-year drought, causing a significant deficit to the local aquifer

This lack of precipitation is part of a hotter and drier pattern that has devastated CA and the western USA for decades is a clear indicator of climate change. Last year's fire, Castle/SQF Complex fire, in our vicinity threatened much of Three Rivers causing mass evacuation in the most populated part of Three Rivers. In this most populated area is the proposed Hampton INN & Suites. The increase in traffic and people would be a significant impact on the evacuation of people in Three Rivers during devastating fires. There is already a problem of people walking from the Comfort Inn to the Village Market, Pharmacy. Pizza factory complex, with no sidewalk or cross walk to the area along the small road shoulder. These pedestrians are frequently distracted by phones and other family members and not very observant of the vehicle traffic. It is only a matter of time before a pedestrian vs vehicle accident occurs as the human traffic increases along the highway.

Response: The TIS prepared for the Project was completed under the Caltrans oversight given the location of the Project with respect to the State Route (SR) 198 Corridor. The Project began its environmental process in the first quarter of 2020 and utilized the appropriate metric for analysis of Project impacts. As noted in the TIS (page 26) "The Project would not result in any degradation of emergency access within the community. Congestion at an intersection or along a roadway can adversely impact emergency access. Results of the traffic analysis shows that all of the study intersections and roadway segments will meet Tulare County's and Caltrans' LOS "D" criteria through the year 2042. As a result, the Project will not result in inadequate emergency access."

Marilyn Messa –

1. This project will have immense impacts on Traffic, Air Quality and Overburdening of our resources.



Response: The TIS prepared for the Project was completed under the Caltrans oversight given the location of the Project with respect to the State Route (SR) 198 Corridor. The Project began its environmental process in the first quarter of 2020 and utilized the appropriate metric for analysis of Project impacts.

Should you have any questions or need further information, please feel free to contact Jason Ellard at (559) 271-1200 and jellard@vrpatechnologies.com or Erik Ruehr at (858) 361-7151 and eruehr@vrpatechnologies.com.



Memorandum

To: TRANSPORTATION STAKEHOLDERS

Date: April 13, 2020

From: ELLEN GREENBERG
Deputy Director, Sustainability

CHRIS SCHMIDT
SB 743 Program Manager

Subject: **VMT CEQA SIGNIFICANCE DETERMINATIONS FOR STATE HIGHWAY SYSTEM
PROJECTS IMPLEMENTATION TIMELINE MEMORANDUM**

1. Overview

This memorandum establishes the timing and application of changes to Caltrans' California Environmental Quality Act (CEQA) process to implement Senate Bill (SB) 743 for capacity-increasing projects on the State Highway System (SHS). The memo recognizes that many projects on the SHS will not be affected by these changes, as detailed in Attachment A.

The requirements established in this memorandum are consistent with the January 4, 2019 message distributed by Caltrans Division of Environmental Analysis (DEA). It recommended that Districts use VMT to analyze transportation impacts of projects with the potential to increase VMT and for which a Notice of Preparation (NOP) was issued after December 28, 2018, particularly for projects not anticipated to be approved until after September 15, 2020.

1.1 Policy Statement

Caltrans has determined that Vehicle Miles Traveled (VMT) is the most appropriate primary measure of transportation impacts for capacity-increasing transportation projects on the State Highway System (SHS). The determination of significance of VMT impact will require a supporting induced travel analysis for capacity-increasing transportation projects on the SHS when Caltrans is lead agency or when Caltrans designates another entity as lead agency.

Many types of projects will be unaffected by the use of VMT as a measure of transportation impacts because they are assumed to not lead to a substantial increase in vehicle travel. See Attachment A for detail.

Note that for transportation projects not on the State Highway System, local agencies have the discretion to select a different measure of transportation impact consistent with CEQA and other applicable requirements.

1.2 Guidance Documents

The Caltrans Divisions of Traffic Operations (DTO) and Environmental Analysis (DEA) are currently preparing the following guidance documents addressing the Department's transportation analysis and CEQA procedures:

- **Project Development Transportation Analysis Framework (TAF):** This document will provide guidance for CEQA transportation/traffic analysis for projects on the SHS, including direction to Caltrans Districts related to selecting methods for VMT analysis (including induced travel demand) in project-level environmental documents reflecting both project type and context (urban vs. rural).
- **Transportation Analysis under CEQA (TAC):** The TAC will provide methodologies for CEQA practitioners to evaluate the transportation impacts of projects on the SHS, including how to determine significance of those impacts, and will identify potential mitigation measures.

We are working to make the documents available in draft form for informal feedback from stakeholders in April 2020, with a target publication date in advance of September 15, 2020. For each of the documents, we are planning an informational webinar during the review period as well as one or more technical roundtables to provide opportunities for discussion and information sharing.

2. Implementation Timeline

- 2.1** Projects initiated on or after December 28, 2018 which have reached or will reach Caltrans' Milestone 020 ("Begin Environmental") before September 15, 2020, will be evaluated by the Department in consultation with project sponsors on a case-by-case basis to determine if the use of a VMT-based transportation impact significance determination in the draft environmental document is warranted. Factors that will weigh in favor of including a VMT-based significance determination include but are not limited to:
- Project scope includes a new alignment and/or additional lane miles and project location is in a corridor / area with existing or projected congestion
 - A high level of public and stakeholder interest in the project.

Note that the final environmental document for a project would use the same metric for transportation significance determination as its draft document. If the traffic study requires re-initiation between draft and final, then the project will be subject to the requirements identified under 2.3 below.

- 2.2** Capacity-increasing projects on the State Highway System that will reach Caltrans' Milestone 020 ("Begin Environmental") on or after September 15, 2020, will include a VMT-based transportation impact significance determination in the draft environmental document. The Project

Development Team (PDT) shall apply Caltrans published guidance (Transportation Analysis Framework (TAF) and Transportation Analysis in CEQA (TAC)) in conducting the analysis of transportation impacts and making significance determinations based on the VMT metric.

2.3 Subsequent, supplemental, later tier, or other later CEQA documents which include a new traffic study shall follow the guidance for draft environmental documents per the applicable section below.

2.3.1 If the traffic study is re-initiated before September 15, 2020, the Department in consultation with project sponsors will determine whether VMT-based transportation impact significance determination will be included, based on the factors listed in item 2.1 above.

2.3.2 If the traffic study is re-initiated on or after September 15, 2020, for reasons which do are not expected to result in a substantial change to the study's results, and subject to the approval of the Caltrans District Director, no VMT-based transportation impact significance determination will be required.

2.3.3 If the traffic study is re-initiated on or after September 15, 2020, and the later study may result in substantially different results as compared to the prior study, the PDT shall apply Caltrans-published guidance to conduct an analysis of VMT impacts and make a determination of transportation impact significance using VMT as a metric.

3. Additional Considerations

3.1 Most projects on the SHS are non-capacity increasing (see Attachment A). These projects are not anticipated to have significant transportation impacts under CEQA and would generally not require quantitative VMT analysis or mitigation.¹

3.2 Capacity-increasing projects will require VMT analysis to determine whether significant, adverse transportation impacts are anticipated. The potential for projects to induce additional travel ("VMT attributable to the project" per OPR) will be the basis for determinations of significance. Potential VMT analysis methods include use of elasticity-based calculators, regional travel demand models and use of the Statewide Travel Demand Model. Methods used will be required to reflect the potential for capacity additions to induce vehicle travel. Caltrans' Transportation Analysis Framework (TAF) will address selection of appropriate methodologies.

¹ OPR, *Technical Advisory*, 20, 24.

- 3.3** Many capacity-increasing projects will result in significant, adverse transportation impacts and mitigation will be required to reduce those impacts. A Statement of Overriding Considerations may be required to approve projects in the case mitigation cannot reduce adverse impacts to a less than significant level. Utilizing a Statement of Overriding Considerations would follow established CEQA guidance for allowing project approvals despite unavoidable environmental effects to one or more resources.
- 3.4** Note that a Statement of Overriding Considerations can only be made if an Environmental Impact Report (EIR) has been prepared. For new projects, PDTs should consider the likelihood of a significant impact determination when determining the appropriate level of document. PDTs should also evaluate whether projects currently scoped as Negative Declarations/Mitigated Negative Declarations (ND/MND) may require rescoping to an EIR if a significant impact to transportation appears to be likely using VMT as a metric, and a Statement of Overriding Considerations will ultimately be utilized. Utilizing a Statement of Overriding Considerations would follow established CEQA guidance for allowing project approvals despite unavoidable environmental effects to one or more resources.

ATTACHMENT A

Project types not likely to lead to a substantial increase in vehicle travel

The language below is excerpted directly from "Technical Advisory on Evaluating Transportation Impacts in CEQA," Governor's Office of Planning and Research, December 2018. Caltrans guidance will indicate that the project types listed would not likely lead to a substantial or measurable increase in vehicle travel. Please note that almost all projects programmed as part of the SHOPP are in categories included in the list below, and therefore will be unaffected by the requirements of SB 743.

Projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis, include:

- Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts; transportation management system field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Roadside safety devices or hardware installation such as median barriers and guardrails
- Roadway shoulder enhancements to provide "breakdown space," dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Conversion of existing general-purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel
- Addition of a new lane that is permanently restricted to use only by transit vehicles
- Reduction in number of through lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles

- Installation, removal, or reconfiguration of traffic control devices, including transit signal priority (TSP) features
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow
- Installation of roundabouts or traffic circles
- Installation or reconfiguration of traffic calming devices
- Adoption of or increase in tolls
- Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase
- Initiation of new transit service
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Removal or relocation of off-street or on-street parking spaces
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas that do not increase overall vehicle capacity along the corridor

II. Chapter 8

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program Chapter 8

This Draft Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with State law and based upon the findings of the Draft Environmental Impact Report (EIR) for the proposed Project. The MMRP lists mitigation measures recommended in the draft EIR for the proposed Project and identifies monitoring and reporting requirements.

The CEQA Public Resources Code Section 21081.6 requires the Lead Agency decision making body is going to approve a project and certify the EIR that it also adopt a reporting or monitoring program for those measures recommended to mitigate or avoid significant/adverse effects of the environment identified in the EIR. The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation. The MMRP is to contain the following elements:

- **Action and Procedure.** The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- **Compliance and Verification.** A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when and by whom and compliance will be monitored and reported and to whom it will be report. As necessary the reporting should indicate any follow-up actions that might be necessary if the reporting notes the impact has not been mitigated.
- **Flexibility.** The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon the recommendations by those responsible for the MMRP. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program

Table 8-1 presents the Mitigation Measures identified for the proposed Project in this EIR. Each Mitigation Measure is identified by the impact number. For example, 4-1 would be the first Mitigation Measure identified in the Biological analysis of the Draft EIR.

The first column of **Table 8-1** identifies the Mitigation Measure. The second column, entitled “Monitoring Timing/Frequency,” identifies the time the Mitigation Measure should be initiated and the frequency of the monitoring that should take place to assure the mitigation is being or has been implemented to achieve the desired outcome or performance standard. The third column, “Action Indicating Compliance,” identifies the requirements of compliance with the Mitigation

Measure. The fourth column, “Monitoring Agency,” names the party ultimately responsible for ensuring that the Mitigation Measure is implemented. The fifth column, “Person/Agency Conducting Monitoring/Reporting” names the party/agency/entity responsible for verification that the Mitigation Measure has been implemented. The last three columns will be used by the Lead Agency (County of Tulare) to ensure that individual Mitigation Measures have been complied with and monitored.

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
AIR QUALITY							
AQ-1. In accordance with SJVAPCD Rule 9510, a detailed air impact assessment (AIA) shall be prepared detailing the specific construction requirement (i.e., equipment required, hours of use, etc.). In accordance with this rule, emissions of NOX from construction equipment greater than 50 horsepower used or associated with the development Project shall be reduced by 20 percent from baseline (unmitigated) emissions and PM10 shall be reduced by 45 percent. The Project shall demonstrate compliance with Rule 9510, including payment of all applicable fees, before issuance of the first building permit. While the specific emission reduction measures will be developed to the satisfaction of the SJVAPCD, the following measures would reduce short-term air quality impacts attributable to the Proposed Project consistent with Rule 9510: <ul style="list-style-type: none">• During all construction activities, all diesel-fueled construction equipment including, but not limited to, rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors shall be of a certified clean fleet.• All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. Equipment maintenance records shall be kept on-site and made available upon request by the SJVAPCD or the County.• The Project applicant shall comply with all applicable SJVAPCD rules and regulations. Copies	Prior to Issuance of Building Permit.	Verified on submitted site plans.	Tulare County Building Inspector	Tulare County Building Inspector			

