

Exhibit O



State of California - Department of Fish and Wildlife
**2024 ENVIRONMENTAL DOCUMENT FILING FEE
 CASH RECEIPT**
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: E202410000005
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF FRESNO	LEAD AGENCY EMAIL	DATE 01/05/2024
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY	DOCUMENT NUMBER E202410000005	

PROJECT TITLE
NOI TO ADOPT A MIT. NEG. DEC. EA FOR REZONE APP. NO.P23-03475 & DEVELOPMENT PERMIT APP. NO. P23-00186

PROJECT APPLICANT NAME CITY OF FRESNO	PROJECT APPLICANT EMAIL	PHONE NUMBER (559) 621-8041
PROJECT APPLICANT ADDRESS 2600 FRESNO STREET, 3RD FLOOR	CITY FRESNO	STATE CA
		ZIP CODE 93721

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	<u>0.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	<u>0.00</u>

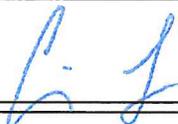
- Exempt from fee
- Notice of Exemption (attach)
- CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Other NOI		\$	<u>0.00</u>

PAYMENT METHOD:

- Cash Credit Check Other

TOTAL RECEIVED \$ 0.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE Cierra Loera Deputy Clerk
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E202410000005

**CITY OF FRESNO
NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

Filed with the
FRESNO COUNTY CLERK
2220 Tulare Street, Fresno, CA 93721

**ENVIRONMENTAL ASSESSMENT FOR REZONE
APPLICATION NO. P23-03475 AND DEVELOPMENT
PERMIT APPLICATION NO. P23-00186**

APPLICANT:

Michael Tran, Planner II
City of Fresno
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

FILED
JAN 05 2024 TIME 12:52pm
FRESNO COUNTY CLERK
By [Signature] DEPUTY

PROJECT LOCATION:

3147 East Gettysburg Avenue; North side of East Gettysburg Avenue and between North First and North Second Streets. (See Exhibit A - Vicinity Map)

APNs: 427-261-25 & 427-261-26

Site Latitude: 36° 48' 7.2" N & Site Longitude: 199° 43' 19.2" W
Mount Diablo Base & Meridian, Township 13S, Range 20E, Section 14

The full Initial Study and the Fresno General Plan Program Environmental Impact Report (PEIR) are on file in the Planning and Development Department, Fresno City Hall, 3rd Floor, Room 3043, 2600 Fresno Street, Fresno, CA 93721.

PROJECT DESCRIPTION:

Rezone Application No. P23-03475 and Development Permit Application No. P23-00186 were filed by Centerline Design, on behalf of DDYS Investments Granite Park LLC, pertaining to approximately 1.96 acres of property located at 3147 East Gettysburg Avenue.

Rezone Application No. P23-03475 requests authorization to rezone the property from the O/cz (*Office/conditions of zoning*) zone district to the O (*Office*) to remove all conditions of zoning from the property, which include the following:

1. Maximum building floor area not to exceed 15,000 square feet.
2. No less than 96 parking spaces are to be provided on the site. Not less than 7 spaces per doctor, nor less than one space for each 200 square feet of floor area.
3. A minimum of 40 percent of the site area shall be open space landscaping.

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4. Provision of a leaching system acceptable to the Fresno Metropolitan Flood Control District and the City of Fresno.
5. Minimum building setbacks as follows: Front – 30 feet, side – 20 feet, rear – 30 feet.
6. Provision of a 10-foot minimum landscaped space adjacent to existing single family residential lots.
7. The exterior appearance and character of buildings must substantially conform to that of the residential neighborhood.
8. Provision of a 6-foot decorative colored masonry wall on the property line adjacent to existing single family residential lots.
9. An avigation easement is to be granted to the City of Fresno.
10. Interior noise levels of new development attributable to exterior sources is not to exceed 45 dB CNEL.

Development Permit Application No. P23-00186 requests authorization to construct an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 on-site parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk.

The City of Fresno has prepared an Initial Study of the above-described project and proposes to adopt a Mitigated Negative Declaration. The environmental analysis contained in the Initial Study is tiered from the PEIR State Clearinghouse No. 2019050005 prepared for the Fresno General Plan pursuant to CEQA Guidelines § 15152 and incorporates the PEIR by reference pursuant to CEQA Guidelines § 15150.

Pursuant to the California Public Resources Code (PRC) §§ 21093 and 21094 and California Environmental Quality Act (CEQA) Guidelines §§ 15070 to 15075, 15150, and 15152, this project has been evaluated with respect to each item on the attached Appendix G/Initial Study Checklist to determine whether this project may cause any additional significant effect on the environment, which was not previously examined in the PEIR. After conducting a review of the adequacy of the PEIR pursuant to PRC § 21157.6(b)(1) and CEQA Guidelines §§ 15151 and 15179(b), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete, has become available.

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The completed Appendix G/Initial Study Checklist, its associated narrative, technical studies and mitigation measures reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, Initial Study narrative, and any attachments thereto, combine to form a record indicating that an Initial Study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

With mitigation imposed under the PEIR, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the PEIR. The Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete has become available.

Based upon the evaluation guided by the Appendix G/Initial Study Checklist, it was determined that there are project specific foreseeable impacts which require project level mitigation measures.

The Initial Study has concluded that the proposed project will not result in any adverse effects, which fall within the "Mandatory Findings of Significance" contained in § 15065 of the State CEQA Guidelines. The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

Public notice has been provided regarding staff's finding in the manner prescribed by § 15072 of the CEQA Guidelines and by § 21092 of the PRC Code (CEQA provisions).

Additional information on the proposed project, including the PEIR, proposed environmental finding of a Mitigated Negative Declaration and the Initial Study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor, Room 3043, Fresno, California 93721 3604. Please contact Michael Tran at (559) 621-8041 or via email at Michael.Tran@fresno.gov for more information.

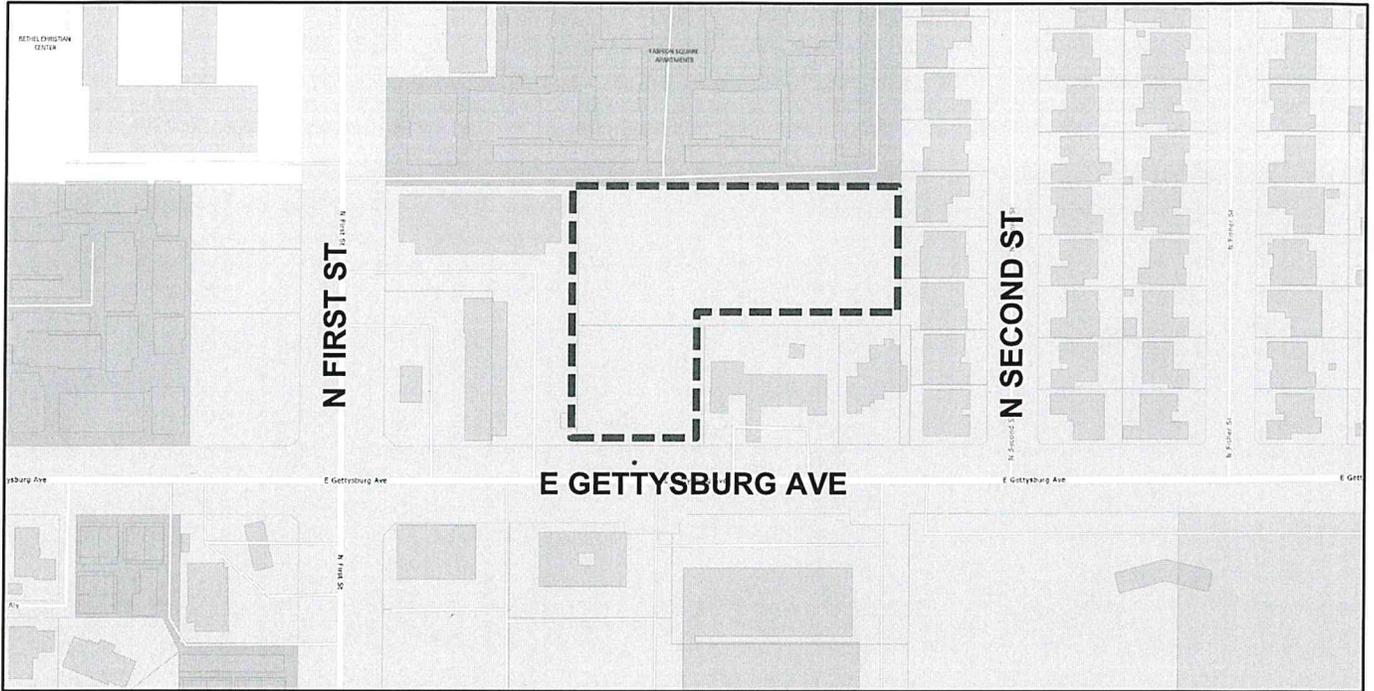
ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on January 26, 2024. Please direct comments to Michael Tran, Planner II, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Michael.Tran@fresno.gov.

E202410000005

<p>INITIAL STUDY PREPARED BY: Michael Tran, Planner II</p>	<p>SUBMITTED BY:  Rob Holt, Supervising Planner CITY OF FRESNO PLANING AND DEVELOPMENT DEPARTMENT</p>
<p>DATE: January 5, 2024</p>	
<p>Attachments: Exhibit A – Vicinity Map</p>	

E202410000005

Exhibit A – Vicinity Map



LEGEND

 Subject Property



APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION

**Environmental Checklist Form for:
Rezone Application No. P23-03475 & Development Permit Application No. P23-
00186**

1.	Project title: Environmental Assessment No. P23-03475/P23-00186
2.	Lead agency name and address: City of Fresno Planning and Development Department 2600 Fresno Street Fresno, CA 93721
3.	Contact person and phone number: Rob Holt, Supervising Planner City of Fresno Planning and Development Department (559) 621-8056
4.	Project location: 3147 East Gettysburg Avenue S/A; Located on the north side of East Gettysburg Avenue, between North First and North Second Streets. (APN: 427-261-25 and 427-261-26)
5.	Project sponsor's name and address: Jared Brandt Centerline Design 1508 Tollhouse Road, Suite C Clovis, CA 93611
6.	General & Community plan land use designation: General Plan – Current: Employment – Office; Proposed: No change Community Plan – Hoover Community Plan
7.	Zoning: Current: O/cz (<i>Office/conditions of zoning</i>) Proposed: O (<i>Office</i>)

8.

Description of project:

Rezone Application No. P23-03475 and Development Permit Application No. P23-00186 were filed by Centerline Design, on behalf of DDYS Investments Granite Park LLC, pertaining to approximately 1.96 acres of property located at 3147 East Gettysburg Avenue.