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<p style="text-align: center;">Table 8-1 Mitigation Monitoring and Reporting Program</p>							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
of any applicable air quality permits and/or monitoring plans shall be provided to the County.							
<p>AQ-2. In accordance with SJVAPCD Rule 9510, a detailed air impact assessment shall be prepared detailing the operational characteristics associated with the Proposed Project. In accordance with this rule, operational emissions of NOx shall be reduced by a minimum of 33.3 percent and operational emissions of PM10 must be reduced by a minimum of 50 percent over a period of ten years. (Emissions reductions are in comparison to the Project's operational baseline emissions presented in Table 2-6.) The Project would demonstrate compliance with Rule 9510, including payment of all applicable fees, before issuance of the first building permit.</p> <p>Based on the findings of the air impact assessment, the applicant shall pay the SJVAPCD a monetary sum necessary to offset the required operational emissions that are not reduced by the emission reduction measures contained in the air impact assessment. The quantity of operational emissions that need to be offset will be calculated in accordance with the methodologies identified in Rule 9510, Indirect Source Review, and approved by the SJVAPCD. Operational emissions reduction methods will be selected under the direction of the SJVAPCD according to the air impact assessment process detailed in, and required by Rule 9510, Indirect Source Review (see Rule 9510, subsection 5).</p>	Prior to Issuance of Building Permit.	Verified on submitted site plans.	Tulare County Building Inspector	Tulare County Building Inspector			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
<i>Measures for Special Status Plant Species</i>							
BIO-1. Pre-construction Survey - Perform focused plant surveys according to USFWS, CDFW, and CNPS protocols. Surveys should be timed according to the blooming period for target species and known reference populations, if available, and/or local herbaria should be visited prior to surveys to confirm the appropriate phenological state of the target species.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings to CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
BIO-2. Plants Absence - If no special-status plants are found within the Project Area, no further measures pertaining to special-status plants are necessary.	Prior to start of construction.	Retention of professional biologist to determine absence.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
BIO-3. Avoidance - If special-status plant species are found during surveys within the Project and avoidance of the species is not possible, seed collection, transplantation, and/or other mitigation measures may be developed in consultation with appropriate resource agencies to reduce impacts to special-status plant populations.	Prior to construction-related activities.	Retention of professional biologist. Submittal of Report of Findings to CDFW, if applicable	County of Tulare Planning Department	Qualified biologist. Collaboration with CDFW			
<i>Measures for Special Status Reptiles</i>							
BIO-4. Pre-construction Survey - A Northern California legless lizard and Blainville’s horned lizard pre-construction survey will be conducted by a qualified biologist within 14 days prior to the initiation of ground disturbance (e.g., tree/vegetation removal,	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of	County of Tulare Planning Department	Field survey by a qualified Biologist.			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
mass grading). The survey will consist of the entire Project footprint, including accessible areas within 100 feet.		Report of Findings, if applicable.					
BIO-5. Presence - If individuals of either of these two special-status reptiles are found during the pre-construction survey, a qualified biologist with a CDFW Scientific Collecting Permit shall relocate the individuals, with the concurrence of CDFW, to a site with suitable habitat. Relocation methods shall be approved by CDFW	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings to CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with CDFW.			
<i>Measures for Nesting Raptors and Migratory Birds</i>							
BIO-6. Pre-construction Survey - Conduct a pre-construction nesting raptor and bird survey of all suitable habitat on the Project site within 14 days of the commencement ground disturbance (e.g., tree/vegetation removal, mass grading) during the nesting season (February 1 – August 31). Where accessible, surveys should be conducted within 300 feet of the Project site for nesting raptors, and 100 feet of the Project site for other nesting birds.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings to CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
BIO-7. Buffers - If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a qualified biologist, in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings to	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with CDFW.			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
independent of the nest, no further measures are necessary.		CDFW, if applicable.					
<i>Measures for Special Status Mammals (Bats)</i>							
BIO-8. Pre-construction Survey: Absence - If no suitable roosting habitat is found, or if no bats are not found during the emergence surveys, no further measures are necessary	Prior to start of construction.	Retention of professional biologist, submittal of Report of Findings to CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
BIO-9. Pre-construction Survey: Presence - A qualified biologist will conduct a bat habitat assessment of all suitable roosting habitat (i.e., suitable trees) prior to the initiation of site disturbance (e.g., tree removal, mass grading). If the assessment identifies suitable roosting habitat, a qualified biologist will conduct an evening bat emergence survey that may include acoustic monitoring to determine whether or not bats are present. If special-status bats are found, consult with CDFW to develop avoidance and/or exclusion methods.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings to CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with CDFW			
<i>Measures for Waters of the United States and State</i>							
BIO-10. Perform Delineation - Potentially jurisdictional features should be avoided and fenced. Runoff from entering any avoided aquatic features could be considered an indirect impact. Adherence to a Construction General Permit and stormwater pollution prevention plan/Best Management Practices could	Prior to start of construction.	Retention of professional biologist, submittal of Report of Findings to	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with CDFW			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
reduce potential indirect impacts from runoff into aquatic features.		CDFW, if applicable.					
BIO-11. Avoidance - Potentially jurisdictional features should be avoided and fenced. Runoff from entering any avoided aquatic features could be considered an indirect impact. Adherence to a Construction General Permit and stormwater pollution prevention plan/Best Management Practices could reduce potential indirect impacts from runoff into aquatic features.	Prior to start of construction.	Retention of professional biologist, submittal of Report of Findings to USACE and/or CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with USACE and/or CDFW.			
BIO-12. Section 404 Permit - If Waters of the U.S./State cannot be avoided, authorization to fill wetlands and other Waters of the U.S. under the Section 404 Permit must be obtained from USACE prior to discharging any dredged or fill materials into any Waters of the U.S. Mitigation measures will be developed as part of the Section 404 Permit to ensure no-net-loss of wetland function and values. To facilitate such authorization, an application for a Section 404 Permit for the Project will be prepared and submitted to USACE and will include direct, avoided, and preserved acreages to Waters of the U.S. Mitigation for impacts to Waters of the U.S. typically consists of a minimum of a 1:1 ratio for direct impacts; however final mitigation requirements will be developed in consultation with USACE.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings to USACE and/or CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with USACE and/or CDFW.			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
BIO-13. Section 401 Permit - A Water Quality Certification or waiver pursuant to Section 401 of the CWA must be obtained from the RWQCB for Section 404 permit actions.	Prior to start of construction.	Retention of professional biologist, submittal of Report of Findings to USACE and/or CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with USACE and/or CDFW.			
BIO-14. RWQCB permit - Pursuant to the Porter-Cologne Water Quality Act, a permit authorization from the RWQCB is required prior to the discharge of material in an area that could affect Waters of the State. Mitigation requirements for discharge to Waters of the State within the Project site will be developed in consultation with the RWQCB.	Prior to start of construction.	Retention of professional biologist, submittal of Report of RWQCB and/or CDFW, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist. Collaboration with RWQCB and/or CDFW.			
<i>Measures for Oak Woodlands</i>							
BIO-15. Avoidance/Conservation - If feasible, avoid/conserv oak woodlands	Prior to start of construction.	Retention of professional arborist, if applicable.	County of Tulare Planning Department	County of Tulare Planning Department.			
BIO-16. Replacement - If oak woodlands are proposed for impact, plant an appropriate number of trees, including maintain planting and replacing dead or diseased trees; this requirement to maintain trees pursuant to this paragraph terminates seven years after the trees are planted; mitigation pursuant to this paragraph shall not fulfill more than 1/2 of the mitigation requirements for the Project; the	Prior to start of construction.	Retention of professional arborist, if applicable.	County of Tulare Planning Department	County of Tulare Planning Department.			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
requirements imposed pursuant to this paragraph also may be used to restore former oak woodlands.							
BIO-17. Contribution - Contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision (a) of the Section 1363 of the California Fish and Game Code. A project applicant who contributes funds under this paragraph shall not receive a grant from the Oak Woodland Woodlands Conservation Fund as part of the mitigation for the Project.	Prior to start of construction.	Retention of professional arborist, if applicable.	County of Tulare Planning Department	County of Tulare Planning Department.			
BIO-18. Other – Implement other mitigation measures developed by the County.	Prior to start of construction.	Retention of professional arborist, if applicable.	County of Tulare Planning Department	County of Tulare Planning Department.			
CULTURAL RESOURCES							
CUL-1 - Prior to the start of construction, all field personnel shall receive worker's environmental awareness training on cultural resources. The training, which may be conducted with other environmental or safety trainings, will provide a description of cultural resources that may be encountered during construction and outline the steps to follow in the event that a discovery is made. Documentation of this training should be reviewed and approved by the lead agency prior to the start of construction.	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	County of Tulare Planning Department via field evaluation of the resource finds by a qualified archaeologist	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found,			

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**Table 8-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
				consistent with all applicable laws including CEQA.			
<p>CUL-2 - If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <p>(a): If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.</p> <p>(b): If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under</p>	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	County of Tulare Planning Department via field evaluation of the resource finds by a qualified archaeologist	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
<p>Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.</p> <p>(c): If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Tulare County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98</p>							

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Table 8-1 Mitigation Monitoring and Reporting Program							
Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.							
GEOLOGY AND SOILS (PALEONTOLOGICAL RESOURCES)							
See CUL-2 subsets (a) through (c), as specified in Item 5 Cultural Resources (as applicable).	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	County of Tulare Planning Department via field evaluation of the resource finds by a qualified archaeologist	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			

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Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
GREENHOUSE GASES							
GHG-1. - The Project must provide an onsite renewable energy system(s). The Project shall include solar panels or other alternative energy source meeting the County Solar Ordinance or new Title 24 standards, whichever is more stringent. The onsite renewable energy system(s) must be installed as part of the construction process and be functional upon commencement of Project operation. The Project Proponent must include solar on building plans and provide Title 24 compliance reports with Building Permit applications to the County.	Prior to Issuance of Building Permit.	Verified on submitted site plans.	Tulare County Building Inspector	Tulare County Building Inspector			
GHG-2 - The Project shall meet the charging installation/charging ready requirements of the CALGreen Code. The Project Proponent shall include EV charging accommodations as specified in the CALGreen Code in building plans for review and approval by the County, prior to commencement of Project construction.	Prior to Issuance of Building Permit.	Verified on submitted site plans.	Tulare County Building Inspector	Tulare County Building Inspector			
TRIBAL CULTURAL RESOURCES							
See CUL-2 subsets (a) through (c), as specified in Item 5 Cultural Resources (as applicable).	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	County of Tulare Planning Department via field evaluation of the resource finds by a qualified archaeologist	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate			

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Table 8-1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person Conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
				for unique resource or human remains found, consistent with all applicable laws including CEQA.			

III. Errata and Change Made to the EIR

Errata and Affected and Corrected Pages of the DEIR

Revisions and clarifications to the Draft EIR made in response to comments and information received on the Draft EIR are indicated by ~~strikeout~~ text (e.g., ~~strikeout~~), indicating deletions, and underline text (e.g., underline), indicating additions. Corrections of typographical errors have been made throughout the document and are not indicated by ~~strikeout~~ or underline text. Revisions and clarifications are included as Errata within the Final EIR.

COMMENTS ON THE DRAFT EIR REGARDING THE NOTICE OF PREPARATION

The December 2, 2020 comment letter submitted by Ms. Delores Lucero was inadvertently not included in the Draft EIR. The following sections of the Draft EIR should read as follows:

Chapter 1 Introduction, Page 1-8:

Pursuant to CEQA Guidelines Section 15082, the Notice of Preparation (NOP) for the Proposed Project was circulated for review and comment on November 2, 2020 and circulated for a 30-day comment period ending December 2, 2020. Tulare County RMA received ~~eleven~~ twelve (~~11~~12) responses on the NOP. Comments were received from the following agencies, individuals, and/or organizations:

- Native American Heritage Commission, dated November 3, 2020;
- San Joaquin Valley Unified Air Pollution Control District, dated November 23, 2020;
- California Department of Fish and Wildlife, dated December 2, 2020;
- California Department of Transportation District 6, dated January 8, 2020; and
- Interested persons: Soapy Mulholland (November 2, 2020); Shvon Lavelly (November 30, 2020); Jenny Matsumoto (December 1, 2020); Greg and Laurie Schwaller (December 1, 2020); Cindy Howell, General Manager, Three Rivers Community Service District (December 2, 2020); Julianna Seligman, Director, The Kaweah Coalition (December 2, 2020); and Delores Lucero (November 2, 2020 and December 2, 2020).

Appendix G, NOP Tracking Chart:

The “Comments Received” column for Delores Lucero should read as follows.

11/1/20, Ms. Lucero submitted public records request
11/17/20, email received from Ms. Lucero following up on 11/1/20 email
11/18/20, Interoffice memorandum regarding Ms. Lucero's public records request.
11/19/20, RMA response to Ms. Lucero's email; Ms. Lucero replied to the response
11/23/20, email received from Ms. Lucero; RMA email response sent; Ms. Lucero responded per directions to forward questions
11/30/20, email received from Ms. Lucero and RMA email response sent.
12/2/20, comment letter from Ms. Lucero received via email.

On March 15, 2021 Ms. Lucero brought the lack of inclusion of this letter in the Draft EIR to RMA's attention. As such, these comments are included in the Final EIR as part of Attachment 12.

CLARIFICATIONS IN THE DISCUSSIONS/CONCLUSIONS IN CHAPTER 3 OF THE DRAFT EIR

The following clarifications have been made to reconcile the Project Impact and Cumulative Impact Analyses with the Conclusion made for the Checklist Item. The "Project Impact Analysis", "Cumulative Impact Analysis", and "Conclusion" have not been underlined in this document to avoid confusion between formatting in the EIR and changes to text made in this document.

Chapter 3.1 Aesthetics, Checklist Item a), Page 3.1-8:

Conclusion: ***Less Than Significant Impact***

As noted previously, there will be ~~No~~ ***Less Than Significant Project-specific or and Cumulative Impacts*** related to this Checklist Item.

Chapter 3.1 Aesthetics, Checklist Item b), Page 3.1-8:

Project Impact Analysis: ***No Impact and to Less Than Significant Impact***

Chapter 3.1 Aesthetics, Checklist Item b), Page 3.1-9:

Conclusion: ***No to-Less Than Significant Impact***

As noted previously, there will be ~~No~~ ***to Less Than Significant Project-specifics Impact and Less Than Significant Cumulative Impacts*** related to this Checklist Item.

Chapter 3.1 Aesthetics, Checklist Item d), Page 3.1-12:

Conclusion: ***No-Less Than Significant Impact***

As noted previously, there will be a *Less Than Significant Project-specific Impact and No Cumulative Impact* related to this Checklist Item.

Chapter 3.4 Biological Resources, Checklist Item e), Page 3.4-36

Cumulative Impact Analysis: ***Less Than Significant Impact With Mitigation***

The geographic area of this cumulative analysis is Tulare County.

There will be no impacts to policies or ordinances relating to biological resources, and **Mitigation Measures BIO-15 through BIO-18 would reduce potential impacts on oak woodlands to less than significant.** ~~Therefore there will be *No Less Than Significant Cumulative Impacts*~~ ***With Mitigation*** related to this Checklist Item.