Rezone Application No. P23-03475 requests authorization to rezone the property from the O/cz (*Office/conditions of zoning*) zone district to the O (*Office*) to remove all conditions of zoning from the property, which include the following:

1. Maximum building floor area not to exceed 15,000 square feet.
2. No less than 96 parking spaces are to be provided on the site. Not less than 7 spaces per doctor, nor less than one space for each 200 square feet of floor area.
3. A minimum of 40 percent of the site area shall be open space landscaping.
4. Provision of a leaching system acceptable to the Fresno Metropolitan Flood Control District and the City of Fresno.
5. Minimum building setbacks as follows: Front – 30 feet, side – 20 feet, rear – 30 feet.
6. Provision of a 10-foot minimum landscaped space adjacent to existing single family residential lots.
7. The exterior appearance and character of buildings must substantially conform to that of the residential neighborhood.
8. Provision of a 6-foot decorative colored masonry wall on the property line adjacent to existing single family residential lots.
9. An avigation easement is to be granted to the City of Fresno.
10. Interior noise levels of new development attributable to exterior sources is not to exceed 45 dB CNEL.

Development Permit Application No. P23-00186 requests authorization to construct an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk.

9.	<p>Surrounding land uses and setting:</p> <table border="1" data-bbox="285 256 1490 928"> <thead> <tr> <th data-bbox="285 256 407 319"></th> <th data-bbox="407 256 708 319">Planned Land Use</th> <th data-bbox="708 256 1183 319">Existing Zoning</th> <th data-bbox="1183 256 1490 319">Existing Land Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="285 319 407 485">North</td> <td data-bbox="407 319 708 485">Medium High Density Residential</td> <td data-bbox="708 319 1183 485">CC/cz (<i>Commercial – Community/conditions of zoning</i>)</td> <td data-bbox="1183 319 1490 485">Multi-Family Apartment Complex</td> </tr> <tr> <td data-bbox="285 485 407 625">East</td> <td data-bbox="407 485 708 625">Employment – Office + Medium Density Residential</td> <td data-bbox="708 485 1183 625">O/cz + RS-5 (<i>Office/conditions of zoning + Single-Family Residential, Medium Density</i>)</td> <td data-bbox="1183 485 1490 625">Restaurant without Alcohol Sales</td> </tr> <tr> <td data-bbox="285 625 407 791">South</td> <td data-bbox="407 625 708 791">Employment – Office + Medium Density Residential</td> <td data-bbox="708 625 1183 791">O/cz + RS-5 (<i>Office/conditions of zoning + Single-Family Residential, Medium Density</i>)</td> <td data-bbox="1183 625 1490 791">Day Care Center, Single-Family Residential Neighborhood</td> </tr> <tr> <td data-bbox="285 791 407 928">West</td> <td data-bbox="407 791 708 928">Employment – Office</td> <td data-bbox="708 791 1183 928">O (<i>Office</i>)</td> <td data-bbox="1183 791 1490 928">Convenience Retail, General Retail, Service Station</td> </tr> </tbody> </table>		Planned Land Use	Existing Zoning	Existing Land Use	North	Medium High Density Residential	CC/cz (<i>Commercial – Community/conditions of zoning</i>)	Multi-Family Apartment Complex	East	Employment – Office + Medium Density Residential	O/cz + RS-5 (<i>Office/conditions of zoning + Single-Family Residential, Medium Density</i>)	Restaurant without Alcohol Sales	South	Employment – Office + Medium Density Residential	O/cz + RS-5 (<i>Office/conditions of zoning + Single-Family Residential, Medium Density</i>)	Day Care Center, Single-Family Residential Neighborhood	West	Employment – Office	O (<i>Office</i>)	Convenience Retail, General Retail, Service Station
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West	Employment – Office	O (<i>Office</i>)	Convenience Retail, General Retail, Service Station																		
10.	<p>Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):</p> <p>City of Fresno Departments/Divisions including: Planning and Development Department, Building and Safety Services Division, Department of Public Works, Department of Public Utilities, Fire Department.</p> <p>County of Fresno Departments/Divisions including: Environmental Health Division and Department of Public Works and Planning.</p> <p>Outside Agencies including: Fresno Metropolitan Flood Control District, Fresno Irrigation District, and San Joaquin Valley Air Pollution Control District.</p>																				
11.	<p>Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?</p> <p>The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, before public distribution of the document, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California</p>																				

Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the city limits.

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Currently, the Table Mountain Rancheria Tribe and the Dumna Wo Wah Tribe have requested to be notified pursuant to Assembly Bill 52 (AB 52). A certified letter was mailed to the above mentioned tribes on August 30, 2023. The 30-day comment period ended on September 29, 2023. Both tribes did not request consultation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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



Rob Holt, Supervising Planner

01/05/2024

Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN PROGRAM ENVIRONMENTAL IMPACT REPORT SCH NO. 2019050005 PREPARED FOR THE APPROVED FRESNO GENERAL PLAN (GP PEIR):

1. For purposes of this Initial Study, the following answers have the corresponding meanings:
 - a. “No Impact” means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project will result in no impact for the threshold under consideration.

- b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration, but that impact is less than significant.
 - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact is less than significant. For purposes of this Initial Study "mitigation incorporated into the project" means mitigation originally described in the GP PEIR and applied to an individual project, as well as mitigation developed specifically for an individual project.
 - d. "Potentially Significant Impact" means there is substantial evidence that an effect may be significant related to the threshold under consideration.
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
 3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
 4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
 5. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from, "Earlier Analyses," as described in (6) below, may be cross-referenced).
 6. Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the PEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

DISCUSSION

a) Have a substantial adverse effect on a scenic vista?

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the public’s benefit. The City’s approved General Plan identifies six locations along the San Joaquin River bluffs as designated vista points from which views should be maintained. Scenic vistas within the Planning Area could provide distant views of features such as the San Joaquin River to the north and the foothills of the Sierra Nevada Mountains to the east.

The proposed project site is currently a vacant site with no previous development. The proposed project would include development of a medical office building site that includes an approximately 11,360 square foot medical office building, building pad for an approximately 5,010 square foot future medical office building, and on- and off-site improvements including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. The approximately 11,360 square foot medical office building proposes a peak height of 32 feet located closer to the rear (north end) of the site and the approximately 5,010 square foot future medical office building proposes a peak height of 27 feet located closer to the front (southern end) of the site. The proposed rezone to remove conditions of zoning would allow for the aforementioned development of the proposed project, consistent with development standards of the O (*Office*) zone district.

The project site is not located within any of the scenic vista points identified in the General Plan. The nearest vista point nearest to the intersection of East Nees and North Palm Avenue is located approximately 3.75 miles northwest of the project site. Furthermore, the construction of the proposed project would not significantly affect or block a potentially scenic vista in the City considering the distance from the nearest vista point and the project's adjacent surroundings being substantially developed. Therefore, the proposed project would have ***no impact*** on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

According to the Caltrans State Scenic Highway Mapping System¹, there are no eligible or officially-designated State Scenic Highways within the City of Fresno. However, Fresno County has three eligible State Scenic Highways; the nearest eligible highways include a portion of State Route 180, located approximately 7 miles east of the City, and a portion of State Route 168, located approximately 5 miles east of City. The nearest officially-designated State Scenic Highway is located more than 30 miles northeast of the City within the county of Madera. Since there are no eligible or officially-designated State Scenic Highways within or in close proximity to the project site implementation of the proposed project would not damage scenic resources within a designated state scenic highway. Therefore, there would be ***no impact***.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other

1 California Department of Transportation. Scenic Highways. Available online at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways> (accessed October 10, 2023)

regulations governing scenic quality?

The project site is currently a vacant site with no previous development. The proposed project would include development of a medical office building site that includes an approximately 11,360 square foot medical office building, building pad for an approximately 5,010 square foot future medical office building, and on- and off-site improvements including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. The approximately 11,360 square foot medical office building proposes a peak height of 32 feet located closer to the rear (north end) of the site and the approximately 5,010 square foot future medical office building proposes a peak height of 27 feet located closer to the front (southern end) of the site. The proposed rezone to remove conditions of zoning would allow for the aforementioned development of the proposed project, consistent with development standards of the O (*Office*) zone district.

Although the proposed project would change the visual characteristics of the project site by developing the site as a medical office complex, the design of the additions would be consistent and compatible with the visual character of the project vicinity. As conditioned, the proposed project will comply with the building form and location standards (Fresno Municipal Code (FMC) Table 15-1303), site development standards for the O (*Office*) zone district, including residential transition standards (FMC Section 15-1304), façade design development standards (FMC Section 15-1305), general site regulation standards (FMC Section 15, Article 20), landscape standards (FMC Section 15, Article 23), parking and loading standards, (FMC Section 15, Article 24), and performance standards (FMC Section 15, Article 25). Cumulatively, compliance with all zoning code development standards, including removal of the existing conditions of zoning for the property, provide compliance with multiple City of Fresno General Plan objectives, goals, and policies, including Fresno General Plan Policy LU-6-c, which promotes the integration and support for employment in adjacent and proximate neighborhoods. The proposed project will provide for landscape buffers adjacent to existing single-family and multi-family development surrounding the project site while also providing a complementary exterior building and site design to the existing adjacent commercial and office development surrounding the project site.

Although the characteristics of the project site would change, the project would not substantially degrade the visual character or quality of the site and its surroundings. Therefore, the proposed project would have a ***less than significant impact***.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project site is located in an urbanized area subject to preexisting exterior lighting from surrounding developments and existing street lighting. The proposed project would introduce new sources of light and glare to the area in the form of street lighting,

on-site lighting, and potentially illuminated signage. However, new sources of light and glare associated with the project would not be substantial in the context of existing lighting sources in the project vicinity. In addition, daytime glare would not be substantial because no highly reflective glass elements or building materials are proposed as part of the project. Compliance with California Building Code (Title 24, California Code of Regulations) standards, and implementation of Mitigation Measures AES-4.1, AES-4.2, AES-4.3, AES-4.4 and AES-4.5 of the General Plan PEIR SCH No. 2019050005 would address light and glare impacts to day and night-time views resulting from construction of the proposed project. Therefore, potential light and glare from the proposed project would result in a ***less than significant impact with mitigation incorporated***.

GP PEIR Mitigation Measure AES-4.1

Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

GP PEIR Mitigation Measure AES-4.2

Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.

GP PEIR Mitigation Measure AES-4.3

Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.

GP PEIR Mitigation Measure AES-4.4

Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.

GP PEIR Mitigation Measure AES-4.5

Materials used on building facades shall be non-reflective.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the aesthetic related mitigation measures as identified in the attached Project-Specific Mitigation Measure Monitoring Checklist Program dated January 5, 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>				X
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>				X
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

DISCUSSION

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

The project site is located within an urbanized area of the City of Fresno. There are no agricultural uses located within or adjacent to the project site. Additionally, the site is classified as Urban and Built Up Land by the State Department of Conservation. Therefore, development of the proposed project would not convert agricultural land to a non-agricultural use. The proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and the impact would be ***no impact***.