Chapter 3.5 Energy, Checklist Item b), Page 3.6-14

Project Impact Analysis: ***~~Less Than Significant~~ No Impact***

The proposed Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The proposed Project is consistent with the Tulare County General Plan, the Three Rivers Community Plan and the Tulare County Climate Action Plan. These three plans contain policies intended to assist the County in achieving its goals for energy consumption and conservation goals. Therefore, the proposed Project will have no impact regarding this resource.

Chapter 3.7 Geology and Soils, Checklist Item c), Page 3.7-17

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, and/or Tulare County General Plan 2030 Update RDEIR.

There would be significant cumulative impacts if significant Project-specific impacts would occur. As previously noted, there are no Project-specific impacts. As such, ***No Cumulative Impacts*** related to this Checklist Item will occur.

Chapter 3.8 Greenhouse Gases, Checklist Item b), Pages 3.8-30 – 3.8-31

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis in the San Joaquin Valley Air Basin...Therefore, the proposed Project would result in Less Than Significant Project-

specific Impacts With Mitigation, while ***Less Than Significant Cumulative Impacts ~~With Mitigation~~*** would occur.

Chapter 3.9 Hazards and Hazardous Materials, Checklist Item b), Page 3.9-10

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, Tulare County 2030 General Plan DEIR, and/or the Three Rivers Community Plan and EIR.

As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. As there are ***Less Than Significant ~~Program~~-Project-specific Impacts, Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

Chapter 3.9 Hazards and Hazardous Materials, Checklist Item c), Page 3.9-11

Cumulative Impact Analysis: ***No Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, Tulare County 2030 General Plan DEIR, and/or the Three Rivers Community Plan and EIR.

As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. As there are ***Less Than Significant ~~Program~~-No Project-specific Impacts, Less Than Significant No Cumulative Impacts*** related to this Checklist Item will occur.

Chapter 3.9 Hazards and Hazardous Materials, Checklist Item d), Page 3.9-12

Cumulative Impact Analysis: ***No Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, Tulare County 2030 General Plan DEIR, and/or the Three Rivers Community Plan and EIR.

As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. As there are ***Less Than Significant ~~Program~~-No Project-specific***

Impacts, Less Than Significant Cumulative Impacts related to this Checklist Item will occur.

Chapter 3.9 Hazards and Hazardous Materials, Checklist Item e), Page 3.9-13

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, Tulare County 2030 General Plan DEIR, and/or the Three Rivers Community Plan and EIR.

As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. As there are ~~Less Than Significant Program~~ *No Project-specific Impacts, Less Than Significant* *No Cumulative Impacts* related to this Checklist Item will occur.

Chapter 3.9 Hazards and Hazardous Materials, Checklist Item f), Page 3.9-14

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, Tulare County 2030 General Plan DEIR, and/or the Three Rivers Community Plan and EIR.

As indicated earlier, the proposed Project includes an access/egress driveway to SR 198, it does not have direct access/egress to SR 198. Further, as there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. As there are ~~Less Than Significant Program~~ *No Project-specific Impacts, Less Than Significant* *No Cumulative Impacts* related to this Checklist Item will occur.

Mitigation Measure(s): *None Required.*

Conclusion: *No Impact*

As noted earlier, ~~Less Than Significant~~ *No Project-specific and-or* *Cumulative Impacts* related to this Checklist Item will occur.

Chapter 3.9 Hazards and Hazardous Materials, Checklist Item g), Page 3.9-15

Cumulative Impact Analysis: *Less Than Significant Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, Tulare County 2030 General Plan DEIR, and/or the Three Rivers Community Plan and EIR.

As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. As there are **Less Than Significant Project-specific Impacts, Less Than Significant Cumulative Impacts** related to this Checklist Item will occur.

Chapter 3.10 Hydrology and Water Quality, Checklist Item b), Page 3.10-19

Project Impact Analysis: *Less Than Significant Impact*

The proposed Project site is located in the Kaweah Watershed.... The proposed Project will result in *Less Than Significant Cumulative-Project-specific Impacts* to the water supply.

Chapter 3.10 Hydrology and Water Quality, Checklist Item c) ii), Page 3.10-20

ii) Runoff resulting in Flooding On- or Off-site; Less Than Significant Impact: The site will not result in waters capable of flooding either on- or off-site. The site ~~is not subject to flooding and~~ lies within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map;⁴⁵ however, compliance with Tulare County building codes will minimize potential flooding. Also, the site will not generate substantial amounts of runoff that would result in on- or off-site flooding due to the nature of the Project as a renewable energy producer (i.e., solar energy). The Project will avoid runoff type water from dust suppression activities through implementation of conditions of approval and project design features. As such, the Project would result in a less than significant impact to or from this resource Item.

The Project is not located on or near any areas that would result in or be impact by a flood hazard, tsunami, or seiche zones, that would result in a risk release of pollutants due to project inundation. As noted earlier in Item 10 c) ii), the Project ~~does not lie within an area nor is it subject not subject to flooding within~~ Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map; however, compliance with Tulare County building codes will minimize potential flooding. It is not directly exposed to or near any river, reservoirs, pond, or lake subject to seiches from earthquake activity; and it is greater than 100 miles east of the nearest coastline that would be subject to tsunami. Therefore, there would be no impact from potential inundation by the flood hazard, tsunami, or seiches.

Chapter 3.10 Hydrology and Water Quality, Checklist Item d), Page 3.10-21

Project Impact Analysis: *No Impact*

The Project is not located on or near any areas that would result in or be impact by a flood hazard, tsunami, or seiche zones, that would result in a risk release of pollutants due to project inundation. As noted earlier in Item 10 c) ii), the Project does not lie within an area nor is it subject not subject to flooding within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map; it is not exposed to or near any river, reservoirs, pond, or lake subject to seiches from earthquake activity; and it is greater than 100 miles east of the nearest coastline that would be subject to tsunami. Therefore, there would be no impact from potential inundation by the flood hazard, tsunami, or seiches.

Chapter 3.13 Noise, Checklist Item b), Page 3.13-21

Cumulative Impact Analysis: *Less Than Significant Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, the Tulare County General Plan 2030 Update Background Report, the Tulare County 2030 General Plan 2030 Update Recirculated Draft Environmental Impact Report (RDEIR), Foothill Growth Management Plan, and/or the Three Rivers Community Plan Update and accompanying EIR. The RMA agrees with the conclusions contained within and supported in the NIA prepared by qualified expert consultant ECORP Consulting, Inc., that the proposed Project would not significantly contribute to a cumulative impact to this resource. Further, as there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. Therefore, the proposed Project will result in ~~No~~ **Less Than Significant Cumulative Impacts** related to this Checklist Item.

Chapter 3.16 Recreation, Checklist Item a), Pages 3.16-7 to 3.16-8

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, General Plan 2030 Update Background Report, and/or Tulare County 2030 General Plan DEIR.

The nature of the proposed Project will not result in permanent population growth, as such, the proposed Project would not result in demands for additional or expansion of recreation-related facilities. As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource.

As such ~~Less Than Significant Impact~~ **No Cumulative Impacts** related to this Checklist Item will occur.

Chapter 3.16 Recreation, Checklist Item b), Page 3.16-8

Project Impact Analysis: *No Impact*

The proposed Project does not include recreational facilities. As there is no population growth associated with the proposed Project, there will be no need to construct or expand any recreational facilities as there would be no adverse physical effect on the environment; therefore, there would be No ~~Impact~~ to this resource.

Chapter 3.17 Transportation, Checklist Item c), Page 3.17-38

Cumulative Impact Analysis: *~~No~~ Less Than Significant Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the TIS, Tulare County General Plan 2030 Update, Tulare County General Plan 2030 Update Background Report, Tulare County General Plan 2030 Update RDEIR, and the TCAG 2018 Regional Transportation Plan. and the Three Rivers Community Plan 2018 Update. The nature of the proposed Project is to accommodate transient tourist/visitors in the area of Three Rivers. As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource. Therefore, the proposed Project will result in a *Less Than Significant Project and Cumulative Impact*.

Mitigation: *None Required.*

Conclusion: *~~No~~ Less Than Significant Impact*

The proposed Project will result in a *Less Than Significant Project and Cumulative Impact*.

Chapter 3.17 Transportation, Checklist Item c), Page 3.17-39

Last sentence of Cumulative Impact Analysis: As noted earlier, no significant design changes that would result in a hazard are proposed. As such, *Less Than Significant and Project-Specific and Cumulative Impacts* related to this Checklist Item will occur.

Chapter 3.18 Tribal Cultural Resources, Checklist Item b), Page 3.18-12

Cumulative Impact Analysis: *Less Than Significant Impact With Mitigation*

Mitigation Measure(s): *CUL-1 subsets (a) through (c) as specified at Item 5 Cultural Resources*

As noted above, surface resources are not present on the proposed Project location. In the event subsurface resources are encountered, **Mitigation Measures CUL-1 subsets (a) through (c)** would apply to minimize any impact to less than significant. As there are no other hotel (or motel) or other development proposals within the vicinity of Three Rivers, the proposed Project will not significantly contribute to a cumulative impact to this resource.

Conclusion: ***Less Than Significant Impact With Mitigation***

With implementation of **Mitigation Measures CUL-1 subsets (a) through (c)**, potential Project-specific and cumulative impacts related to this Checklist Item will be reduced to a level of ***Less Than Significant With Mitigation***.

Chapter 3.20 Wildfires, Checklist Item c), Page 3.20-15

Project Impact Analysis: ***No Impact***

As noted earlier, the proposed Project is a 3-story hotel which will consist of 105 guest rooms with 108 standard parking stalls, and utilities that include a septic tank with filter and dripline system and new domestic well, and storm drainage will be retained on-site (with an option for biofiltration). The proposed Project is anticipated to have 12 employees, and 70 customers daily. The Project applicant will install and maintain associated infrastructure (such as roads, and water sources (for potable and fire suppression uses)) and will directly connect to existing power lines). Additional fire breaks or connection to other utilities (e.g., natural gas or an existing or new wastewater system) will not be necessary. As such, the proposed Project would not exacerbate fire risk or result in temporary or ongoing impacts to the environment. As noted in Checklist Item 19 a), the Project would provide its own infrastructure (e.g., electricity connection to SCE, internal water sources, propane gas, etc.). As such, it would result in ***No Impact*** to this resource item.

Chapter 3.21 Mandatory Finding of Significance, Checklist Item a), Biological Resources, Pages 3.21-8 – 3.21-9

Cumulative Impact Analysis: ***~~No~~ Less Than Significant Impact With Mitigation***

The geographic area of this cumulative analysis is California. As noted in Chapter 3.4, there are ***No Impacts*** related to habitat conservation plans, and therefore there are ***No Cumulative Impacts*** that will conflict with local policies or ordinances.

Mitigation: ***~~None Required~~ See Mitigation Measures BIO-1 through BIO-18 as contained in Chapter 3.4.***

Conclusion: ***Less Than Significant Impact With Mitigation***

Potential Project-specific and cumulative impacts to biological resources will be ***Less Than Significant*** with implementation of **Mitigation Measures BIO-1 through BIO-18.**

Chapter 3.21 Mandatory Finding of Significance, Checklist Item a), California History or Prehistory, Page 3.21-10

Conclusion: ***Less Than Significant Impact With Mitigation***

~~***Less Than Significant***~~ Potential Project-specific and Cumulative Impacts ~~***With Mitigation***~~ to biological and historical, cultural, paleontological, and tribal cultural resources will ~~be~~ be ***Less Than Significant*** with implementation of **Mitigation Measures CUL-1 and CUL-2.**

CLARIFICATIONS TO OTHER CHAPTERS IN THE DRAFT EIR

Chapter 5 Alternatives, Introduction, Page 5-1:

This Chapter will conclude that the proposed Project is the preferred Alternative. Alternative No. 3 Reduced (50~~25~~%) Project is the Environmentally Superior Alternative; however, it does not meet the economic/financial feasibility objectives of the proposed Project.

Chapter 5 Alternatives, Introduction, Evaluation of Alternatives, Page 5-11:

As indicated throughout the EIR, the proposed Project is currently zoned as C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone) and the proposed development is an allowed use by right as it is consistent with the applicable Tulare County Zone classification, and both the Tulare County General Plan and Three Rivers Community Plan land use designations. The following statement is a remnant of the template document and has been corrected for consistency with the by-right use and language throughout the EIR.

In summary, the proposed Project is preferred over all other alternatives for the following reasons: ...

- The proposed Project is an allowed use ~~with a special use permit~~ ***by right*** (emphasis added) in the C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone) zone.

Chapter 5 Alternative 2 - Alternate Site, Page 5-12:

It is unknown... The time requirements for these activities would reduce the ability of the Applicant to accommodate ~~projected asphalt/concrete demand in a timely manner compared to the proposed Project construction/operation schedule thereby adversely~~ affection their business model for efficiency. As such, this alternative...

Chapter 8 Mitigation Monitoring and Reporting Program, Table 8-1, Cultural Resources, Page 8-13:

To clarify, there are only two mitigation measures identified in Chapter 3.5 Cultural Resources of the Draft EIR. An extra row below Mitigation Measure CUL-2 was inadvertently not removed from the template table used in the preparation of the Mitigation Monitoring and Reporting Program (MMRP). This row identified the monitoring timing/frequency, action indicating compliance, monitoring agency, and person conducting monitoring reporting, but does not identify a mitigation measure to be incorporated into the Project. This row has been deleted in the Table 8-1 of the Final EIR.

Chapter 8 Mitigation Monitoring and Reporting Program, Table 8-1, Geology and Soils (Paleontological Resources), Page 8-13, and Tribal Cultural Resources, Page 8-15:

The Mitigation Measure identified for these resources have been amended to clarify that Mitigation Measure CUL-2 subsets (a) through (c) is the applicable measure as follows:

See CUL-~~42~~ subsets (a) through (c), as specified in Item 5 Cultural Resources (as applicable)

IV. Findings of Fact

FINDINGS OF FACT
Three Rivers Hampton Inn & Suites Project
Tulare County, California
State Clearinghouse Number 2020110016
June 29, 2021

CEQA FINDINGS

CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR THE THREE RIVERS HAMPTON INN & SUITES PROJECT AS BEING IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING PROJECT FINDINGS; ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM; AND APPROVING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THIS PROJECT

I

INTRODUCTION

The Board of Supervisors (“Board”) of the County of Tulare (“County”) intends to approve this project identified as the Three Rivers Hampton Inn & Suites Project (“Project”). The proposed Project includes the construction and operation of a 105-guest room, 3-story hotel and associated site improvements including: managers office, meeting room, in-house food preparation and breakfast area, and other typical hotel facilities (such as in-house and guest laundry, fitness center, various storage closets, etc.) an outdoor swimming pool and cabana building, a 108-stall parking lot (of which six stalls will be handicap accessible stalls), a septic tank with filter and dripline system, a new domestic well, and on-site storm drainage. The proposed Project encompasses approximately 2.80 acres of land located on Tulare County Assessor Parcel Number (APN) 068-080-010 along California State Route 198 within the Three Rivers Urban Development Boundary. The Project site is located within the Kaweah USGS 7.5 Minute Topographic Quadrangles, within Section 26, Township 17 South, Range 28 East; the coordinates of the proposed Project site are North 35° 25’ 27.31” N, West 118° 54’ 55.84”. The proposed Project is an allowed use under the current C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone); however, the Tulare County Resource Management Agency (“RMA”) determined that the preparation of an Environmental Impact Report (“EIR”) was appropriate due to potentially significant environmental impacts that could be caused by implementing the proposed Project.

To approve this Project, the Board must consider and take action on the Final Environmental Impact Report (“Final EIR”), Mitigation Monitoring and Reporting Program (“MMRP”), and Findings of Fact (“FOF”) applicable to the proposed Project. The Board is the final decision-making body with respect to the Final EIR, MMRP and FOF. In the context of the California Environmental Quality Act (“CEQA”), the County is the “lead agency”.

II

CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR THE THREE RIVERS HAMPTON INN & SUITES PROJECT

The Board hereby certifies and finds that it has considered the information presented in the Final EIR and other relevant evidence to determine compliance with CEQA, and the State CEQA Guidelines. The Board further certifies and finds that prior to taking action on the Project, the Board independently reviewed and considered the information contained in the Final EIR and other relevant evidence presented thereto. Accordingly, based on the Board's exercise of its independent judgment when reviewing and considering the Final EIR, and other relevant evidence presented thereto, the Board further certifies and finds that the Final EIR required for the proposed Project is adequate, and has been prepared and completed in compliance with CEQA and the State CEQA Guidelines.

III

FINDINGS REQUIRED CONCERNING ENVIRONMENTAL IMPACTS UNDER CEQA

The recitals contained in the accompanying Resolution have been independently reviewed and considered by the Board, are found to be true, and are hereby adopted in support of approval of the proposed Project.

CEQA requires that certain findings be made with respect to significant environmental impacts, Mitigation Measures, and alternatives. To satisfy this requirement, the Board hereby adopts and incorporates by reference the Three Rivers Hampton Inn & Suites Project Environmental Impact Report ("EIR"), which includes the Final EIR, the Draft EIR, and the Technical Appendices thereto, the Comments to the Draft EIR, and the Responses to Comments and related appendices thereto.

In approving these findings, the Board has independently reviewed, considered, and relied on (1) the information contained in the EIR and appendices thereto; (2) the various reports (both oral and written) provided by County Staff to the Board; (3) the information submitted during the public comment period; and (4) other evidence contained in the public record. In doing so, the Board finds and declares that the factual discussion and analysis contained in the EIR, the staff reports, and other evidence in the Public Record of Proceedings provide a sufficient basis for approval of the Project pursuant to CEQA.

A. Environmental Impacts and Mitigation Measures

As to the potentially significant environmental impacts identified in the EIR, the Board finds that: project changes or alterations and mitigation measures have been required in, or incorporated into

the proposed Project that mitigate, avoid, or substantially lessen the significant environmental impacts identified in the EIR to a less than significant level.

1. Project Impacts.

Consistent with Public Resource Code Section 21081 and CEQA Guidelines Sections 15091 through 15093 (including Public Resources Code Section 21061.1 and Guidelines Section 15364 relating to the definition of “feasibility”), the Board hereby makes various findings relating to the significant effects identified in the Final EIR for the proposed Project.

a. Impact 3.1 Aesthetics – a) through c) Scenic Resources and Visual Character

Pursuant to the discussion in Sections 3.1 a) – c) of the Final EIR, there will be no to a less than significant impact to the visual character of the scenic resources, or on the visual quality within the Project's vicinity, or visual character resulting from the proposed Project. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant impact to the environment involving scenic resources because i) there are ***no designated scenic vistas*** (emphasis added) on the proposed Project site or in the vicinity, and ii) the Project site is not visible from a ***Designated State Scenic Highway*** (emphasis added); iii) Project design elements (such as vegetation along the frontage and setback of the building) will minimize impacts to the visual character of the site and surroundings, and iv) the proposed Project will comply with all applicable Tulare County General Plan and Three Rivers Community Plans policies and development standards. The Board further finds and declares that Mitigation Measures are not required to mitigate Project-related visual impacts on scenic resources and visual character to a less than significant level.

In support of this finding, evidence is contained in the Final EIR and other evidence in the Public Record of Proceedings that the proposed Project would not result in a significant impact to the visual character of the scenic resources, or degrade the visual quality within the Project's vicinity, or visual character resulting from the proposed Project. The evidence indicates that no mitigation measures are necessary or required to mitigate any potential Project-related visual impacts to less than significant. As such, no mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

b. Impact 3.1 Aesthetics – d) Light and Glare

Pursuant to the discussion in Section 3.1 d) of the Final EIR, there will be a less than significant impact to the surrounding environment resulting from the proposed Project's lighting. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that mitigation measures are not required to mitigate or substantially lessen any impact from the lighting installed within the Project site to a less than significant level. As such, no mitigation measures are necessary or required.

In support of this finding, evidence is contained in the Final EIR and in the Public Record of Proceedings that the proposed Project would not result in generation of additional light or glare on the neighboring properties. The evidence indicates that no mitigation measures are necessary or required to mitigate any potential Project-related light and glare impact would be less than significant.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

c. Impact 3.2 Agricultural Land and Forestry Resources – a) through e) Prime Farmland, Williamson Act, Rezoning and Loss of Forest Land, and Conversion of Agricultural and Forest Land

Pursuant to the discussion in Section 3.2 a) – e) of the Final EIR, there will be no impacts to the surrounding environment involving the loss of farmland and forestry resources. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant impact to the environment involving the loss of farmland and forestry resources because: (i) the Project site is not classified as prime farmland; (ii) the Project site does not have a Williamson Act contract, (iii) the Project site contains no lands zoned or identified as forest land or timberland, and (iv) the Project site is not located within a forest land zone. The issuance of the Building Permit would not result in the rezoning of designated forest land, and will not cause any agricultural uses to be converted into a non-agricultural use, or cause any other land that would convert farmland or the conversion of forestlands. Therefore, the proposed Project will have no impact on agricultural lands or forestry resources.

In support of this finding, evidence is contained in the Final EIR, the Tulare County General Plan, and the Public Record of Proceedings that the proposed Project will have no significant impact involving Agricultural Land and Forestry Resources.

Thus, the proposed Project will have no impact. There is no evidence to the contrary in the Public Record of Proceedings.

d. Impact 3.3 Air Quality – a) Air Quality Plan

Pursuant to the discussion in Section 3.3 a) of the Final EIR, there will be no significant impact to air quality. The Board concurs with this analysis.

Accordingly, based on the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), Comments, Response to Comments, and other substantial evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant impact to the applicable air quality plan because: (i) annual emission rates of PM₁₀, PM_{2.5}, VOC (ROG), NO_x, CO, and SO₂ for proposed Project construction and operations are below the San Joaquin Valley Unified Air Pollution Control District (“Air District”) thresholds of significance and; (ii) the proposed Project is consistent with the Tulare County General Plan, the Three Rivers Community Plan, and the growth assumptions used in the Air District’s air quality plans.. As such, no mitigation measures are necessary or required.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), and in the Public Record of Proceedings that the proposed Project is subject to typical compliance with applicable Air District rules and regulations that are sufficient to reduce impacts to a level considered less than significant. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

e. Impact 3.3 Air Quality – b) Violate Quality Standards and Cumulative Net Increase of Criteria Pollutants

Pursuant to the discussion in Section 3.3 b) of the Final EIR, there will be a less than significant impact with mitigation to air quality standards and cumulative net increase of criteria pollutants. The Board concurs with this analysis.

Accordingly, based on the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), Comments Received, Response to Comments, and other substantial evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant impact to the environment involving air quality because: (i) annual emission rates of PM₁₀, PM_{2.5}, VOC (ROG), NO_x, CO, and SO₂ for proposed Project construction and operations are below the thresholds of significance as established by the Air District (ii) the proposed Project will be required to comply with applicable Air District standards and rules/regulations and to receive applicable permits/approvals; and (iii) verification of compliance is performed by the Air District. However, as an abundance of caution, mitigation measures have been incorporated into the proposed Project to ensure potential impacts are reduced to a less than significant level.

Mitigation requiring compliance with Air District Rule 9510 (Indirect Source Review) is set forth in Mitigation Measures AQ-1 and AQ-2. Such mitigation is hereby adopted for this Project. It shall be the responsibility of the Applicant to implement the Mitigation Measures. The Code Enforcement Division of the Resource Management Agency (RMA) shall monitor compliance with these Mitigation Measures and shall enforce these conditions pursuant to their

enforcement powers allowed by law and the mitigation monitoring program adopted for this Project.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), and in the Public Record of Proceedings that the proposed Project is subject to typical compliance with applicable Air District rules and regulations that are sufficient to reduce impacts to a level considered less than significant. Implementation of Mitigation Measures AQ-1 and AQ-2 would further reduce Project-specific and cumulative impacts to less than significant.

Thus, there is a less than significant impact with mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

f. Impact 3.3 Air Quality – c) and d) Exposure Risks and Odors

Pursuant to the discussion in Sections 3.3 c) and d) of the Final EIR, there will be a less than significant impact to sensitive receptors from substantial pollutant concentrations and odors. The Board concurs with this analysis.

Accordingly, based on the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), Comments, Response to Comments, and other substantial evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant impact to sensitive receptors because (i) the proposed Project will be required to comply with applicable standards and rules/regulations and receive applicable permits/approvals from the Air District; (ii) neither the Project nor the cumulative park plus Project traffic would generate traffic volumes exceeding 100,000 vehicles per day; and (iii) the proposed Project is not anticipated to create a new permanent source of odors.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), and in the Public Record of Proceedings that the proposed Project is subject to typical compliance with applicable Air District rules and regulations that are sufficient to reduce impacts to a level considered less than significant. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

g. Impact 3.4 Biological Resources – a), c), and e) Habitat Modification on Candidate, Sensitive or Special Status Species; State or Federally Protected Wetlands, and Conflict with Local Policies or Ordinances

Pursuant to the discussion in Section 3.4 a) of the Final EIR, with implementation of mitigation measures the proposed Project will result in a less than significant impact to candidate,

sensitive, or special status species and protected wetlands, and will not conflict with local policies or ordinances. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “B” of the Draft EIR), Comments Received, Response to Comments, and other substantial evidence the Public Record of Proceedings, the Board finds and declares that that Mitigation Measures would, in the event of occurrence, mitigate Project-related impacts to candidate, sensitive, or special status species and protected wetlands to a less than significant level.

Mitigation to reduce the potential impact(s) are set forth in Mitigation Measures: BIO-1 through BIO-3 to protect special status plant species; BIO-4 and BIO-5 to protect special status reptile species; BIO-6 and BIO-7 to protect raptors and migratory birds; BIO-8 and BIO-9 to protect special status bat species; BIO-10 through BIO-14 to protect jurisdictional waters; and BIO-15 through BIO-18 to protect oak woodlands. Mitigation Measures BIO-1 through BIO-18 are hereby adopted for this Project. It shall be the responsibility of the Applicant, construction contractor, or the County Environmental Assessment Officer, as appropriate to implement the applicable Mitigation Measures. Monitoring shall be the responsibility of the RMA. Therefore, the proposed Project will have a less than significant impact with mitigation.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices (Appendix “B” of the Draft EIR), Comments Received, Response to Comments, and the Public Record of Proceedings that Mitigation Measures BIO-1 through BIO-18 would reduce potential impacts to biological resources to less than significant.

Thus, there is a less than significant impact with mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

h. Impact 3.4 Biological Resources – b), d) and f) Adverse Effect on Riparian Habitat or Other Sensitive Natural Communities; Interference with Native Resident or Migratory Fish or Wildlife Species; and Conflict with Conservation Plans

Pursuant to the discussion in Sections 3.4 b) of the Final EIR, there will be no impact to riparian habitat or other sensitive natural communities and the proposed Project will not conflict with any state, federal, or local Habitat Conservation Plan or Natural Community Conservation Plan; the proposed Project will have a less than significant effect on migratory fish or wildlife species. The Board concurs with this analysis.

Accordingly, based on the Final EIR, Technical Appendices (Appendix “B” of the Draft EIR, Comments Received, Response to Comments, and other substantial evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant impact to the to the environment involving biological resources because (i) there are no riparian habitat, wetland habitat, or other sensitive natural communities identified on the Project site, (ii) the proposed Project would not significantly impede the migratory pattern of animal species, and (iii) there are no approved Habitat or Natural Community Conservation Plans in effect

for the Project site. As such, mitigation measures are not necessary or required to avoid, mitigate, or substantially lessen any impact(s) to these biological resources that might result from the adoption of this Project.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that impact(s) are nonexistent or less than significant. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

i. Impact 3.5 Cultural Resources – a) through c) Adverse change of a Historical Resource; Archaeological Resource; or Disturb Human Remains

Pursuant to the discussion in Sections 3.5 a) – c) of the Final EIR, there will be a less than significant impact with mitigation from disturbance of cultural or historic resources, and skeletal remains. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “C” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that mitigation measures are necessary, as applicable, to avoid, mitigate or substantially lessen any impact(s) to the environment from disturbance of cultural or historic resources and skeletal remains.