- b) Conflict with existing zoning for agricultural use or a Williamson Act contract?**

The project site is designated Employment – Office in the General Plan. The project site is located in the O/cz (*Office/conditions of zoning*) zone district which is intended to provide sites for administrative, financial, business, professional, medical, and public offices, as identified by the General Plan. Retail uses would be limited to business services and food service and convenience goods for those who work in the area. This district is intended for locations where the noise or traffic generated by retail sales, restaurants, and service commercial may be incompatible with surrounding residential neighborhoods. Furthermore, pursuant to Fresno Municipal Code (FMC) Table 15-1302, the O (*Office*) zone district does not permit any use classifications

listed under “Agricultural and Extractive Use Classifications.” The project site is not subject to a Williamson Act contract. Therefore, development of the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and the proposed project would have ***no impact***.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

The project site is located within an existing urban area and is located within the O/cz (*Office/conditions of zoning*) zone district in the City of Fresno. The proposed project would not conflict with the existing zoning for, or cause rezoning of, forest land or conversion of forest land to non-forest uses. Therefore, the proposed project would have ***no impact***.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?**

Please refer to the discussion for c) above. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest uses. Therefore, the proposed project would have ***no impact***.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Please refer to the discussion for a) and c) above. The project site is located within an existing urban environment and would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest uses. Therefore, the proposed project would have ***no impact***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?		X		
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
c) Expose sensitive receptors to substantial pollutant concentrations?		X		
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

Regulations

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rulemaking, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

To aid in evaluating potentially significant construction and/or operational impacts of a project, SJVAPCD has prepared an advisory document, the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which contains standard procedures for addressing air quality in CEQA documents. GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level. For general office uses, the threshold is 110,000 square feet. Given that the project-related applications have been filed to facilitate the creation and ultimate development of structures encompassing approximately 16,370 square feet of medical office buildings, the proposed project is considered to have less than significant impacts pertaining to air emissions and is excluded from quantifying criteria pollutant emissions for CEQA purposes.

SJVAPCD Regulation VIII mandates requirements for any type of ground-moving activity and would be adhered to during construction; however, during construction, air quality impacts would be less than SJVAPCD thresholds for non-attainment pollutants and operation for the project would not result in impacts to air quality standards for criteria pollutants.

The SJVAPCD accounts for cumulative impacts to air quality in its GAMAQI. The SJVAPCD considered basin-wide cumulative impacts to air quality when developing its significance thresholds. The SJVAPCD's air quality significance thresholds represent the maximum emissions from a project that are not expected to conflict with the SJVAPCD's air quality plans, and is not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. These are developed based on the ambient concentrations of the pollutant for each source. Because the project would not exceed the air quality significance thresholds on the project-level, and would not otherwise conflict with the SJVAPCD's air quality plans, the cumulative emissions would not be a significant contribution to a cumulative impact.

The proposed project would comply with the SJVAPCD's Regulation VIII dust control requirements during any proposed construction (including Rules 8011, 8031, 8041, and 8071). Compliance with this regulation would reduce the potential for significant localized PM10 impacts to less than significant levels.

Project

Air quality emissions would be generated during construction of the proposed project and during operation of the proposed project. Operational emissions would come primarily from vehicle emissions from vehicle trips generated by the proposed project.

The SJVAPCD has established thresholds of significance for criteria pollutant emissions, which are based on District New Source Review (NSR) offset requirements for stationary sources. Using project type and size, the District has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants.

Given that the project-related applications have been filed to facilitate the creation and ultimate development of medical office building structures encompassing approximately 16,370 square feet, the proposed project qualifies for the CEQA streamlining for criteria pollutant emissions, according to the SJVAPCD SPAL screening levels. Therefore, the proposed project is considered to have less than significant impacts pertaining to air emissions and is excluded from quantifying criteria pollutant emissions for CEQA purposes.

DISCUSSION

a) Conflict with or obstruct implementation of the applicable air quality plan?

The proposed project will comply with the Resource Conservation Element of the Fresno General Plan and the goals, policies and objectives of the Regional Transportation Plan adopted by the Fresno Council of Fresno County Governments; therefore, the project will not conflict with or obstruct an applicable air quality plan. Compliance with applicable SJVAPCD rules, Fresno General Plan policies, and Project Specific mitigation measure result in a ***less than significant impact with mitigation incorporated***. Please see further analysis in section b, below.

Project Specific Mitigation Measure AIR-1

Consistent with SJVAPCD Regulation VIII (Fugitive PM10 Prohibitions), the following controls are required to be included as specifications for the proposed project and implemented at the construction site:

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- When materials are transported off site, all material shall be covered, or

effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained.

- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of out-door storage piles, said piles shall be effectively stabilized of fugitive dust emission utilizing sufficient water or chemical stabilizer/suppressant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The SJVAPCD accounts for cumulative impacts to air quality in its GAMAQI. The SJVAPCD considered basin-wide cumulative impacts to air quality when developing its significance threshold. The SJVAPCD's air quality significance thresholds represent the maximum emissions from a project that are not expected to conflict with the SJVAPCD's air quality plans, and is not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. These are developed based on the ambient concentrations of the pollutant for each source. Because the project would not exceed the air quality significance thresholds on the project-level, and would not otherwise conflict with the SJVAPCD's air quality plans, the cumulative emissions would not be a significant contribution to a cumulative impact.

The proposed project will comply with the Resource Conservation Element of the Fresno General Plan and the goals, policies and objectives of the Regional Transportation Plan adopted by the Fresno Council of Fresno County Governments; therefore, the project will not conflict with or obstruct an applicable air quality plan.

Compliance with applicable SJVAPCD rules, Fresno General Plan policies, and PEIR mitigation measures result in a ***less than significant impact with mitigation incorporated*** on air quality with respect to air quality plans and standards and cumulative increases in criteria pollutants.

GP PEIR Mitigation Measure AIR-2.1

Prior to future discretionary project approval, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared

in conformance with SJVAPCD methodology for assessing construction impacts. If construction-related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to:

- Install temporary construction power supply meters on site and use these to provide power to electric power tools whenever feasible. If temporary electric power is available on site, forbid the use of portable gasoline- or diesel-fueled electric generators.
- Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible.
- Maintain equipment according to manufacturers' specifications.
- Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [CARB] regulation).
- Phase grading operations to reduce disturbed areas and times of exposure.
- Avoid excavation and grading during wet weather.
- Limit on-site construction routes and stabilize construction entrance(s).
- Remove existing vegetation only when absolutely necessary.
- Sweep up spilled dry materials (e.g., cement, mortar, or dirt track-out) immediately. Never attempt to wash them away with water. Use only minimal water for dust control.
- Store stockpiled materials and wastes under a temporary roof or secured plastic sheeting or tarp.

GP PEIR Mitigation Measure AIR-2.2

Prior to future discretionary project approval, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the

SJVAPCD-adopted thresholds of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include, but are not limited to:

- For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.
- Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.
- Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, Section 2485).
- Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles.
- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs throughout the city to generate solar energy.
- Maximize the planting of trees in landscaping and parking lots.
- Use light-colored paving and roofing materials.
- Require use of electric lawn mowers and leaf blowers.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low volatile organic compound (VOC) cleaning products.

GP PEIR Mitigation Measure AIR-4.1

Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.

c) Expose sensitive receptors to substantial pollutant concentrations?

Existing sensitive receptors include single-family residences located immediately north and east of the subject property, and an existing day care center located immediately east of the subject property. Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emission by following the Regulation VII, Fugitive PM10 Prohibitions as required by Project Specific Mitigation Measure AIR-1. Project construction emissions would be below the SJVAPCD significance thresholds. Once the proposed project is constructed, the proposed project would not be a significant source of long-term operational emissions. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during project operation. Impacts would be ***less than significant with mitigation incorporated.***

Project Specific Mitigation Measure AIR-1

Consistent with SJVAPCD Regulation VIII (Fugitive PM10 Prohibitions), the following controls are required to be included as specifications for the proposed project and implemented at the construction site:

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 6 inches of

freeboard space from the top of the container shall be maintained.

- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of out-door storage piles, said piles shall be effectively stabilized of fugitive dust emission utilizing sufficient water or chemical stabilizer/suppressant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The proposed use, if approved, will be allowed on the project site and will not expose sensitive receptors to substantial pollutant concentrations. The project is not proposing a use which will create objectionable odors more obnoxious than prior uses of the site and/or current surrounding residential and non-residential uses; therefore, there will be ***no impact***.

Mitigation Measures

1. The proposed project shall implement and incorporate the air quality related mitigation measures as identified in the attached Project-Specific Mitigation Measure Monitoring Program dated January 5, 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

DISCUSSION

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

The project site is located in an urbanized area and is currently a vacant site with no previous development, although recent aerial photographs of the site show the site has been recently disked. The immediate vicinity consists of land developed for commercial and retail uses, single-family residential neighborhoods, and a day care center, as well as West Gettysburg Avenue which is designated as a Collector street. The Fresno General Plan defines Collector streets as two- to four-lane undivided roadways, with the primary function of connecting local streets and arterials and neighborhood traffic generators and providing access to abutting properties. Collector streets typically have a high level of traffic. The nearest undisturbed vacant property from the subject property is approximately 0.5 miles north located on the northwest corner of East Shaw Avenue and North Fisher Street. The project site has been

previously disturbed from recent disking, is substantially surrounded by existing developed land with no other vacant undisturbed lands in the nearby vicinity, is adjacent to a Collector street that provides high volumes of traffic which is a typical corridor that prohibits species migration, and has no trees that would attract birds or other raptor species, thus the project site does not provide suitable habitat for special status animal species.

A search of the California Natural Diversity Database (CNDDDB) and the U.S. Fish and Wildlife IPAC databases were reviewed on December 17, 2023 to determine which special status species could be present within the Study Area. There is no critical habitat for any listed species within or in the vicinity of the Study Area. There are numerous species within the Fresno North quadrangle; however, the Study Area does not support suitable habitats for species other than migratory birds. Appendix B includes the results of the CNDDDB search. The Study Area lacks aquatic or native, or non-native habitat that could support habitat for special status species. The majority of the non-landscaped areas are bare ground with a few weedy species. There is no suitable habitat for special status plant species. There is only one small to medium shrub within the Study Area. This feature could support some nesting habitats for migratory birds but are unlikely to support suitable nesting habitat for raptors because of the lack of suitable prey base. Although there is some evidence of ground squirrel burrows, there is no suitable prey base for ground-nesting burrowing owls, a species of concern.

The site is not occupied by, or suited for, any special-status species, although the small to medium shrub on the project site could support some nesting habitats for migratory birds. Therefore, the impact would be ***less than significant with mitigation incorporated***.

GP PEIR Mitigation Measure BIO-1.4

Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or nesting activity is observed on or within 500 feet of a project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the MBTA and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by

staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the MBTA shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Future development that occurs in the vicinity of the San Joaquin River, its tributaries, any lakes or streams, and/or open grasslands with seasonal wetlands, may result in a significant impact to riparian habitat or a special-status natural community. The subject property is not located within the vicinity of the San Joaquin River and no riparian habitat or other sensitive natural communities occur within the project site, or within the vicinity of the project site. Although the project site is currently vacant, it has been previously disturbed from recent disking, and the immediate surrounding properties in all directions have been substantially developed. As a result, the impact would be *no impact*.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Future development that occurs in the vicinity of the San Joaquin River corridor may result in significant impacts to protected wetlands. The project site is located approximately four miles southeast of the San Joaquin River. No aquatic resources occur within the project site, or within the vicinity of the project site. The project site is currently vacant, but has been previously disturbed from recent disking and is substantially surrounded by developed properties. As a result, the impact would be *no impact*.