Mitigation is set forth in Mitigation Measures CUL-1 and CUL-2. Such mitigation is hereby adopted for this Project. All Mitigation Measures shall be implemented by the County of Tulare, construction contractor, or the County Environmental Assessment Officer, as appropriate. Monitoring shall be the responsibility of the RMA.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices (Appendix “C” of the Draft EIR), Response to Comments, and the Public Record of Proceedings that there could be a disturbance or destruction of cultural or historical resources resulting from construction-related activities associated with the proposed Project. However, there is no recorded evidence of archeological find(s) at the Project site. In the unlikely event that human remains are discovered, Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5 would be implemented. As an abundance of caution, and if necessary, the implementation of Mitigation Measures CUL-1 and CUL-2 would ensure that potential impacts to cultural resources and human remains would be reduced to less than significant. Therefore, the proposed Project will have a less than significant impact with mitigation.

Thus, there is a less than significant impact with mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

j. Impact 3.6 a) and b) Energy – a) and b) Energy Consumption and Energy Plans

Pursuant to the discussion in Sections 3.6 a) – b) of the Final EIR, the proposed Project will result in no to less than significant impacts to the environment involving energy. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation; nor will it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the proposed Project will have no to a less than significant impact and mitigation measures are not required.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project (i) includes energy-efficiency and water conservation features that would reduce the commitment of nonrenewable resources, (ii) reduces vehicle miles traveled (VMT) thereby reducing vehicle fuel consumption and greenhouse gas emissions from visitors/tourists to the Project area; and (iii) is consistent with the Tulare County General Plan, Three Rivers Community Plan, and Tulare County Climate Action Plan. Therefore, the proposed Project will have no to a less than significant impact.

Thus, there is no to a less than significant impact. There is no relevant evidence to the contrary in the Public Record of Proceedings.

k. Impact 3.7 Geology and Soils – a) i) through iv) Seismic Activity

Pursuant to the discussion in Section 3.7 a) of the Final EIR, the proposed Project will result in a less than significant impact to the environment involving seismic effects. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “D” of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation of the site found that the proposed Project will not cause a significant impact related to exposure of people or structures to earthquake faults, seismic shaking, ground failure including liquefaction, and landslides. In addition, the proposed Project would not cause a significant impact related to the loss of topsoil, unstable soils, expansive soils, and soils incapable of supporting septic tanks. No mitigation measures are necessary or required.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings that the proposed Project will not cause a significant impact related to exposure of people or structures to earthquake faults, seismic shaking, ground failure including liquefaction, and landslides. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

1. Impact 3.7 Geology and Soils – b) Soil Erosion or Loss of Topsoil

Pursuant to the discussion in Section 3.7 b) of the Final EIR, there will be a less than significant impact to the environment involving erosion or loss of topsoil. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “D” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site found that the site has very little slope (i.e., a slight decline in grade from east to west) and will have a flat topography after grading. As stated earlier, the relatively flat nature of the site reduces the need for extensive grading which would be generally limited to access roads, parking, and the hotel structure itself. Any soils removed from these areas would likely be redistributed around and retained elsewhere on the proposed Project site. Beyond grading, soil disturbance would occur in association with trenching for emplacement of plumbing, electrical, and storm water drainage conduits. Thus, mitigation measures for soil erosion or loss of topsoil are not necessary or required.

In support of this finding, evidence is contained in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings that the proposed Project will not cause a significant impact to soil erosion or topsoil loss. While impacts are anticipated to be less than significant, the Clean Water Act (CWA) and the Central Valley Regional Water Quality Control Board (CVRWQCB) require a Stormwater Pollution Prevention Plan (SWPPP) to be developed by a qualified engineer or erosion control specialist and implemented before construction begins. As a result of these efforts, loss of topsoil and substantial soil erosion during the construction and operations are not anticipated. Therefore, the proposed Project would result in a less than significant impact. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

m. Impact 3.7 Geology and Soils – c) and d) Unstable Soil; Expansive Soil

Pursuant to the discussion in Section 3.6 c) of the Final EIR, the Project site is located on soil types in the area are not conducive to subsidence or liquefaction, or expansive soil. Therefore, there will be no impact to the environment involving unstable soils or expansive soil. The Board concurs with this analysis.

Accordingly, based on substantial evidence is contained in the Final EIR, Technical Appendices (Appendix “D” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site did not indicate the

presence of potentially unstable soils or expansive soil. As such, the proposed Project will not have a significant impact to these resource items.

In support of this finding, as noted earlier, the proposed project would be subject to requirements of the Clean Water Act (CWA) and the Central Valley Regional Water Quality Control Board (CVRWQCB) requires a Stormwater Pollution Prevention Plan (SWPPP) to be developed by a qualified engineer or erosion control specialist and implemented before construction begins. Compliance with local grading and erosion control ordinances would also help minimize adverse effects associated with erosion and sedimentation. As a result of these efforts, the site's topography, no contribution of excessive amounts of water, and no mining of excessive amounts of groundwater, the proposed Project would result in a no impact. No mitigation measures are necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

n. Impact 3.7 Geology and Soils – e) Inadequate Soils for Septic Tanks or Wastewater Disposal

Pursuant to the discussion in Section 3.7 e) of the Final EIR, there will be no impact involving unsuitable soils for domestic waste disposal. The Project will provide its own septic disposal system. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site indicated it is suitable for its own on-site septic system. The proposed Project would include the installation or use of septic tanks or other alternative waste water disposal systems, thus it will have no impact nor require connection or expansion to an existing water treatment system. The applicant will be required to comply with Tulare County General Plan policies, Three Rivers Community Plan policies, Regional Water Quality Control Board requirements, and must also receive approval by the Tulare County Health and Human Services Agency. Therefore, no mitigation is necessary or required.

In support of this this finding, and with no anticipated impacts, the proposed Project will provide its own on-site septic system, it will have no impact involving septic or waste water systems, and it must comply with Tulare County General Plan policies, Three Rivers Community Plan policies, Regional Water Quality Control Board requirements, and must also receive approval by the Tulare County Health and Human Services Agency. No mitigation measures are necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

o. Impact 3.7 Geology and Soils – f) Paleontological Resources

Pursuant to the discussion in Section 3.7 f) of the Final EIR, there are no known paleontological resources within the proposed Project area, nor are there any known geologic features in the proposed Project area that would support paleontological resources. Although it cannot conclusively be demonstrated that no subsurface paleontological resources are present, the impact would be reduced to less than significant impact with mitigation. In the unlikely event that paleontological resources are encountered, implementation of Mitigation Measure CUL-2 subsets (a) through (c), as applicable, would reduce the proposed Project's impact to less than significant. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, applicable Technical Appendices, Response to Comments, and the Public Record of Proceedings, the Board finds and declares that there are no known paleontological resources within the proposed Project area, nor are there any known geologic features in the proposed Project area that would support paleontological resources. However, in the unlikely event of encountering paleontological resources, implementation of mitigation measures would reduce the impact to less than significant. Mitigation is set forth in Mitigation Measure CUL-1 subsets (a) through (c), as specified in Item 5 Cultural Resources (as applicable), will ensure that any impact will be less than significant. Such mitigation is hereby adopted for this Project. Therefore, there will be a less than significant impact to the environment involving paleontological resources.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project will have a less than significant impact on paleontological resources.

Thus, the Project will have a less than significant impact with mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

p. Impact 3.8 Greenhouse Gas Emissions – a) and b) Generation of Greenhouse Gas Emissions

Pursuant to the discussion in Section 3.8 a) of the EIR, the proposed Project would result in less than significant direct and indirect impacts to climate change resulting from Greenhouse Gas (GHG) Emissions. Mitigation measures are not required to reduce these impacts to less than significant. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR, applicable Technical Appendix (Appendix "A" of the Draft EIR), Comments Received, Response to Comments, and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not have any significant impact involving GHG emissions either directly or indirectly as the proposed Project is consistent with the applicable strategies of the State's 2017 Scoping Plan Update, the San Joaquin Valley Unified Air Pollution Control District Policy ("Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as Lead Agency"), the Tulare County Climate Action Plan, and contributes to their implementation in terms of compliance with

regulations related to motor vehicles, fuels, and electricity used by the proposed Project. Therefore, the impact is less than significant without mitigation measures.

In support of this finding, as noted earlier, the proposed Project is consistent with State, Air District, and Tulare County goals and strategies for reducing GHG emissions; therefore, the proposed Project would result in a less than significant impact. No mitigation measures are necessary or required.

Thus, there would be a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

q. Impact 3.8 Greenhouse Gas Emissions –b) Conflict with Applicable Plan, Policy, or Regulation

Pursuant to the discussion in Section 3.8 b) of the EIR, the proposed Project would result in less than significant direct and indirect impacts to climate change resulting from Greenhouse Gas (GHG) Emissions with implementation of mitigation measures. The Board concurs in this analysis.

Mitigation is set forth in Mitigation Measures GHG-1 and GHG-2. Such mitigation is hereby adopted for this Project. All Mitigation Measures shall be implemented by the applicant. Monitoring shall be the responsibility of the RMA.

Accordingly, based on substantial evidence in the Final EIR, applicable Technical Appendix (Appendix “A” of the Draft EIR), Comments Received, Response to Comments, and the Public Record of Proceedings, the Board finds and declares that mitigation measures are necessary, as applicable, to avoid, mitigate or substantially lessen any GHG impact(s) to the environment from the proposed Project.

In support of this finding, as noted earlier, the proposed Project is consistent with State, Air District, Tulare County General Plan, Three Rivers Community Plan, and Tulare County Climate Action Plan goals and strategies for reducing GHG emissions. Further, development of the Project would reduce the unaccommodated demand, thus reducing Vehicle Miles Traveled (VMT) in the market area thereby reducing GHG emissions. Lastly, implementation of Mitigation Measures GHG-1 and GHG-2, the proposed Project is consistent with the requirements of the Tulare County CAP, thereby reducing impacts to less than significant. As such, the proposed Project would result in a less than significant impact with mitigation.

Thus, there would be a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

r. Impact 3.9 Hazards and Hazardous Materials – a), b), and g) Create a Hazard through Transport, Use, or Disposal of Hazardous Materials; Hazard to the Public or the Environment Through Reasonably Foreseeable Upset and Accident

Conditions; Expose People or Structures to a Significant Risk Involving Wildland Fires

Pursuant to the discussion in Sections 3.9 a), b) and g) of the EIR, the proposed Project will cause a less than significant impact to the environment or the public through the routine transport, use, or disposal of hazardous materials; creating a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not create a significant hazard to the public or the environment from routine operational activities, create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involve the release of hazardous materials into the environment; exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires..

In support of the evidence contained in the Final EIR and the Public Records of Proceedings, the proposed Project, construction of the proposed Project's components would require the transport and use of small quantities of hazardous materials in the form of gasoline, diesel and oil associated with construction equipment. There is the potential for small leaks due to refueling of the construction equipment; however, standard construction Best Management Practices (BMPs) included in the SWPPP would reduce the potential for and clean-up in the unlikely event of spills or leaks of construction-related fuels and other hazardous materials. Proposed Project operations will not require the storage of hazardous materials, such as fuel and lubricants. It is likely the proposed Project will use and store typical housekeeping products such as drain cleaners, spot remover, disinfectants, etc. The storage, transport, and use of these materials would comply with Local, State, and Federal regulatory requirements. The proposed Project will not contain any housing or buildings where workers will reside or be stationed that will be at risk of fire. As a hotel, the primary occupants will be employees and transient visitors/guests. In the event of fire threat, because of its proximity to SR 198, these persons can readily access SR 198 to evacuate if necessary. Also, complying with Calfire and Tulare County fire code standards (e.g., fire resistant materials, sprinkler system, fireflow, fire hydrants, access (for firefighting or other first responder apparatus), etc.) would ensure that the proposed Project will be constructed to maximize protection from wildfire. Therefore, the proposed Project will have a less than significant impact without mitigation.

Thus, there is a less than significant impact without mitigation. There is no relevant evidence to the contrary in the Public Record of Proceedings.

- s. Impact 3.9 Hazards and Hazardous Materials – c) through f) Within One-Quarter Mile of an Existing or Proposed School; On a List of Hazardous Materials Sites Compiled

Pursuant to Government Code Section 65962.5: Within or Near a Public or Public Use Airport; Impair/Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan

Pursuant to the discussion in Sections 3.9 c) - f) of the Final EIR, the proposed Project would result in no impact to the environment as it would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; it is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; it is not located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; and it would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Construction and operation of the proposed Project would require equipment that utilizes insignificant amounts hazardous materials. Also, the nearest school is greater than ¼ mile northwest of the site and the site is not listed on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5 (Cortese List site). The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will result in no impact to the above noted resource items (that is, in regard to Sections 3.9 c) - f) of the EIR) concerning hazards or hazardous materials.

In support of this finding, the evidence indicates that the nearest school (Three Rivers Elementary School) is approximately 1.5 miles north of the proposed Project site; the site is not listed on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5 (Cortese List site); The nearest airport, Woodlake Airport, is approximately sixteen miles west of the proposed Project site; the non-operational Three Rivers airport is located approximately two miles north of the proposed Project site and there are no private airports within the Project vicinity; the proposed Project will not conflict with Tulare County Airport Land Use Plan (ALUP) policy; it is not within any airport's safety zone and; as the proposed Project includes an access/egress driveway to SR 198, it does not have direct access/egress to SR 198. As such, it would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evaluation plan. Also, the storage, transport, and use of these materials would comply with Local, State, and Federal regulatory requirements and implementation of Tulare County General Plan policies would ensure that impacts from the handling, storage, transport, or accidental release of hazardous materials. Therefore, the proposed Project would result in no impact to these resources.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

- t. Impact 3.10 Hydrology and Water Quality – a), b), and c) i) through iii) Water Quality Standards or Waste Discharge Requirements; Substantially Deplete Groundwater

Supplies Or Interfere Substantially With Groundwater; Alter the Existing Drainage Pattern

Pursuant to the discussion in Section 3.10 a), b), and c) i) through iii) of the Final EIR, there will be a less than significant impact to groundwater quality standards or waste discharge requirements; deplete groundwater supplies or interfere with groundwater recharge; or alter existing drainage patterns. The Board concurs in this analysis.