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

Open space areas, undeveloped land, and agricultural land are mainly located along the boundaries of the City, particularly near the northern boundary along the San Joaquin River corridor. The San Joaquin River corridor functions as a wildlife movement corridor for a number of terrestrial and aquatic mammals and birds. The San Joaquin River corridor facilitates movement of wildlife species from the City to the Sierra Nevada Mountains to the east and open agricultural land to the west.

The project site is not located at the edges or boundaries of the City and not located in the vicinity of the San Joaquin River. The project site is currently vacant and previously disturbed from recent disking, and the surrounding area is substantially developed, and there are not known native or migratory wildlife species using the project site. As a result, the impact would be ***less than significant***.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. However, the project shall comply with the biological Mitigation Measures of PEIR SCH No. 2019050005 for the Fresno General Plan through preparation of a pre-construction biological survey prior to construction, to determine if the project site supports any special-status species. If a special-status species is determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Therefore, the impact would be ***less than significant with mitigation incorporated***.

GP PEIR Mitigation Measure BIO-1.1

Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.

GP PEIR Mitigation Measure BIO-1.2

Direct or incidental take of any state or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to

special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.

GP PEIR Mitigation Measure BIO-1.3

Development within the Planning Area shall avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and CESA. Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status natural communities and vegetation communities shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.

GP PEIR Mitigation Measure BIO-1.4

Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or nesting activity is observed on or within 500 feet of a project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the MBTA and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the

MBTA shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The PG&E San Joaquin Valley Operation and Maintenance (O&M) Habitat Conservation Plan (HCP)² was approved in 2007 and covers portions of nine counties, including Fresno County. This HCP covers PG&E activities which occur as a result of ongoing O&M that would have an adverse impact on any of the 65 covered species and provides incidental take coverage from the USFWS and CDFW. Although the project site is located within an area covered by PG&E's HCP, the HCP only applies to maintenance and operations of PG&E facilities and does not apply to this project. The City of Fresno Planning Area is not located within the boundaries of any other approved or draft Habitat Conservation Plan, Natural Community Conservation Plan (NCCP), or other adopted local, regional or state Habitat Conservation Plan.

Therefore, the project would not conflict with the provisions of the PG&E O&M HCP, or any other adopted Habitat Conservation Plan or NCCP and the proposed project would have ***no impact***.

Mitigation Measures

1. The proposed project shall implement and incorporate the biological resource related mitigation measures as identified in the attached Project-Specific Mitigation Measure Monitoring Program dated January 5, 2024.

2 Pacific Gas and Electric (PG&E). 2007. PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan. Available online at: https://ecos.fws.gov/docs/plan_documents/thcp/thcp_838.pdf (accessed October 11, 2023)

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

DISCUSSION

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

A historical resource defined by CEQA includes one or more of the following criteria: 1) the resource is listed, or found eligible for listing in, the California Register of Historical Resources (CRHR); 2) listed in a local register of historical resources as defined by Public Resources Code (PRC) Section 5020.1(k); 3) identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or 4) determined to be a historical resource by the project’s lead agency (PRC Section 21084.1; CEQA Guidelines Section 15064.(a)). Under CEQA, historical resources include built-environment resources and archaeological sites.

The project site is not listed, or found eligible for listing in, the California Register of Historical Resources³, is not listed in a local register of historical resources as defined by Public Resources Code (PRC) Section 5020.1(k)⁴, not identified as significant in a

3 California Register of Historical Resources. 2023. Available online at: <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=10> (accessed October 11, 2023)

4 Fresno General Plan. 2017. Chapter 8: Historic and Cultural Resources Element. Page 8-9. “Native American Heritage Sites.” Available online at: https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf

historical resources survey meeting, and not determined to be a historical resource by the project's lead agency (reference to footnote 4 above). Thus, no historical resources were identified within or adjacent to the project site. However, project development could result in potential impacts to unknown resources that are located below the ground surface. Adherence to the requirements in General Plan PEIR Mitigation Measure CUL-1.1 would reduce potential impacts to unknown historical resources to ***less than significant with mitigation incorporated***.

GP PEIR Mitigation Measure CUL-1.1

If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

According to the CEQA Guidelines, "When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource" (CEQA Guidelines Section 15064.5(c)(1)). Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as "unique archaeological resources" (California PRC Section 21083.2). No archaeological resources were identified in the project site. However, due to the nominal amount of prehistoric archaeological information within the majority of the City, including the project site, there is potential to impact prehistoric archaeological resources during grading and construction activities within previously undisturbed soils. Adherence to the requirements in General Plan PEIR Mitigation Measure CUL-2 would reduce potential impacts to unknown archeological resources to ***less than significant with mitigation incorporated***.

GP PEIR Mitigation Measure CUL-2

Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.

- If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.
- If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction

activities, the procedure identified above for the discovery of unknown resources shall be followed.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Disturbance of human remains interred outside of formal cemeteries would result in a significant impact. If human remains are identified during project construction, Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code shall apply, as appropriate. Although there is no record of isolated human remains or unknown cemeteries on the project site, there is always a possibility that ground-disturbing activities associated with future development may uncover previously unknown buried human remains. Adherence to the requirements in General Plan PEIR Mitigation Measure CUL-3 would reduce potential impacts to unknown human remains to ***less than significant with mitigation incorporated.***

GP PEIR Mitigation Measure CUL-3

In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Mitigation Measures

1. The proposed project shall implement and incorporate the cultural resource related mitigation measures as identified in the attached Project-Specific Mitigation Measure Monitoring Program dated January 5, 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

DISCUSSION

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

The proposed project would be constructed using energy efficient modern building materials and construction practices, and the proposed project would also use new modern appliances and equipment, in accordance with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608). The expected energy consumption during construction and operation of the proposed project would be consistent with typical usage rates for medical office uses; however, energy consumption is largely a function of personal choice and the physical structure and layout of buildings. It can be assumed that implementation of the proposed project would result in additional energy demand in the City; however, since the proposed project would be located in a developed urban area and would be required to comply with the City’s energy efficiency policies, including General Plan Policies RC-8-a through RC-8-c, RC-8-e, and RC-8-h through RC-8-k, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, the project would have a ***less than significant impact***.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

In 2002, the Legislature passed Senate Bill 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission (ZE) vehicles and their infrastructure needs, and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

The most recently CEC adopted energy reports are the 2021 Integrated Energy Policy Report⁵ and 2022 Integrated Energy Policy Report Update⁶. The Integrated Energy Policy Reports provide the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The Integrated Energy Policy Reports cover a broad range of topics, including implementation of Senate Bill 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to Senate Bill 1383), updates on Southern California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

As indicated above, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Because California's energy conservation planning actions are conducted at a regional level, and because the proposed project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC's Integrated Energy Policy Reports. Impacts would be ***less than significant***.

5 California Energy Commission, 2021. *2021 Integrated Energy Policy Report*. California Energy Commission. Docket # 21-IEPR-01

6 California Energy Commission, 2022. *2022 Integrated Energy Policy Report Update*. California Energy Commission. Docket # 22-IEPR-01.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

DISCUSSION

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Fault ruptures are generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., in the last 11,000 years). Alquist-Priolo Earthquake Fault Zones delineate areas around active faults with potential surface fault rupture hazards that would require specific geological investigations prior to approval of certain kinds of development within the delineated area. The project site is not located within an Alquist-Priolo Earthquake Fault Zone. In addition, no known active or potentially active faults or fault traces are located in the project vicinity. As a result, potential impacts related to fault ruptures would be *less than significant*.

- ii. Strong seismic ground shaking?

The City of Fresno is located in an area with historically low to moderate level of seismicity. However, strong ground shaking could occur within the project site during seismic events and occurrences have the possibility to result in significant impacts. Major seismic activity along the nearby Great Valley Fault Zone or the Nunez Fault, or other associated faults, could affect the project site through strong seismic ground shaking. Strong seismic ground shaking could potentially cause structural damage to the proposed project. However, due to the distance to the known faults, hazards due to ground shaking would be minimal. In addition, compliance with the California Building Code (Title 24, California Code of Regulations) would ensure that the geotechnical design of the proposed project would reduce potential impacts related to seismic ground shaking to ***less than significant***.

iii. Seismic-related ground failure, including liquefaction?

The predominant soils within the City of Fresno consist of varying combinations of loose/very soft to very dense/hard silts, clays, sands, and gravels. Groundwater has been encountered near the ground surface in close proximity to water-filled features such as canals, ditches, ponds, and lakes. Based on these characteristics, the potential for soil liquefaction within the City ranges from very low to moderate due to the variable density of the subsurface soils and the presence of shallow groundwater. In addition to liquefaction, the City could be susceptible to induced settlement of loose unconsolidated soils or lateral spread during seismic shaking events. Based on the nature of the subsurface materials and the relatively low to moderate seismicity of the region, seismic settlement and/or lateral spread are not anticipated to represent a substantial hazard within the City during seismic events.

Based on the nature of the subsurface materials and the relatively low to moderate seismicity of the region, potential for seismic related ground failure is low in Fresno.⁷ Additionally, compliance with the Fresno Municipal Code and the California Building Code, as well as General Plan Policies NS-2-a through NS-2-d would ensure that potential impacts associated with seismic-related ground failure would be ***less than significant***.

iv. Landslides?

A landslide generally occurs on relatively steep slopes and/or on slopes underlain by weak materials. The City of Fresno is located within an area that consists of mostly flat topography within the Central Valley. Accordingly, there is no risk of

⁷ City of Fresno. 2020. General Plan Program Environmental Impact Report - Geology and Soils. Available online at: <https://www.fresno.gov/darm/wp-content/uploads/sites/10/2020/03/Fresno-GP-Public-Review-Draft-Program-EIR.pdf> (accessed October 12, 2023)

large landslides in the majority of the City. However, there is the potential for landslides and slumping along the steep banks of rivers, creeks, or drainage basins such as the San Joaquin River bluff and the many unlined basins and canals that trend throughout the City. The project site is located in a relatively flat area, and it is not in the vicinity of the San Joaquin River bluff or any unlined basins or canals. Therefore, the potential for the proposed project to expose people or structures to risk as a result of landslides would be ***less than significant***.

b) Result in substantial soil erosion or the loss of topsoil?