Accordingly, based on substantial evidence contained in the Final EIR, Technical Appendices (see Appendix “F” of the Draft EIR), Response to Comments, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site did not find that the proposed Project would violate any water quality standards or waste discharge requirements; it would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin; and it will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project would require implementation of the aforementioned design features requiring a Stormwater Pollution Prevention Plan (SWPPP) and would require an Onsite Wastewater Treatment System (OWTS) that is designed by and engineer, registered environmental health specialist, geologist, or other qualified person, under the review and approval of the Tulare County Health Services Division and the Regional Water Quality Control Board. The proposed Project applicant’s engineer (Ald General Engineering) estimates that it will use approximately 15.37 acre feet of water per year (or approximately 5,009,625 gallons per year or 13,725 gallons per day⁴⁴). Of the 940 acre-feet annual future water demand of the entire Three Rivers Community Plan planning area estimated in the “*Abbreviated Water Supply Evaluation to support the Three Rivers Community Plan EIR Memorandum*”, the proposed Project would consume approximately 0.0163% of the 940 acre-feet (or about 0.0003%) of the estimated annual 50,000 acre-feet of the groundwater recharge in the watershed. Lastly, implementation of State and County level policies, guidelines, etc., will adequately address potential stormwater impacts through the implementation of Project design features and compliance with requirements, orders, permits (e.g.; a SWPPP), etc. Therefore, the proposed Project will have a less than significant impact.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

u. Impact 3.10 Hydrology and Water Quality – d) and e) Flood Hazard, Tsunami, or Seiche Zone Risks; Conflict/Obstruct Water Quality Control Plan or Sustainable Groundwater Management Plan

Pursuant to the discussion in Sections 3.10. d) and e) of the Final EIR, the Project is not located on or near any areas that would result in or be impact by a flood hazard, tsunami, or seiche

zones, that would result in a risk release of pollutants due to project inundation and would not conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan. As such, the proposed Project would result in no impact. The Board concurs in this analysis.

Accordingly, based on substantial evidence contained in the Draft EIR, Technical Appendices (See Appendix “F” of the Draft EIR), Response to Comments, Final EIR, and the Public Record of Proceedings, the Board finds and declares that an investigation of the site found that the proposed Project will not have any impact related to this resource; therefore, no Mitigation Measures are necessary or required.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project lies within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map and will be required to comply with Tulare County Building Division’s determination whether to require the applicant to raise the ground elevation where the Project will be constructed; it is not exposed to or near any river, reservoirs, pond, or lake subject to seiches from earthquake activity; it is greater than 100 miles east of the nearest coastline that would be subject to tsunamis; and it would not conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan. Also, it is noted that the County of Tulare does not have an adopted water quality control plan or sustainable groundwater management plan. Therefore, there will be no impact and no mitigation measures are necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

v. Impact 3.11 Land Use and Planning – a) and b) Physically Divide an Established Community; Conflict with a Conservation Plan

Pursuant to the discussion in Sections 3.11 a) and b) of the Final EIR, there will be no impact caused by the division of an established community and no impact from conflict with a land use or conservation plan. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will have no impact because: (i) the Project site is located within the Three Rivers Community Plan Urban Development Boundary (UDB) and is properly zoned to accommodate the proposed Project; (ii) the proposed Project is consistent with Tulare County General Plan and Three Rivers Community Plan policies, goals, and objectives; (iii) the proposed Project will not physically divide the community; and (iv) the proposed Project does not conflict with any plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental effects. Therefore, no mitigation is necessary or required.

In support of these findings, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project site is located within the Three Rivers Community Plan Urban Development Boundary (UDB) and is properly zoned to accommodate the proposed Project. There are no adopted conservation plans applicable to the Project area or species that reside therein. Accordingly, there is no impact and no mitigation measures are necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

w. Impact 3.12 Mineral Resources – a) and b) Loss of Availability of Statewide or Local Mineral Resource; Loss of Availability of Resource Recovery Site

Pursuant to the discussion in Sections 3.12 a) and b) of the Final EIR, the proposed Project would result in no impact to mineral resources of local, regional, or statewide value or importance. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will cause no impact involving the loss or availability of known mineral resources. Therefore, no mitigation is necessary or required.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project does not include a mining operation and is not located in a known mineral resource zone. As specified in the Final EIR, certain policies applicable to mineral resources are contained in the Tulare County General Plan to promote compatible development near known mineral resource zones. These policies are designed to conserve and protect known mineral resources. There are no mineral resources found on or in the vicinity of the proposed Project site. Accordingly, there would be no impact. No mitigation measures are necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

x. Impact 3.13 Noise – a) and b) Excess of Noise or Vibration Standards

Pursuant to the discussion in Sections 3.13 a) and b) of the Final EIR, there will be less than significant impact involving noise or vibration. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not (i) expose persons to noise levels in excess of standards, (ii) expose people to excessive groundborne vibration or noise levels, or (iii) increase the ambient noise levels in the Project vicinity. Compliance with Tulare County General Plan policies would minimize noise impacts from the proposed Project. As such,

no mitigation is required for this Project. Therefore, the proposed Project will have a less than significant impact.

In support of this finding, the evidence in the Final EIR and the Public Record of Proceedings indicates that noise and vibration volumes would not significantly impact nearby receptors as the proposed Project will not exceed County noise standards. This determination is supported by an analysis and conclusions provided in the “*Noise Impact Assessment for the Three Rivers Hampton Inn & Suites Project August*” (NIA) prepared by consultant ECORP Consulting, Inc. and included in Appendix “E” of the Draft EIR. Further, compliance with Tulare County General Plan policies such *HS-8.18*, wherein construction activity is exempted provided that noise generating activity does not take place between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday; *HS-8.11*, wherein no peak noise generating activities shall be allowed to occur outside of normal business hours without County approval and; *HS-8.19* which requires construction noise control best practices to be implemented to minimize construction noise impacts. As such, the proposed Project would result in a less than significant impact and no mitigation measures are necessary or required.

Thus, there is a less than significant impact without mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

y. Impact 3.13 Noise – c) Public Airport or Private Airstrip Noise

Pursuant to the discussion in Section 3.13 c) of the Final EIR, the proposed Project would result in no impact from exposure to excessive airport noises. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Draft EIR, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will not expose persons to excessive airport noise and will result in no impact involving an airport land use plan within two miles of a public airport, or locate persons within the vicinity of an operating airstrip. As such, no mitigation measures are necessary or required.

In support of this finding, the evidence indicates that the proposed Project is not located within an airport land use plan, and there is no operation airport within two miles of the proposed Project site. The nearest public or public use airport is Woodlake Airport (in the City of Woodlake) which is located approximately 16 miles west of the proposed Project site. The proposed Project lies outside of the aircraft noise contours established in the Tulare County Comprehensive Airport Land Use Plan. As such, the proposed Project would result in no exposure to people working at the Project site; the proposed Project does not include any residential opportunities where persons would be exposed to airport-related noise. Therefore, there would be no impact related to this resource. Accordingly, there is no impact and mitigation measures are not necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

z. Impact 3.14 Population and Housing – a) and b) Induce Substantial Unplanned Population Growth or Displace Existing People or Housing

Pursuant to the discussion in Sections 3.14 a) and b) of the Final EIR, there will be no impact to the environment involving population and housing. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will have no impact to population and housing, and thus, no mitigation is necessary or required.

In support of this finding, evidence is contained in the Final EIR and the Public Record of Proceedings that the proposed Project will not result in or encourage additional population growth in this rural area of the County. No permanent dwellings on the Project site or rural homes in the surrounding area will be relocated, built, or demolished as a result of the proposed Project. Accordingly, there will be no impact on population or housing conditions in the Project area vicinity. No mitigation measures are necessary or required.

Thus, there is no impact. There is no evidence to the contrary in the Public Record of Proceedings.

aa. Impact 3.14 Public Services – a) Fire Protection; Police Services

Pursuant to the discussion in Section 3.14 a) of the Final EIR, there will be less than significant impacts involving fire protection or police services. The Board concurs in this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant impact to fire protection or police services, and thus, mitigation is not necessary or required.

In support of this finding, the evidence indicates that construction or operation of the proposed Project will have a less than significant impact on the County's Fire Department as the proposed Project does not increase the service area for the Three Rivers fire station (Fire Station 14) in addition to Cal Fire Station 35 and the National Parks Service's Hammond Station (located at 44726 Mineral King are within the Three Rivers UDB. The Tulare County Fire Station 13 is the next nearest fires station and is located in Lemon Cove (approximately 12 southwest of the proposed Project site). The Tulare County Sheriff's Department has a resident deputy serving the rural population of Three Rivers. The resident deputy works one shift, five days week. Also, project design features and applicable California fire code and local building codes (e.g., fire suppression system and adequate fire-flow) would also enhance fire suppression capabilities. As such, there will be a less than significant impact on fire protection and police services. Therefore, mitigation measures are not necessary or required.

Thus, there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

bb. Impact 3.14 Public Services – a) Schools; Parks; or Other

Pursuant to the discussion in Sections 3.14 a) Schools; Parks; or Other of the Final EIR, there will be no impact to these resources within the Project's vicinity. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause any impact to schools, parks, or other services within the Project's vicinity and thus, no mitigation is necessary or required.

In support of this finding, evidence contained in the Final EIR and the Public Record of Proceedings indicates that no new permanent housing is included as part of the proposed Project which could result in increases of school-aged children, the proposed Project will not induce population growth which could create a need for additional park or recreational services, and it will not require the need for other public facilities.

Thus, there is a no impact to these resources. There is no evidence to the contrary in the Public Record of Proceedings.

cc. Impact 3.16 Recreation – a) and b) Deterioration of Existing Recreational, New or Expanded Recreational Facilities

Pursuant to the discussion in Sections 3.16 a) and b) of the Final EIR, there will be no impact to recreational facilities within the Project's vicinity. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause any impact to recreational facilities within the Project's vicinity and thus, no mitigation is necessary or required.

In support of this finding, evidence contained in the Final EIR and the Public Record of Proceedings indicates that no new permanent housing is included as part of the proposed Project and the proposed Project will not result in population growth as employees will be drawn from the local workforce. As such, the proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities, nor would it result in the need for new recreational facilities or the expansion of existing recreational facilities. The nearest County owned park (Cutler County Park) is located just outside the City of Visalia limits, approximately 20 miles west of the Project site.

Thus, there will be no impact on existing recreation facilities. There is no evidence to the contrary in the Public Record of Proceedings.

dd. Impact 3.17 Transportation – a) through d) Conflict with a Program Plan, Ordinance or Policy; Conflict or Consistent with CEQA Guidelines Section 15064.3; Substantially Increase Hazards; Emergency Access

Pursuant to the discussion in Sections 3.17 a) through d) of the Final EIR, the proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; it would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b); it would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and it would not result in inadequate emergency access. As such, the proposed Project would result in a less than significant impact without the need for mitigation measures. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (see Appendix “E” of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project-related impacts to the Traffic resource will be less than significant without the need for mitigation measures.

In support of this finding, evidence is contained in the Final EIR, “*Three Rivers Hampton Inn & Suites Traffic Impact Study, June 2020*” (TIS) prepared by qualified experts VRPA Technologies, Inc., (included in Appendix “E” of the Draft EIR), and other evidence in the Public Record of Proceeding. The Project’s traffic impact analysis concluded that the Project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. The development of the Project would reduce the unaccommodated demand, thus reducing VMT in the market area. The Project would not result in hazards due to design features since all proposed improvements (Project Driveway) would be built to County design standards. Therefore, no mitigation is needed. Internal traffic and parking operations will be designed in accordance with Tulare County design standards. The proposed Project seeks to utilize a plot of relatively undeveloped land for a hotel with approximately 105 rooms in a rural area surrounded by rural/agricultural residences. The Project would not increase the use of farm equipment on streets and roads in the Three Rivers Community. As a result, the Project will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). The Project would not result in any degradation of emergency access within the community. Congestion at an intersection or along a roadway can adversely impact emergency access. Results of the traffic analysis shows that all of the study intersections and roadway segments will meet Tulare County’s and Caltrans’ LOS “D” criteria through the year 2042. As a result, the Project will not result in inadequate emergency access. Therefore, the proposed Project will result in a less than significant impact without mitigation.

Thus, the proposed Project will result in a less than significant impact thus, no mitigation is necessary or required. There is no evidence to the contrary in the Public Record of Proceedings.

ee. Impact 3.18 Tribal Cultural Resources – a) and b) Listed California Register of Historical Resources; Resources Significant to a California Native American Tribe

Pursuant to the discussion in Section 3.18 a) and b) of the Final EIR, there will be a less than significant impact with mitigation, as appropriate, to Listed Historical Resources and Significant Tribal Cultural Resources by this Project. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “C” of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the proposed Project will not cause a significant impact to Listed Historical Resources and Significant Tribal Cultural Resources with the implementation of mitigation as appropriate.

Mitigation is set forth in Mitigation Measure CUL-1 subsets (a) through (c). Such mitigation is hereby adopted for this Project. All Mitigation Measures shall be implemented by the County of Tulare, construction contractor, or the County Environmental Assessment Officer, as appropriate. Monitoring shall be the responsibility of the RMA.