Grading and earthmoving during project construction has the potential to result in erosion and loss of topsoil. Exposed soils could be entrained in stormwater runoff and transported off the project site. However, this impact would be reduced to a less than significant level through compliance with water quality control measures, which may include preparation of a Stormwater Pollution Prevention Plan (SWPPP) (refer to Section X, Hydrology and Water Quality). Although designed primarily to protect stormwater quality, the SWPPP would incorporate Best Management Practices (BMPs) to minimize erosion. Additional details regarding the SWPPP are provided in Section X, Hydrology and Water Quality of this Initial Study. This impact would be ***less than significant***.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

As described in discussion a) in this section, soils on the project site would not be subject to liquefaction, lateral spreading, or landslides. Additionally, the proposed project would be required to conform with the California Building Code, which would reduce risks related to unstable soils. Therefore, the proposed project would have a ***less-than-significant impact*** related to unstable soils.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

The surface and near-surface soils observed throughout the City consist of varying combinations of clays, silts, sands, gravels, and cobbles. Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. The clayey soils, which consist of very fine particles, are considered to be slightly to moderately expansive. The project site contains 93.3 percent Ramona loam soil and 6.7 percent San Joaquin sandy loam soil, all soils with relatively low clay content and low expansion potential. Furthermore, compliance with recommendations from the City of Fresno Municipal Code would reduce potential impacts related to expansive soils to ***less than significant***.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

The project site would be served by a wastewater conveyance system maintained by the Wastewater Management Division (WMD) of the City of Fresno. Wastewater from the City's collection system is treated at the Fresno/Clovis Regional Wastewater Reclamation Facility. Development of the proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, the proposed project would have **no impact** related to the use of septic tanks or alternative wastewater disposal systems.

- f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Development in the City of Fresno could potentially impact unknown paleontological resources or unique geological features. Implementation of GP PEIR Mitigation Measure GEO-6.1 would ensure that a field survey and record search are conducted prior to construction on a previously undisturbed site, and that paleontological/geological resources found during the field survey or during project construction would be handled and preserved by a qualified paleontologist. Adherence to the requirements in Mitigation Measure GEO 6.1 would reduce potential impacts to paleontological and geological resources to **less than significant with mitigation incorporated**.

GP PEIR Mitigation Measure GEO-6.1

Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:

- If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include

avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

- If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

Mitigation Measures

1. The proposed project shall implement and incorporate the geology and soils related mitigation measures as identified in the attached Mitigation Measure Monitoring Program dated January 5, 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

DISCUSSION

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Greenhouse gas emissions (GHGs) are present in the atmosphere naturally, and are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. However, over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global climate change. The gases that are widely seen as the principal contributors to human-induced global climate change are⁸:

- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous Oxide (N₂O)
- Hydrofluorocarbons
- Perfluorocarbons
- Sulfur Hexafluoride

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the

⁸ City of Fresno, 2021. Fresno General Plan Program Environmental Impact Report. Pg. 4.8-3. September 30.

long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and the length of time that the gas remains in the atmosphere (“atmospheric lifetime”).

The GWP of each gas is measured relative to CO₂, the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO₂ over a specified time period. GHG emissions are typically measured in terms of pounds or tons of “CO₂ equivalents” (CO₂e).

The *State CEQA Guidelines* indicate that a project would normally have a significant adverse greenhouse gas emission impact if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reduction the emissions of greenhouse gases.

Section 15064.4 of the *State CEQA Guidelines* states that: “A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project.” In performing that analysis, the lead agency has discretion to determine whether to use a model or methodology to quantify greenhouse gas emissions, or to rely on a qualitative analysis or performance-based standards. In making a determination as to the significance of potential impacts, the lead agency then considers the extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting, whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project, and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

Therefore, consistent with the *State CEQA Guidelines*, Section 15183.5, if a project is consistent with an adopted qualified Greenhouse Gas Reduction Strategy that meets the standards, it can be presumed that the project would not have significant greenhouse gas emission impacts.

The City of Fresno’s GHG Reduction Plan was adopted in December 2014 to reduce local community GHG emissions to 1990 levels by the year 2020, consistent with the

State objectives set forth in AB 32. The City's 2014 GHG Reduction Plan meets the requirements for a Qualified Greenhouse Gas Reduction Strategy and is designed to streamline environmental review of future development projects in the City, consistent with *State CEQA Guidelines* Section 15183.5.

The City of Fresno updated its 2014 GHG Reduction Plan in the year 2021 (GHG Reduction Plan Update) to conform with existing applicable State climate change policies and regulations to reduce local community GHG emissions to 40 percent below 1990 levels by the year 2030, consistent with the State objectives set by SB 32. The GHG Reduction Plan Update outlines strategies that the City will undertake to achieve its proportional share of GHG emission reductions. The GHG Reduction Plan Update includes a Consistency Checklist to help the City provide a streamlined review process for new development projects that are subject to discretionary review pursuant to CEQA. This analysis evaluates the proposed project's consistency with the City's GHG Reduction Plan Update.

The GHG Reduction Plan Update requires an analysis of GHG emissions to ensure that a change in land use designation would not result in a significant increase in GHG emissions compared to the existing land use designation. The proposed project would not require a change in the Fresno General Plan land use designation and would be consistent with the Fresno General Plan. Therefore, an analysis of the proposed project's estimated GHG emissions compared to maximum buildout of the existing designation would not be required.

As stated above, the GHG Reduction Plan Update includes a Consistency Checklist to help the City provide a streamlined review process for new development projects that are subject to discretionary review pursuant to CEQA. The project's Consistency Checklist is included in Appendix B of the GHG Update. As shown in the Consistency Checklist, the proposed project would be consistent with the applicable strategies from the GHG Reduction Plan Update, which include the following; (1) The project is an infill development as defined in the Fresno General Plan; (2) The project has a less than significant VMT impact, as discussed under Section XVII Transportation, Impact b) below; and, (3) The project will implement techniques of solid waste segregation, disposal and reduction, such as recycling, composting, waste to energy technology, and/or waste separation to reduce the volume of solid wastes that must be sent to landfill facilities. Therefore, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant effect on the environment and impacts would be *less than significant*.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As shown in discussion a) above, the proposed project would be consistent with the applicable strategies from the GHG Reduction Plan Update. Other applicable plans include the SJVAPCD's Climate Change Action Plan (CCAP), which includes

suggested best performance standards (BPS) for proposed development projects. However, the SJVAPCD's CCAP was adopted in 2009 and was prepared based on the State's 2020 GHG targets, which are now superseded by State policies (i.e., the 2022 California Green Building Code) and the 2030 GHG targets, established in SB 32.

In addition, the proposed project was analyzed for consistency with the goals of Executive Order (EO) B-30-15, SB 32, AB 197, and the Scoping Plan.

EO B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. CARB released the 2017 Scoping Plan to reflect the 2030 target set by EO B-30-15 and codified by SB 32. SB 32 builds keep the State on the path toward achieving the 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32, AB 197, provides additional direction to the CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air emissions data that are collected by CARB was posted in December 2016.

The Scoping Plan contains GHG reduction measures that work towards reducing GHG emissions, consistent with the targets set by EO B-30-15 and codified by SB 32 and AB 197. The measures applicable to the proposed project include energy efficiency measures, water conservation and efficiency measures, and transportation and motor vehicle measures, as qualitatively discussed below.

Energy efficient measures are intended to maximize energy efficiency building and appliance standards, pursue additional efficiency efforts including new technologies and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. The proposed project would be required to comply with the latest Title 24 standards of the CCR, established by the CEC, regarding energy conservation and green building standards. Therefore, the proposed project would comply with applicable energy measures.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As noted above, the proposed project would be required to comply with the latest Title 24 standards of the CCR, which includes a variety of different measures, including reduction of wastewater and water use. In addition, the proposed project would be designed to include drought tolerant landscaping. Therefore, the proposed project

would not conflict with any of the water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. The second phase of Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020. Vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program. Therefore, the proposed project would not conflict with the identified transportation and motor vehicle measures.

As such, the proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in EO B-30-15, SB 32, AB 197, and would be consistent with applicable plans and programs designed to reduce GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and impacts would be ***less than significant***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIAL – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

DISCUSSION

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction activities associated with the proposed project would involve the use of limited amounts of potentially hazardous materials, including but not limited to, solvents, paints, fuels, oils, and transmission fluids. However, all materials used during construction would be contained, stored, and handled in compliance with applicable standards and regulations established by the Department of Toxic Substances Control (DTSC), the United States Environmental Protection Agency (USEPA), and the Occupational Safety and Health Administration (OSHA). All storage, handling, and disposal of hazardous materials during project construction and operation would comply with applicable safety standards and regulations, including General Plan Policies NS-4-a, NS-4-e, and NS-4-f.⁹ No manufacturing, industrial, or other uses utilizing large amounts of hazardous materials would occur within the project site. Therefore, the proposed project would have a ***less-than-significant impact*** associated with the routine transport, use, or disposal of hazardous materials, and no mitigation is required.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

⁹ City of Fresno. 2014. Fresno General Plan-Noise and Safety Element, pgs. 9-33, 9-34. Available online at: <https://www.fresno.gov/darm/wp-content/uploads/sites/10/2016/11/GP9NoiseandSafety.pdf> (accessed October 12, 2023).

See discussion a) above. The proposed project would not result in a significant hazard to the public or the environment through the transport of hazardous materials. Additionally, the General Plan includes Objective NS-4 and Policies NS-4-a, NS-4-c, NS-4-e, NS-4-f and NS-4-g, which require site and project-specific compliance with local, State and federal standards and procedures to avoid the release or upset of hazardous materials. Therefore, compliance with federal and state regulations and applicable General Plan policies would ensure that the project would not result in significant hazards to the public or environment through the release of hazardous materials. The impact would be ***less than significant***.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The closest existing schools are A Better Choice Pre-school located adjacent east of the project site, Tioga Middle School located approximately 0.20 miles away northeast of the project site, Truth Tabernacle Christian School located approximately 0.21 miles away southwest from the project site, and Carter G. Woodson Multimedia Charter School located approximately 0.25 miles away north of the project site. As previously stated, the proposed project would not result in the use or emission of substantial quantities of hazardous materials that would pose a human or environmental health risk. In addition, all materials would be handled, stored, and disposed of in accordance with applicable standards and regulations. Therefore, because the proposed project does not involve activities that would result in the emission of hazardous materials or acutely hazardous substances to an existing or proposed school. Therefore, implementation of the proposed project would result in a ***less-than-significant impact*** in the use or emission of hazardous materials that would adversely affect a school.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

According to the DTSC EnviroStor database,¹⁰ the project site is not located on a federal superfund site, State response site, voluntary cleanup site, school cleanup site, evaluation site, school investigation site, military evaluation site, tiered permit site, or corrective action site. Additionally, the project site is not included on the list of hazardous waste sites compiled pursuant to Government Code Section 65962.5.¹¹ As a result, no hazards to the public or environment are anticipated, and there would be ***no impact***.

10 California Department of Toxic Substances Control. 2007. EnviroStor. Available online at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=fresno> (accessed October 12, 2023)

11 California Environmental Protection Agency. 2018. Government Code Section 65962.5(a) Hazardous Waste and Substances Site List. Available online at: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/> (accessed October 12, 2023)

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

The nearest airports include the Fresno Yosemite International Airport, located approximately 2.25 miles southeast of the project site, Fresno Chandler Executive Airport, located approximately 5.3 miles southwest of the project site, and the Sierra Sky Airport, located approximately 5.9 miles northwest of the project site. The nearest medical center helipads (HP) include Community Regional Medical Center, located approximately 3.85 miles southwest of the project site and Saint Agnes Medical Center located approximately 2.25 miles northeast of the project site. The project site is located within Zone 6 of the Fresno Yosemite International Airport in the Fresno County Airport Land Use Compatibility Plan (ALUCP). Zone 6 is considered the Traffic Impact Zone (TPZ). The TPZ includes all other portions of regular aircraft traffic patterns based upon the 14 CFR Part 77 Conical Surface. The aircraft accident risk level is considered to be low within the TPZ. Prohibited uses of the TPZ include hazards to flight including physical (e.g., tall objects greater than 100 feet in height), visual, and electronic forms of interference with the safety of aircraft operations. Land use development, such as golf courses and certain types of crops, as outlined in the FAA's Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports*, that may cause the attraction of birds to increase is also prohibited. Also prohibited in the TPZ are outdoor stadiums and similar uses with very high intensity uses. Due to the distance between the project site and local airports and helipads and the proposed project is not a prohibited use of the TPZ as defined in the Fresno County ALUCP, operations at these locations are not expected to pose a safety hazard for people on the project site. Therefore, the proposed project would not expose persons to airport-related hazards, and the potential impact would be ***less than significant impact***.

- f) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

The California Emergency Services Act requires cities to prepare and maintain an Emergency Plan for natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life. The City's full-time Emergency Preparedness Officer (EPO) is responsible for ensuring that Fresno's emergency response plans are up-to-date and implemented properly. The EPO also facilitates cooperation between City departments and other local, State and federal agencies that would be involved in emergency response operations. The City of Fresno Emergency Operations Center (EOC) serves as the coordination and communication between the City of Fresno and Fresno County Operational Area EOC. The proposed project would not result in any alterations of existing roadways that would block the circulation of emergency response services or introduce elements that would conflict

with the operations of the EOC. Therefore, the proposed project would not interfere with emergency evacuation plans in the City, and this impact would be ***less than significant***.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The project site is located in an area mapped as Local Responsibility Area (LRA) Unzoned, indicating that the area is urbanized and not susceptible to wildland conflagrations, and is not located within a very high fire hazard severity zone (VHFHSZ).¹² Therefore, the proposed project would not expose people or structures to a significant loss, injury or death involving wildland fires and the impact would be ***less than significant***.

12 California Department of Forestry and Fire Protection (CAL FIRE). 2007. *Fresno County Fire Hazard Severity Zones in LRA*. Kune . Available online at: https://osfm.fire.ca.gov/media/6673/fhszl06_1_map10.pdf (accessed October 12, 2023)

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) 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:				
i) Result in a substantial erosion or siltation on- or off-site;		X		
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:		X		
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		X		

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

DISCUSSION

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The State Water Resources Control Board and nine Regional Water Quality Control Boards regulate the water quality of surface water and groundwater bodies throughout California. The proposed project is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB).

Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During project construction, there would be an increased potential to expose soils to wind and water erosion, which could result in temporary minimal increases in sediment load in nearby water bodies, including the Fresno Metropolitan Flood Control District Basin B/E located approximately 300 feet southeast of the project site.

In compliance with the General Plan, any development project disturbing one or more acres of soil must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). Construction activities subject to the Construction General Permit includes clearing, grading, and other ground-disturbing activities such as stockpiling or excavation. The Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

A SWPPP includes features designed to eliminate contact of rainfall and stormwater

runoff with sources of pollution that occur on construction sites, the main source being soil erosion resulting from non-stabilized soils coming in contact with water and wind. These features are known as Best Management Practices (BMPs). Common BMPs to limit pollution in stormwater runoff from construction sites include maintaining or creating drainages to convey and direct surface runoff away from bare areas and installing physical barriers such as berms, silt fencing, wattles, straw bales, and gabions. As required under Section 4.10, Hydrology, of the General Plan PEIR, compliance with requirements under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, including the SWPPP and BMPs, would reduce project construction impacts on water quality to less than significant levels.

Long-term operation impacts associated with the proposed project would be reduced to less than significant levels with the implementation of the City's Storm Drainage and Flood Control Master Plan (SDFCMP), which manages the City's stormwater drainage systems, and the City's participation in the Phase 1 NPDES Permit for Stormwater Discharges From Municipal Separate Storm Sewer Systems (Phase 1 MS4), which requires the City to implement water quality and watershed protection measures for all development projects.

Therefore, impacts associated with the proposed project would be ***less than significant with mitigation incorporated***.

GP PEIR Mitigation Measure HYD-3.1

The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP collection systems:

- Coordinate with FMFCD to implement the existing Storm Drainage and Flood Control Master Plan (SDFCMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses.
- Coordinate with FMFCD to update the SDFCMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness.
- As development is proposed, implement current SDFCMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.
- Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the

peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.

GP PEIR Mitigation Measure HYD-3.2

The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP retention basins: Prior to approval of development projects, coordinate with FMFCD to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:

1. Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination of planned retention basins.
2. Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.

GP PEIR Mitigation Measure HYD-3.3

The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins:

Prior to approval of development projects, coordinate with FMFCD to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:

1. Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
2. Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.
3. Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.

GP PEIR Mitigation Measure HYD-3.4

The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:

1. Prior to approval of development projects, coordinate with FMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded.
2. Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates.
3. Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDFCMP.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Water supply and wastewater services for the proposed project would be provided by the City of Fresno through the Department of Public Utilities (DPU) Water and Wastewater Management Divisions. As discussed below in Section XIX, Utilities and Service Systems, the City receives all of its water supply from groundwater. The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's current Urban Water Management Plan (UWMP)¹³ is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing surface water supplies and surface water treatment facilities, intentional recharge, and conservation, thereby reducing groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned.

In 2014, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2025. The plan implements a conjunctive use program, combining groundwater, treated surface water, artificial recharge and an enhanced water conservation program. In the near future, groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The City is

13 City of Fresno. 2021. 2020 Urban Water Management Plan - Final. Available online at: www.fresno.gov/wp-content/uploads/2023/03/Fresno-2020-UWMP_Final_2021-07-21-1.pdf (accessed October 16, 2023)

planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

The General Plan requires the City to maintain a comprehensive conservation program to help reduce per capita water usage and includes conservation programs and regulations such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementation of US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements. The proposed project would comply with all applicable water conservation programs and regulations required by the City's General Plan.

The proposed project would also be consistent with water management strategies from both the Urban Water Management Plan and the Metropolitan Water Resources Management Plan. Furthermore, the Project Applicant would be required to comply with water management requirements and recommendations of the City of Fresno Department of Public Utilities, which would reduce the project impacts to groundwater recharge to ***less than significant***. When development permits are issued, the project site would be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

c) 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:

i. Result in substantial erosion or siltation on- or off-site?

Construction of the proposed project would result in grading on the site that would expose native soils that could be subject to the effects associated with wind and water erosion unless adequate measures are taken to limit the transport of soils in surface water from the site to downstream locations.

Stormwater collection and disposal, and flood control for the City of Fresno, City of Clovis, and the unincorporated areas within the City of Fresno's sphere of influence are provided by the Fresno Metropolitan Flood Control District (FMFCD). There is an existing eight-foot (8') wide private storm drain easement along the westerly property line of the project site.

As required by the General Plan, a SWPPP would be developed prior to any ground disturbance at the project site and would include BMPs to reduce erosion and surface water contamination during construction of the proposed project. Additionally, compliance with the City's grading plan check process, the Fresno Metropolitan Flood Control District (FMFCD) Storm Drainage and Flood Control Master Plan (SDFCMP), and stipulations of the NPDES Construction General Permit would ensure that potential impacts related to erosion and siltation on- and off-site would be ***less than significant with mitigation incorporated***.

See GP PEIR Mitigation Measures HYD-3.1, HYD-3.2, HYD-3.3, and HYD-3.4 above.

- ii. **Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?**

Ground-disturbing activities related to project construction, such as grading, excavation, placing fill, and trenching, could change existing surface drainage patterns and increase the potential for flooding, particularly during storm events. Regulatory mechanisms in place that would reduce the effects of construction activities on drainage patterns that would result in flooding on or off the construction site include compliance with the City of Fresno grading plan check process, the SDFCMP, and the NPDES Construction General Permit.

There is an existing eight-foot (8') wide private storm drain easement along the westerly property line of the project site. FMFCD's existing Master Plan drainage system is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed office commercial land use. Mitigation Measure HYD-1 will mitigate the substantial increase in the rate or amount of surface runoff in manner which would result in flooding on- or off-site to ***less than significant with mitigation incorporated***.

Project-Specific Mitigation Measure HYD-1

The developer is required to mitigate the impacts of the increased runoff from the proposed office commercial land use to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by an office commercial density development to a two-year discharge, which would be produced by the property if developed medium density residential. Implementation of the mitigation measures may be deferred until the time of development. However, FMFCD requests that the grading Engineer contact FMFCD as early as possible to review the proposed site grading for verification and acceptance of mitigation design prior to preparing a grading plan.

- iii. **Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Please refer to discussions a) and c) i and ii in this section. The proposed project would increase impervious surfaces at the project site. However, with implementation of a SWPPP, which would require execution of BMPs for controlling pollution sources during project construction, compliance with the City's Storm Drainage and Flood Control Master Plan (SDFCMP), and implementation of the NPDES Permit, the proposed project would exceed capacity of stormwater drainage systems or generate additional sources of polluted runoff. Additionally, the Project Applicant would pay the City a Drainage Fee to address impacts related to increased amount of surface runoff resulting from the proposed project. Implementation of Mitigation Measure HYD-1, HYD-3.1, HYD-3.2, HYD-3.3, and HYD-3.4 would result in an impact that would be ***less than significant with mitigation incorporated***.

iv. Impede or redirect flood flows?

Title 40 of the Code of Federal Regulations, Part 60 regulations (40CFR60), and the floodplain ordinance of the City of Fresno require that placement and flood provision structures within a floodplain not result in a cumulative change in the floodplain water surface that exceeds one foot. In addition, the regulations under 40CFR60 do not allow placement of structures within a regulatory floodway unless that placement would not result in any increase in the floodplain water surface elevation, meaning that there is no displacement or redirection of the floodway. The City's floodplain ordinance requires that a registered Civil Engineer in the State of California certify that no displacement of floodwater would result from the flood proofing of a structure within a floodplain or a regulatory floodway. The proposed project is not located within the 100-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA).¹⁴ As a result, the impact would be ***less than significant***.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project site is not located in flood hazard, tsunami, or seiche zones. Refer to discussion a) in Section IX, Hazards and Hazardous Materials regarding the use of hazardous materials within the project site. As a result, a ***less-than-significant impact*** would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

14 Federal Emergency Management Agency. 2020. FEMA Flood Map Service Center: Search By Address. Available online at: <https://msc.fema.gov/portal/search?AddressQuery#searchresultsanchor> (accessed October 16, 2023)

The City is located within the Kings Sub-basin, which is part of the larger San Joaquin Valley Groundwater Basin. The planning documents regarding water resources for the City include the North Kings Groundwater Sustainability Act (GSA) Groundwater Management Plan, the City of Fresno Urban Water Management Plan, and City of Fresno Metropolitan Water Resources Management Plan. The project would be required to adhere to NPDES drainage control requirements during construction and operation as well as to FMFCD drainage control requirements. As a result, the project would not conflict with any applicable water quality control plan or groundwater management plan, and the impact would be ***less than significant***.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Project-Specific Mitigation Measure Monitoring Program dated January 5, 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?				X
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?			X	

DISCUSSION

a) Physically divide an established community?