In support of this finding, evidence is contained in the Final EIR, “*Cultural Resources Inventory Report Hampton Inn and Suites Three Rivers*” prepared by qualified expert consultants ECORP Consulting, Inc. (included in Attachment “C” of the Draft EIR), Caltrans’ comment letter indicating concurrence with the TIS and their statement that “no further analysis is required”, and other evidence in the Public Record of Proceeding. The Project impact analysis identifies no tribal or archaeological resources within the Project site. As an abundance of caution, and if necessary, the implementation of Mitigation Measure CUL-1 subsets (a) through (c) would ensure tribal cultural resources are protected. Therefore, the proposed Project would result in a less than significant impact with mitigation.

As such, there would be a less than significant impact with mitigation. There is no evidence to the contrary in the Public Record of Proceedings.

ff. Impact 3.19 Utilities and Service Systems – a) through c) Relocation or Construction of New or Expanded Water; Wastewater Treatment or Storm Drainage, Electric Power, Natural Gas, or Telecommunications Facilities; Reasonable Water Supply, Adequate Wastewater Capacity

Pursuant to the discussions found in Section 3.19 a) of the Final EIR, there will be a less no impact involving water, wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities; no impact regarding sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; and no impact to a wastewater treatment provider that it has adequate capacity to serve the Project’s

projected demand in addition to the provider's existing commitments. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (see Appendix "D" of the Draft EIR), Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that an investigation confirmed that the Project will be required to comply with Regional Water Quality Control Board's (RWQCB) wastewater requirement; it will not require the construction or expansion of new water or wastewater treatment facilities; the proposed Project will have adequate electric power, natural gas, or telecommunications facilities; the proposed Project will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; and will not impact the wastewater treatment provider that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

In support of this finding, the evidence indicates that the Project will not discharge to any surface or groundwater sources which may impact water quality standards. The State Water Resources Control Board requires any new construction project greater than one acre to complete a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP would be prepared for the proposed Project by a qualified engineer or erosion control specialist as a condition of approval and would be submitted to the County for review and approval before being implemented during construction. The SWPPP would be designed to reduce potential impacts related to erosion and surface water quality during construction activities and throughout the life of the proposed Project. It would include proposed Project information and best management practices (BMP). The BMPs would include dewatering procedures, stormwater runoff quality control measures, concrete waste management, watering for dust control, and construction of perimeter silt fences, as needed. Implementation of the SWPPP will minimize the potential for the proposed Project to substantially alter the existing drainage pattern in a manner that will result in substantial erosion or siltation onsite or offsite. The proposed Project will connect to the existing electricity services provider (SCE) and will provide its own source of compressed natural gas on-site. service, and has existing telecommunications capabilities on-site. The proposed Project site is located in the Kaweah Watershed. The Department of Water Resources (DWR) has estimated that the nine (9) watersheds within the Kaweah Watershed cover 82,636 acres. As noted in the Hydrology and Water Quality Chapter, the tributaries supplying the Kaweah Watershed consists of 67,789 acres of the estimated 82,636 acres of the nine local watershed of the Three Rivers planning area. It was also mentioned in the Section 3.10 Hydrology and Water Quality, the "Abbreviated Water Supply Evaluation to support the Three Rivers Community Plan EIR Memorandum" (Memorandum) concludes that there is sufficient water supply to meet the approximately 940 acre-feet annually of future water demand at full build-out of the Three Rivers Community Plan, including residential, commercial, and industrial demand of the estimated 50,000 acre-feet of annual average groundwater recharge in the watershed. The proposed Project applicant's engineer (Ald General Engineering) estimates that it will use approximately 15.37 acre feet of water per year (or approximately 5,009,625 gallons per year or 13,725 gallons per day¹⁹). Of the 940 acre-feet annual future water demand estimated in the Memorandum, the proposed Project would consume approximately 0.0163% of the 940 acre-feet (or about 0.0003%) of the estimated annual 50,000 acre-feet of the groundwater recharge

in the watershed. It is noted that Ald General Engineering also provided as estimate for a parcel directly west of the proposed Project site of 3,450 gallons per day of water usage (or 1,259,250 gallons per year or 3.86 acre-feet per year). Combined, this would result in approximately 19.23 acre-feet per year (or approximately 0.0204%) of the estimate 940 acre-feet of annual future demand of the entire Three Rivers Community Plan planning area. As such, the proposed Project (including a hypothetical use north of the proposed Project site) would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The proposed Project is a hotel and as mentioned in Item a), the Project will have a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP would be prepared for the proposed Project by a qualified engineer or erosion control specialist as a condition of approval and would be submitted to the County for review and approval before being implemented during construction. The SWPPP would be designed to reduce potential impacts related to erosion and surface water quality during construction activities and throughout the life of the proposed Project. It would include proposed Project information and best management practices (BMP). Therefore, the proposed Project would have no impact to these resources. As such, no mitigation measures are necessary or required.

As such, there would no impact to the above noted resources. There is no evidence to the contrary in the Public Record of Proceedings.

gg. Impact 3.19 Utilities and Service System – d) and e) Solid Waste; Compliance with Federal, State, and Local Statutes and Regulations.

Pursuant to the discussions found in Section 3.19 d) and e) of the Final EIR, the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals and it will comply with federal, state, and local management and reduction statutes and regulations related to solid waste as applicable. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will result in no impact to landfill facilities, the capacity of these facilities, and that disposal of materials generated during the construction phase, or thereafter during operation, will comply with applicable law and policy, and applicable federal, state, and local management and reduction statutes and regulations related to solid waste.

In support of this finding, the evidence indicates that the proposed Project does not consist of any elements that would exceed the permitted capacity of such facilities or lead to the improper disposal of waste materials. There would be no impact as a result of this Project. No mitigation measures are necessary or required.

As such, there will be no impact. There is no evidence to the contrary in the Public Record of Proceedings.

hh. Impact 3.20 Wildfire - a) through d) Impair an Adopted Emergency Response Plan or Emergency Evacuation Plan; and Exacerbate Wildfire Risks

Pursuant to the discussion in Sections 3.20 a) – d) of the Final EIR, there will not be a significant impact in regards to Wildfire. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the proposed Project will have no impact due to wildfires.

In support of this finding, evidence is contained in the Final EIR, Comments, Response to Comments, and other evidence in the Public Record of Proceedings, that although the proposed Project is located in an active area of wildland fire occurrence, the Project area is located in an area that allows for the integration of coordinated fire response among local, state and federal agencies. The proposed Project is consistent with the Tulare County General Plan and Three Rivers Community Plan and is required to comply with all local, state, and federal fire and building codes/regulations. The proposed Project includes installation and maintenance of associated on-site infrastructure (such as the access roads water source for both potable and fire suppression uses, wastewater system, and propane storage) and will directly connect to existing power lines). As such, there is no discernable or possible effect on these Checklist Items, and thus there is no impact.

As such, there will be no impact. There is no evidence to the contrary in the Public Record of Proceedings.

ii. Impact 3.21 Mandatory Findings of Significance – a) Wildlife Species or Historical Impacts

Pursuant to the discussion in Section 3.21 a) of the Final EIR, there will be less than significant impacts to wildlife species or historical resources as a result of the proposed Project with implementation of Mitigation Measures BIO-1 thru BIO-18 in regards to special status plant and animal species, jurisdictional waters, and oak woodlands, and Mitigation Measures CUL-1 and CUL-2 in regards to historical and archaeological resources and human remains. The Board concurs with this analysis.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendices “B” and “C” in the Draft EIR), Comments Received, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that with Mitigation Measures BIO-1 thru BIO-18, and Mitigation Measures CUL-1 and CUL-2, the proposed Project will not cause a significant impact involving wildlife species or historical resources.

In support of this finding, the evidence contained in the Final EIR, Comments, Response to Comments, and other evidence in the Public Record of Proceedings indicates that there are no riparian habitat, wetland habitat, or other sensitive natural communities identified on the Project

site, (ii) the proposed Project would not significantly impede the migratory pattern of animal species, and (iii) there are no approved Habitat or Natural Community Conservation Plans in effect for the Project site. Mitigation Measures BIO-1 through BIO-18 would mitigate Project-related impacts to candidate, sensitive, or special status species and protected wetlands to a less than significant level. There is no recorded evidence of archeological find(s) at the Project site. In the unlikely event that human remains are discovered, Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5 would be implemented. As an abundance of caution, and to address the potential of cultural resources being unearthed as a result of Project-related ground excavation, the implementation of Mitigation Measures CUL-1 and CUL-2 would ensure that potential impacts to archaeological or paleontological resources or human remains would be reduced to less than significant.

jj. Impact 3.21 Mandatory Findings of Significance – b) Cumulatively Considerable Impacts

See Section IV Cumulative Impacts below.

kk. Impact 3.21 Mandatory Findings of Significance – c) Substantial Adverse Effects on Humans

Pursuant to the discussion in Section 3.21 c) of the Final EIR, the proposed Project would not result in any impacts to human beings beyond what has already been analyzed in Chapters 3.1 through 3.20. There are no significant environmental adverse effects from this proposed Project to human beings.

Accordingly, based on substantial evidence in the Final EIR, Technical Appendices, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that there are no significant environmental adverse effects from this proposed Project to human beings.

In support of this finding, the evidence indicates that the proposed Project would not result in any impacts to human beings beyond what has already been analyzed in Chapters 3.1 to 3.20, and thus there is a less than significant impact. There is no evidence to the contrary in the Public Record of Proceedings.

IV

CUMULATIVE IMPACTS

CEQA Guidelines Section 15130(a) requires that an EIR discuss the cumulative impacts of a project when the project's incremental effect is "cumulatively considerable," meaning that the project's incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. A consideration of actions included as part of a cumulative impact scenario can vary by geographic extent, time frame, and scale. They are defined according

to environmental resource issue and the specific significance level associated with potential impacts. CEQA Guidelines 15130(b) requires that discussions of cumulative impacts reflect the severity of the impacts and their likelihood of occurrence. The CEQA Guidelines note that the cumulative impacts discussion does not need to provide as much detail as is provided in the analysis of project-only impacts and should be guided by the standards of practicality and reasonableness and focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impacts.

A. Air Quality

Pursuant to the discussion in Section 3.3 b) of the Final EIR, the proposed Project would not exceed any significance thresholds established by the Air District and would not cause a cumulatively significant impact to air quality; however as an abundance of caution, mitigation measures have been incorporated to ensure potential cumulative impacts would be less than significant. The Board concurs with this analysis. Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), Comments Received, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the mitigation required in Mitigation Measures AIR-1 and AIR-2 will lessen any significant impacts to cumulative and ensure that cumulative impacts to air quality would be reduced to a less than significant level. The Board further finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, the evidence indicates that the direct impacts are less than significant with the implementation of Mitigation Measures AIR-1 and AIR-2, as contained in Section 3.3 of the Draft EIR and evidenced in the “*Air Quality & Greenhouse Gas Assessment, Three Rivers Hampton Inn and Suites Project, Tulare County, California*” (included in Appendix “A” of the Draft EIR). As such, the adopted Mitigation Measures will assure that cumulative air quality impacts are mitigated to a level of less than significant.

B. Biological Resources

Pursuant to the discussions in Sections 3.4 a), c) and e) of the Final EIR, the proposed Project will result in a less than cumulatively significant impact to biological resources. The Board concurs with this analysis. Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “A” of the Draft EIR), Comments Received, Response to Comments, and other evidence in the Public Record of Proceedings, that the mitigations required in Mitigation Measures BIO-1 through BIO-18 will lessen any significant impacts to cumulative biological resources. The cumulative impact relating to biological resources will be reduced to a level of less than significant. The Board further finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, the evidence indicates that the direct impacts are not significant with the implementation of Mitigation Measures BIO-1 through BIO-18, as contained in section 3.4 of the Draft EIR and evidenced in the “*Biological Resources Assessment, Hampton Inn and Suites Three Rivers, Tulare County, California.*” (included in Appendix “B” of the Draft EIR). As such, the adopted Mitigation Measures will assure that any cumulative biological impacts are mitigated to a level of less than significant.

C. Cultural and Tribal Cultural Resources

Pursuant to the discussion in Sections 3.5 a) through c) and 3.18 a) and b) of the Final EIR, the construction related component of the proposed Project may cause a potentially cumulatively significant impact to cultural and tribal cultural resources. The Board concurs with this analysis. Accordingly, based on substantial evidence in the Final EIR, Technical Appendices (Appendix “C” of the Draft EIR), Comments Received, Response to Comments, and other evidence in the Public Record of Proceedings, the Board finds and declares that the mitigation required in Mitigation Measures CUL-1 through CUL-2 will lessen any significant impacts to cumulative cultural and tribal cultural resources. The cumulative impact relating to cultural and tribal cultural resources will be reduced to a level of less than significant. The Board further finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, the evidence indicates that there is no recorded evidence of archeological sites at the Project site. The adopted Mitigation Measures will assure that any Native American burial sites or unidentified skeletal remains encountered are either avoided, treated in accordance with the recommendations of the most likely descendant, or relocated, and will assure that any historical or cultural resources are properly evaluated, thereby reducing this impact to a less than significant level. With implementation of Mitigation Measures CUL-1 and CUL-2 subsets (a) through (c), and evidenced in the “*Cultural Resources Inventory Report, Hampton Inn and Suites Three Rivers, Tulare County, California*” (included in the confidential Appendix “C” of the Draft EIR), potential cumulative impacts related to cultural and tribal cultural resources will be reduced to a level considered less than significant.

D. Geology and Soils (Paleontological Resources)

Pursuant to the discussion in Section 3.7 f) of the Final EIR, the Project site is located on soil classified as Blasingame sandy loam and Tejunga sand, that could potentially contain paleontological resources. Although it cannot conclusively be demonstrated that no subsurface paleontological resources are present, the impacts would be reduced to less than significant cumulative impacts with mitigation. Encountering paleontological resources could occur during construction-related activities (such as excavation) but not likely during operational activities. To reduce Project-related impacts to less than cumulatively significant, Mitigation Measure CUL-2 subsets (a) through (c), would be implemented in the unlikely event paleontological resources are encountered. The Board concurs with this analysis. Therefore, there will be less than significant cumulative impacts to the environment involving paleontological resources. The Board further

finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, the evidence indicates that there is no recorded evidence of paleontological resources at the Project site. The adopted Mitigation Measures will assure that any paleontological find will be properly protected and curated. With implementation of Mitigation Measures CUL-1 and CUL-2, potential cumulative impacts related to paleontological resources will be reduced to less than cumulatively significant.