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The proposed project site is a vacant property that has been previously disturbed and is surrounded by developed properties to the north (single-family and multi-family residential development), east (day care center), west (commercial businesses) and south (East Gettysburg Avenue and other various commercial businesses). The proposed project would include construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. These improvements would not affect connectivity and would not divide an established community. Therefore, the proposed project would have ***no impact***.

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?

The project site is designated as Employment – Office in the General Plan and the O/cz zone district. This land use designation and zone district are intended for administrative, financial, business, professional, medical, and public offices. This designation is mainly intended to apply to existing office uses on smaller lots, generally located on arterial roadways. This designation is also considered compatible with existing residential neighborhoods given the smaller level of noise and traffic generated compared to commercial uses. Retail uses would be limited to business services, food services, and convenience goods for those who work in the area. The maximum FAR is 2.0. The conditions of zoning (“cz”) currently applied to the property include the following:

1. Maximum building floor area not to exceed 15,000 square feet.
2. No less than 96 parking spaces are to be provided on the site. Not less than 7 spaces per doctor, nor less than one space for each 200 square feet of floor area.
3. A minimum of 40 percent of the site area shall be open space landscaping.
4. Provision of a leaching system acceptable to the Fresno Metropolitan Flood Control District and the City of Fresno.
5. Minimum building setbacks as follows: Front – 30 feet, side – 20 feet, rear – 30 feet.
6. Provision of a 10-foot minimum landscaped space adjacent to existing single family residential lots.
7. The exterior appearance and character of buildings must substantially conform to that of the residential neighborhood.
8. Provision of a 6-foot decorative colored masonry wall on the property line adjacent to existing single family residential lots.
9. An avigation easement is to be granted to the City of Fresno.
10. Interior noise levels of new development attributable to exterior sources is not to exceed 45 dB CNEL.

The project would not require a change to the General Plan land use designation. The project would require a change in the zoning to remove the conditions of zoning designation and change the current zoning of O/cz to O. The conditions of zoning

were adopted for the subject property due to approval of a previous development proposal under a previous zone district that no longer exists. The building area, parking spaces, setbacks, exterior appearance, masonry wall, avigation easement and noise levels were all previous Fresno Municipal Code requirements from a previous Code with zone districts that no longer exist. The open space and leaching system were required by Fresno Metropolitan Flood Control District (FMFCD) for the previously approved project. FMFCD has updated their conditions and included requirements for the current proposed project, and provided written communication of the confirmation that the updated conditions will supersede the previous Condition Nos. 3 and 4 of the conditions of zoning stated above. These conditions of zoning are not related to environmental effects and are considered development standards of the municipal code and all conditions of approval for the proposed project development will be consistent with the current Fresno Municipal Code that include similar requirements (i.e. setbacks, wall, noise, etc.) of the previous conditions of zoning.

The O zone district allows for the proposed project (medical office) as a permitted use pursuant to Fresno Municipal Code (FMC) Table 15-1302. The proposed project will comply with the applicable development standards, including but not limited to setbacks, landscaping, walls, parking, off-site improvements, and building height consistent with the conditions of approval for the project.

Thus, the proposed rezone and development permit would be consistent with the City's General Plan and Zoning Ordinance. Additionally, the project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the impact would be ***less than significant***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

DISCUSSION

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The principal area for mineral resources in the City of Fresno is located along the San Joaquin River Corridor. The California Department of Mines and Geology classifies lands along the San Joaquin River Corridor as Mineral Resource Zone (MRZ) 1, MRZ-2, and MRZ-3. The project site is not located in the vicinity of the San Joaquin River, is not a MRZ, and it doesn't contain a MRZ. As a result, the proposed project would not result in the loss of availability of a known mineral resource of value to the region or residents of the State. Therefore, the impact would be ***less than significant***.

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

Please refer to the discussion for a). The proposed project would not result in the loss of availability of any known locally important mineral resource recovery sites. Therefore, the proposed project would have a ***less than significant impact***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

DISCUSSION

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?**

Short-Term (Construction) Noise Impacts. Project construction would result in short-term noise impacts on nearby sensitive receptors. Maximum construction noise would be short-term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from one day to several days depending on the phase (e.g., demolition, land clearing, grading, excavation, erection) of

construction. Noise produced by construction equipment such as earthmovers, material handlers, and portable generators can reach high levels. Generally, the grading phase of construction involves the most equipment and generates the highest noise levels, although noise ranges are usually similar across all construction phases. Typical noise levels generated by individual pieces of construction equipment generally range from approximately 77 dBA to 90 dBA Lmax at 50 feet. Depending on the equipment required and duration of use, average-hourly noise levels associated with construction activity typically ranges from roughly 65 to 90 dBA Leq at 50 feet.

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest sensitive receptors to the proposed project include single-family and multi-family residential development immediately adjacent to the north and an existing day care center immediately to the east.

Chapter 10, Article 1 (Noise Regulations), of the Fresno Municipal Code establishes excessive noise guidelines and exemptions. Section 10-109 states that construction noise is exempted from City noise regulations provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, although development activities associated with the proposed project could potentially result in a temporary or periodic increase in ambient noise levels in the project vicinity, construction activity would be exempt from City of Fresno noise regulations, because such activity will only be conducted pursuant to an applicable construction permit and occur between 7:00 a.m. and 10:00 p.m., excluding Sundays. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the General Plan or noise ordinance or applicable standards of other agencies would be ***less than significant***.

Operational Noise Impacts. Motor vehicles with their distinctive noise characteristics are the dominant noise source in the project vicinity. The amount of noise varies according to many factors, such as volume of traffic, vehicle mix (percentage of cars and trucks), average traffic speed, and distance from the observer. Implementation of the proposed project would result in new daily trips on local roadways in the project site vicinity. A characteristic of sound is that a doubling of a noise source is required in order to result in a perceptible (3 dBA or greater) increase in the resulting noise level. As discussed below in Section XVII, Transportation, the proposed project would generate approximately 607 average daily trips. The project daily trips would not result in a doubling of traffic volumes along any roadway segment in the project vicinity and, therefore, would not result in a perceptible increase in traffic noise levels at receptors in the project vicinity.

Additionally, development of the project site would increase activity at the site. Table 9-2 (Transportation [Non-Aircraft] Noise Sources) of the Fresno General Plan

identifies office buildings has an acceptable equivalent sound level of 45 decibels for interior spaces for the worst-case hour during periods of use. The minimum hourly equivalent sound level (10:00 p.m. – 7:00 a.m.) for stationary noise sources is 45 decibels and the maximum sound level is 60 decibels. The City's General Plan Policy NS-1-a through Policy NS-1-c, Policy NS-1-g, Policy NS-1-h, Policy NS-1-l, Policy NS-1-n, and Policy NS-1-p provide noise mitigation recommendations that would be implemented by the proposed project. With implementation of General Plan policies, operation of the proposed project would not substantially increase noise levels over existing conditions, and the impact would be *less than significant*.

b) Generation of excessive groundborne vibration or groundborne noise levels?

No permanent noise sources would be located within the project site that would expose persons to excessive groundborne vibration or noise levels. Construction activities associated with the proposed project are not expected to result in excessive groundborne vibration or groundborne noise levels. The project is conditioned to comply with the Noise standards of the Fresno Municipal Code (FMC) Section 15-2506 (Noise) and FMC Section 15-2507 (Vibration) to ensure there is no excessive groundborne vibration or noise levels. Therefore, the proposed project would not permanently expose persons within or around the project site to excessive groundborne vibration or noise and the impact would be *less than significant*.

c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The nearest airports include the Fresno Yosemite International Airport, located approximately 2.25 miles southeast of the project site, Fresno Chandler Executive Airport, located approximately 5.3 miles southwest of the project site, and the Sierra Sky Airport, located approximately 5.9 miles northwest of the project site. The nearest medical center helipads (HP) include Community Regional Medical Center, located approximately 3.85 miles southwest of the project site and Saint Agnes Medical Center located approximately 2.25 miles northeast of the project site. The project site is located within Zone 6 of the Fresno Yosemite International Airport in the Fresno County Airport Land Use Compatibility Plan (ALUCP). Zone 6 is considered the Traffic Impact Zone (TPZ). The TPZ includes all other portions of regular aircraft traffic patterns based upon the 14 CFR Part 77 Conical Surface. The aircraft accident risk level is considered to be low within the TPZ. Prohibited uses of the TPZ include hazards to flight including physical (e.g., tall objects greater than 100 feet in height), visual, and electronic forms of interference with the safety of aircraft operations. Land use development, such as golf courses and certain types of crops, as outlined in the FAA's Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, that may cause the attraction of birds to increase is also prohibited. Also prohibited in the TPZ are outdoor stadiums and similar uses with very high intensity

uses.

Each of these airports is considered under the Fresno County Airport Land Use Compatibility Plan (ALUCP)¹⁵, which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The City of Fresno General Plan, other City land use plans, and all City land use decisions must be compatible with the adopted ALUCP for Fresno County. The ALUCP includes CNEL noise contours based on projected airport and aircraft operations. Due to the distance between the project site and local airports and helipads and the proposed project is not a prohibited use of the TPZ as defined in the Fresno County ALUCP, operations at these locations are not expected to pose a safety hazard for people on the project site. Therefore, the proposed project would not result in the exposure of sensitive receptors to the excessive noise levels from aircraft noise sources. The impact would be ***less than significant***.

15 Fresno Council of Governments. 2018. Fresno County Airport Land Use Compatibility Plan. Amended December 2021. Available online at: <https://www.fresnocog.org/project/airport-land-use-commission-fresno-county/> (accessed October 16, 2023)

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

DISCUSSION

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed project would include construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. Furthermore, the site is designated Employment – Office by the General Plan and belongs to the O (*Office*) zoning district, which intends to provide sites for administrative, financial, business, professional, medical, and public offices, as identified by the General Plan. Retail uses would be limited to business services and food service and convenience goods for those who work in the area. This district is intended for locations where the noise or traffic generated by retail sales, restaurants, and service commercial may be incompatible with surrounding residential neighborhoods.

The proposed project would not result in direct population growth as the use proposed is not residential and would not contribute to permanent residency on site. Therefore,

the proposed project would not directly or indirectly induce unplanned population growth and this impact would be ***no impact***.

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

The project site is currently vacant and recently disturbed from disking. The proposed project would not necessitate the displacement or removal of existing housing. Therefore, the impact would be ***no impact***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES – Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?				X
Parks?			X	
Other public facilities?			X	

DISCUSSION

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

i. Fire protection?