E. Greenhouse Gases

Pursuant to the discussion in Section b) of the Final EIR, the proposed Project would result in a less than significant cumulative impact resulting from greenhouse gas emissions. The proposed Project is required to comply with the Tulare County General Plan, Three Rivers Community Plan, and Tulare County CAP. Mitigation Measures GHG-1 and GHG-2 would be implemented as required by the Tulare County CAP. The proposed Project is consistent with the existing C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone) zone and is therefore an allowed by-right use. As the proposed Project complies with the Tulare County General Plan, Three Rivers Community Plan, and Tulare County CAP, it is also consistent with the State's GHG reduction targets. Furthermore, the nature of the proposed Project is to accommodate transient tourist/visitors in the area of Three Rivers. Upon completion/operation of the proposed Project, cumulative GHG emissions would be reduced as VMT is reduced thereby resulting in a GHG emissions net reduction benefit. The Board concurs with this analysis. The Board further finds that there are specific economic, legal/public policies, social, or other considerations which make infeasible any further Mitigation Measures or Project alternatives.

In support of this finding, the evidence indicates that the direct impacts are less than significant with the implementation of Mitigation Measures GHG-1 and GHG-2, as contained in Section 3.8 of the Draft EIR and evidenced in the "*Air Quality & Greenhouse Gas Assessment, Three Rivers Hampton Inn and Suites Project, Tulare County, California*" (included in Appendix "A" of the Draft EIR). As such, the adopted Mitigation Measures will assure that cumulative air quality impacts are mitigated to a level of less than significant.

F. Conclusion

In further support of the foregoing discussion, the County of Tulare will assure that the Applicant complies with Mitigation Measures (including project design features as conditions of approval) contained in the Mitigation Monitoring and Reporting Program.

V

GROWTH INDUCING IMPACTS

Pursuant to the discussion in Chapter 6 of the EIR and consistent with Public Resources Code Section 21100(b)(5) and CEQA Guidelines Section 15126.2(b), the Board finds and declares that there are no direct growth-inducing impacts resulting from this Project.

Based on substantial evidence in the EIR and the Public Record of Proceedings, the Board finds and declares that the proposed Project will not cause a significant growth inducing impact, and as such, no mitigation is necessary or required. There is no evidence to the contrary in the Public Record of Proceedings.

In support of this finding, the evidence indicates that the development of the proposed Project is unlikely to result in or contribute to population growth inducement because the proposed Project will not result in a significant increase in employment, population, or demand for housing in the area. For these reasons, the proposed Project is not anticipated to result in growth inducement. Therefore, the operation of the proposed Project would not result in new growth in the area relating to the potential population increase.

The proposed Project does not include new homes and will result in employment of approximately 12 employees. It will not be necessary to recruit higher skilled person beyond the proposed Project and it is anticipated that most of the new employees will be current residents within or near the Three Rivers and Visalia- communities.

The proposed Project will not induce population growth; rather, it is intended to provide temporary lodging for visitors to the area. The Project site is located in a rural area and will not induce new residential construction. As such, the proposed Project does not have the potential to induce significant growth in Tulare County.

VI

SIGNIFICANT AND UNAVOIDABLE IMPACTS OF THE PROJECT

Pursuant to the discussion in Chapter 7 of the Draft EIR and Chapter 10 of the Final EIR, and consistent with Public Resources Code Section 21100(b)(2)(A) and the State CEQA Guidelines Section 15126.2(b), the Board finds and declares that there are no significant environmental impacts that cannot be avoided.

In support of this finding, the evidence indicates that there are no significant environmental impacts. There are no feasible Mitigation Measures that are necessary or required, other than those required and adopted for this Project that could further reduce these impacts to a level of less than significant.

As there are no significant and unavoidable environmental impacts, the proposed Project is proposed and approved to enable the Applicant to achieve the basic Project objectives; including: (1) to expand the County's economic base; (2) to implement the Three Rivers Community Plan; (3) provide accommodations for visitors/tourists to the Three Rivers area; and (4) to implement the Applicant's strategic business plan. In addition, alternative designs or locations that would possibly achieve these objectives would not reduce the identified cumulative impacts to a level of less than significant. Feasible Mitigation Measures have been required for this Project, and with the imposition of feasible Mitigation Measures, there will be no cumulative environmental impacts that remain significant and unavoidable.

VII

ANALYSIS OF ALTERNATIVES

In connection with alternatives, CEQA and the State CEQA Guidelines require that an EIR provide a reasonable range and discussion of alternatives (Public Resources Code Sections 21002, 21002.1; Guidelines Section 15126.6).

A. Alternatives

The Applicant is seeking ministerially approved building permits through Tulare County for the development a 3-story hotel and associated site improvements on an approximately 2.80-acre site at 40758 Sierra Drive, immediately south of the existing Comfort Inn & Suites, located along the eastern side of State Route 198 (SR 198) in Three Rivers. The basic objectives of the proposed Project, as described in the EIR, are to expand the County's economic base, implement the Three Rivers Community Plan, provide visitor/tourist accommodations, and implement efficient business operations.

CEQA requires that an EIR analyze a reasonable range of alternatives. (Public Resources Code Sections 21102, 21002.1 and Guidelines Section 15126.6.) The alternatives to the Project that were considered in the EIR are described as:

- Alternative 1: No Build / No Project
- Alternative 2: Alternate Site
- Alternative 3: Reduced (25%) Project

The comparison of various factors was considered in Chapter 5 of the EIR. Tables 5.1 and 5.2 (below) of the EIR (made a part hereof) provide matrices that compares the environmental impacts of differing Project Alternatives against the proposed Project.

The proposed Project is the Preferred Alternative. The proposed Alternatives were analyzed based on six evaluation criteria, which include each of the Project objectives and the assessment of the potential environmental impacts. The relative environmental impacts associated with each of the

Alternatives, as compared to the proposed Project, are summarized in Table 5-1. The proposed Project is preferred over all other Alternatives for the following reasons:

- The proposed Project is capable of contributing toward meeting lodging needs to accommodate overnight visitors/tourists seeking to experience recreational opportunity in the Three Rivers area.
- The proposed Project contributes in implementing goals/objectives/policies as encouraged in the Tulare County General Plan and Three Rivers Community Plan.
- The proposed Project satisfies all six (6) Evaluation Criteria noted earlier.
- The proposed Project is an allowed use **by right** (emphasis added) in the C-2-MU-SC (General Commercial-Mixed Use-Scenic Corridor Combining Zone) zone.

Table 5-1 is a matrix comparing each Alternative's and the Preferred Alternative's abilities to achieve the Evaluation Criteria.

Table 5-1 Alternatives Evaluation			
	Alternative 1 Project	Alternative 2 Alternate Site	Alternative 3 Reduced (25%) Project
1. Realize Project Components	No	Some	Some
2. Expand County's Economic Base	No	Some	Some-to-Yes
3. Minimize Costs	No	Unknown-to-Some	Some-to-Yes
4. Operational Efficiency	No	Yes	Some-to-Yes
5. Reduce Significant Impacts	No	Unknown-to-No	No-to-Some
6. Physical Feasibility	No	No	Yes

Table 5-2 compares environmental impacts associated with each of the alternatives presented compared to the Preferred Alternative.

Table 5-2 Impacts of Alternatives Compared to the Proposed Project			
Impact Topic	Alternative 1 No Project	Alternative 2 Alternate Site	Alternative 3 Reduced (25%) Project
Aesthetics	Less	Unknown-to-Similar	Unknown-to-Less
Agriculture and Forestry Resources	Less	Similar-to-Unknown	Similar
Air Quality	Less	Similar-to-More	Less-to-More
Biological Resources	Less	Unknown	Similar
Cultural Resources	Less	Unknown	Less
Energy	Less-to-More	More	Similar-to-More
Geology and Soils	Unknown	Unknown	Similar
Greenhouse Gas Emissions	Less-to-More	Less-to-More	Less-to-More

Table 5-2			
Impacts of Alternatives Compared to the Proposed Project			
Hazards and Hazardous Materials	Unknown	Unknown	Similar-to-Less
Hydrology and Water Quality	Less	Unknown	Less
Land Use and Planning	Less	Unknown	Similar
Mineral Resources	Less	Unknown	Similar
Noise	Less	Unknown	Similar-to-Less
Population and Housing	Less	Similar	Similar
Public Services	Less	Unknown	Similar-to-Less
Recreation	Similar	Similar	Similar
Transportation (VMT)	Less-to-More	Unknown-to-More	Less-to-More
Tribal Cultural Resources	Unknown	Unknown	Similar
Utilities and Service Systems	Less	Unknown-to-More	Similar-to-Less
Wildfire	Unknown	Unknown	Similar
Mandatory Findings of Significance	Less	Less-to-More	Less-to-More

B. Environmentally Superior Alternative

CEQA requires that, in addition to the analysis of individual Alternatives, the Alternatives must be ranked according to which Alternatives have the lesser environmental effects. This ranking is shown above in Tables 5-1 & 5-2.

Alternative 1: No Build / No Project Alternative. The No Project Alternative would avoid all potential construction- and operations-related impacts related to air quality, biological resources, cultural resources, greenhouse gas emissions, noise, and traffic (VMT) resulting from the proposed Project and each of the other Alternatives identified earlier. However, the No Project Alternative would not meet any of the Project objectives or project-specific elements. Therefore, the consideration of the No Project Alternative being the environmentally superior alternative would require the judgment of whether in balance, eliminating or avoiding certain impacts is of greater benefit environmentally than avoiding certain other impacts. Therefore, this Alternative would not meet the criteria as the Environmentally Superior Alternative.

Alternative 2: Alternate Site. It is unknown if the environmental impacts associated with this Alternative would be less than the proposed Project because it would be speculative to evaluate an unsecured alternate site. This is primarily due to the fact that the Applicant does not have control of an alternate site. However, as noted earlier, construction and operation at an alternate site would result in environmental impacts that are likely equal to or greater than the proposed Project. The majority of Project impacts are also likely to occur at an alternate site. Therefore, impacts associated with air quality, greenhouse gas emissions, water use, traffic (and possibly noise and infrastructure) could likely be equal to or greater than the proposed Project. If an alternate site acquisition were viable, the Applicant would have to re-initiate the application and environmental review process as a new project. Various engineering and technical studies would need to be completed. The time requirements for these activities would reduce the ability of the Applicant to

accommodate their projected construction/operation schedule thereby adversely affecting their business model for efficiency. As such, this alternative would be the most complex, costly, and time-consuming alternative to implement. Therefore, Alternative 2 is not superior to the proposed Project and is not considered a viable alternative.

Alternative 3: Reduced (25%) Project. Under Alternative 3, the proposed Project would be permitted for only 75% of the proposed capacity. Operations would essentially be the same as the proposed Project except that throughput would be substantially reduced. Most of the environmental issues associated with Alternative 3 would be similar to those of the proposed Project. Alternative 3, however, may result in reduction of building height through elimination of one-story of floor area, thereby reducing impacts to aesthetics. Although Alternative 3 would reduce the traffic volume, it would ultimately result in increased Vehicle Miles Travelled (VMT) thereby adversely impacting air quality, greenhouse gas emissions, energy, and VMT. Further, as noted earlier, a reduction to 79 rooms rather than the proposed 105 rooms would result in a narrower profit margin for the reduced project. Much of the efficiencies that would be gained by having 105 rooms versus 79 rooms would be lost on the reduced project. Also included would be lost wages (due to less employment), lost sales taxes (to both the proposed Project and adjacent/nearby businesses), lost transient occupancy tax (due to fewer rooms), lost sales to suppliers (due to less demand for supplies because of a smaller project), and lost property valuation (due to a smaller project). Also, as noted earlier, it is not unreasonable to conclude that a 25% reduction in the proposed Project's size would result in a substantial reduction of the economic objectives of the proposed Project. Apart from the No Project Alternative, Alternative 3 Reduced (25%) Project would be the Environmentally Superior alternative because it would result in less adverse physical impacts to the environment with regard to air, greenhouse gases, energy, and traffic (VMT). However, the Reduced (25%) Project does not meet all of the applicant's Project objectives, particularly with regard to the financial feasibility of this alternative.

In summary, based upon the above analyses, Alternative 3 is the Environmentally Superior Alternative as it would, overall, result in reduced significant impacts. However, it does not meet all of the evaluation criteria and importantly, it would not meet the economic objectives of the Project.

The Board finds that the Applicant/Project proponent is required to undertake Mitigation Measures (including some in the form of project design features as conditions of approval). These Measures are restrictive and are applied to the proposed Project as described in the Draft and Final EIR. Thus, it is in the public interest for the County to advance socially desirable, necessary and enlightened progress, which is both environmentally and economically sound. In light of the foregoing discussion, and when balancing these interests, the Board finds and concludes that these considerations and benefits are deemed to be substantial, that the proposed Project will not cause a significant or unavoidable environmental impact, and that the proposed Project should be approved.

The Board finds and concludes that there are No Environmental Impacts That Cannot Be Avoided and there are no irreversible impacts; therefore, a Statement of Overriding Considerations is not

necessary. The proposed Project's merits and objectives are discussed in the Project Description and are found to be consistent with the intent of Tulare County 2030 General Plan.

The EIR is available at Tulare County Resource Management Agency at 5961 South Mooney Boulevard, Visalia, California 93277 (Telephone No. (559) 624-7000). The custodian for these documents and other materials is Mr. Hector Guerra, Chief Environmental Planner, Environmental Planning Division.