The City of Fresno Fire Department (FFD) would provide fire protection services to the proposed project. There are 20 FFD fire stations in Fresno, with the closest fire station, Fire Station 6, located approximately 1.0 miles from the project site.

Planned growth under the General Plan would increase calls for fire protection service in the City. The proposed use of the project site is consistent with the site's General Plan designation and does not represent unplanned growth given that the project site would be developed consistent with its land use and zoning designations. The project could result in an incremental increase in the demand for fire protection services because of additional employees to the project site. However, the proposed project would be required to pay a Fire Facilities Fee and a Development Impact Fee pursuant to Chapter 12, Article 4.9 of the City's Code of Ordinances to account for the potential impacts to fire services.

The FFD would continue providing services to the project site and would not require additional firefighters to serve the proposed project. The construction of a new or expanded fire station would not be required. The proposed project would not result in a significant impact on the physical environment due to the incremental increase in demand for fire protection and life safety services. The incremental increase in demand for services would not adversely affect existing responses times to the site or within the City. Therefore, construction and operation of the proposed project would have a ***less than significant impact***.

ii. Police protection?

The City of Fresno Police Department (FPD) provides police protection to the project site. The Police Department Patrol Division is divided into five policing districts with the nearest being the Northeast Police District (1450 East Teague Avenue), located approximately four miles from the project site. Planned growth under the General Plan would increase calls for police protection service in the City. The proposed use of the project site is consistent with the site's General Plan designation and does not represent unplanned growth given that the project site would be developed consistent with its land use and zoning designation.

The project could result in an incremental increase in the demand for police protection services. However, the proposed project would be required to pay a Police Impact Fee and a Development Impact Fee pursuant to Chapter 12, Article 4.8 of the City's Code of Ordinances to account for the potential impacts to police protection services.

The FPD would continue providing services to the project site and would not require additional personnel to serve the proposed project. The construction of new or expanded police facilities would not be required. Therefore, the proposed project would not result in a substantial adverse impact associated with the provision of additional police facilities or services and impacts to police protection would represent a ***less than significant impact***.

iii. Schools?

The proposed project would not generate student demand or otherwise impact school services given that there is no housing or a residential component. As such, there would be ***no impact*** to schools.

iv. Parks?

The proposed project would involve construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk and would not generate population growth that would result in an increase in the use of existing neighborhood and regional parks. Therefore, a ***less than significant impact*** to park facilities would occur as a result of the proposed project

v. Other public facilities?

Development of the proposed project could also increase demand for other public services, including libraries, community centers, and public health care facilities. However, the proposed project would not result in significant population growth that would increase the demand for these facilities, such that new facilities would be needed to maintain service standards, as these facilities are not currently overused and have capacity to serve new demand. Therefore, impacts to other public facilities would be ***less than significant***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION - Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

DISCUSSION

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed project does not require or include open space beyond the standard landscape buffers from adjacent residential properties. The proposed project would involve construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk and would not generate population growth that would result in an increase in the use of existing neighborhood and regional parks or other recreational facilities. Therefore, a *less than significant impact* to parks and recreational facilities would occur as a result of the proposed project.

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

The proposed project would consist of the construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. The development would potentially include landscaping buffers from the adjacent residential development. The proposed project would not include or require the construction or expansion of existing public recreational facilities. Therefore, the impact would be ***no impact***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?				X

DISCUSSION

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The proposed project is located within Traffic Impact Zone (TIZ) II according to the Mobility and Transportation Element of the Fresno General Plan. According to the Mobility and Transportation Element, projects in TIZ II that generate more than 200 or more peak hour new vehicle trips would require a detailed traffic analysis.

A vehicle miles traveled (VMT) analysis¹⁶, included as Appendix A, for the project was developed using rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition) for Land Use 630 – “Clinic” and Land Use 720 – “Medical-Dental Office Building – Stand-Alone”. The proposed project, at full build-out, is anticipated to generate a total of 47 trips in the a.m. peak hour, 62 trips in the

16 JLB Traffic Engineering, Inc., March 7, 2023. *Vehicle Miles Traveled Analysis Dialysis Clinic and Medical-Dental Office*. (accessed October 16, 2023)

p.m. peak hour, and 607 gross daily trips. The proposed project falls below the existing threshold for TIZ II as determined in the Fresno General Plan.

Bus stop facilities for the 34 Fresno Area Express (FAX) bus route runs along North First Street, located approximately 260 and 345 feet west of the project site respectively. The proposed project would not involve the alteration of any existing transit and pedestrian facility or infrastructure in the surrounding area. Furthermore, because the traffic generated by the proposed project is below the threshold of significance identified in the Fresno General Plan and TIS Guidelines, the proposed project would not interfere with the operation of any transit, bicycle, and pedestrian facilities in the area. The proposed project is located in the Employment – Office planned land use designation and the O/cz zone district, and the operations of the proposed project would be consistent with the development standards of the O zone district. The proposed project would not conflict with applicable existing transportation programs and policies. Therefore, the proposed project would result in a ***less than significant impact***.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities is no longer a relevant CEQA threshold for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that “[a] lead agency has discretion to evaluate a project’s vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project’s vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.”

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds, pursuant to Senate Bill 743 to be effective of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT

Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The proposed project would involve construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. The City of Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects, conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider with transportation projects is the potential to increase vehicle travel, sometimes referred to as "induced travel."

The proposed project is eligible to screen out because it is located within 0.5 miles of a Transit Priority Area or a High-Quality Transit Area and is an office project that is located within an area with low VMT. An area with low VMT is considered an area that has at least a 13 percent reduction from the Fresno County average VMT per capita. For office projects, the Fresno County average VMT per capita is 25.60. The maximum VMT per capita to comply with an area being considered "low VMT" for office projects is 22.27. Office projects on the project site has an average VMT per capita of 16.31.

In conclusion, the Project will result in a ***less than significant VMT impact*** and is consistent with CEQA Guidelines Section 15064.3(b).

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed project would include construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. The project would not alter pedestrian or vehicle access to the project site or introduce incompatible design features or equipment that would substantially increase the risk

of hazards. Therefore, the project would not substantially increase hazards due to a design feature, and the impact would be a ***less than significant impact***.

d) Result in inadequate emergency access?

The proposed project would include construction of an approximately 11,360 square foot medical office building and one pad for construction of an approximately 5,010 square foot future medical office building. Additionally, new on- and off-site improvements are proposed including, but not limited to, approximately 97 paved and striped parking spaces, two trash enclosures, landscaping, one new driveway approach for on- and off-site ingress and egress, curb, gutter, and sidewalk. Emergency vehicles would have access to the project site via one driveway access point (ingress and egress) from East Gettysburg Avenue and emergency access would not be modified as a result of the proposed project. Furthermore, roads adjacent to the project site would not require closure during project construction. Therefore, the impact would be ***no impact***.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

DISCUSSION

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in**

terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

As previously discussed in Section V, Cultural Resources, the project site does not contain historical resources listed or eligible for listing in the California Register of Historical Resources, or in any local listing for Fresno County or the City of Fresno. Furthermore, the area surrounding the project site does not contain any listed historical resources. As a result, a *less-than-significant impact* would occur.

- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the CEQA Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)).

Additional information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Assembly Bill (AB) 52, which became law January 1, 2015, requires that, as part of the CEQA review process, public agencies provide early notice of a project to California Native American Tribes to allow for consultation between the tribe and the public agency. The purpose of AB 52 is to provide the opportunity for public agencies and tribes to consult and consider potential impacts to Tribal Cultural Resources (TCR's), as defined by the Public Resources Code (PRC) Section

2107(a). Under AB 52, public agencies shall reach out to California Native American Tribes who have requested to be notified of projects in areas within or which may have been affiliated with their tribal geographic range. Pursuant to Assembly Bill 52 (AB 52), the Dumna Wo Wah and Table Mountain tribes were invited to consult on August 30, 2023. The contracted Tribes did not provide a response to invitations to consult within the required 30-day period, ending on September 29, 2023.

If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations would require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resource professional. In addition, GP PEIR Mitigation Measures CUL-1.1, CUL-2 and CUL-3 included above in Section V, Cultural Resources, would apply to the project and would reduce potential impacts to unknown archaeological historical resources to ***less than significant with mitigation incorporated***.

GP PEIR Mitigation Measure CUL-1.1

If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

GP PEIR Mitigation Measure CUL-2

Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for

prehistoric archaeological resources shall be conducted. The following procedures shall be followed.

- If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.
- If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

GP PEIR Mitigation Measure CUL-3

In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Mitigation Measures

1. The proposed project shall implement and incorporate the tribal cultural resource related mitigation measures as identified in the attached Project-Specific Mitigation Measure Monitoring Program dated January 5, 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?		X		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) 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?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

DISCUSSION

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

The Department of Public Utilities has determined that adequate sanitary sewer and water services would be available to serve the proposed project subject to the payment of any applicable connection charges and/or fees and extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies.

Impacts to storm drainage facilities have been previously discussed in Section X, Hydrology and Water Quality. While the proposed project would result in the construction of new storm water drainage facilities or expansion of existing facilities, pursuant to Section 4.10, Hydrology, of the General Plan PEIR and Mitigation Measure HYD-1, the construction such facilities would be required to comply with the City's grading plan check process, the Fresno Metropolitan Flood Control District (FMFCD) Storm Drainage and Flood Control Master Plan (SDFCMP), and requirements of the NPDES General Construction Permit. As such, construction of storm drainage facilities for the proposed project would be consistent with construction and design standards for the City, and the impact would be ***less than significant with mitigation incorporated***.

Electric power, natural gas, and telecommunication facilities would require connections to the project site. However, because the project site is located within an urbanized area with existing facilities in close proximity, connection to these facilities would not cause significant environmental effects. As a result, the project would not result the relocation or construction or new or expanded utilities, which could cause significant environmental effects, and the impact would be ***less than significant***.

Project-Specific Mitigation Measure HYD-1

The developer is required to mitigate the impacts of the increased runoff from the proposed office commercial land use to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by an office commercial density development to a two-year discharge, which would be produced by the property if developed medium density residential. Implementation of the mitigation measures may be deferred

until the time of development. However, FMFCD requests that the grading Engineer contact FMFCD as early as possible to review the proposed site grading for verification and acceptance of mitigation design prior to preparing a grading plan.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

As discussed above, the Department of Public Utilities would supply water to the project site. Based on the 2015 Urban Water Management Plan, the water supplies for the City (363,540 Acre Feet (AF)/year) are adequate to accommodate the demand in the City by 2040 (i.e., 228,091 AF/year), and at buildout of the approved General Plan in 2056 (i.e., 254,834 AF/year). The proposed project would be consistent with the General Plan and would therefore be covered by the City's water supply projections. As a result, there would be sufficient water supply for the project, and the impact would be *less than significant*.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The City of Fresno owns and operates two wastewater treatment facilities. They are the Fresno/Clovis Regional Wastewater Reclamation Facility and the North Fresno Wastewater Reclamation Facility. The RWRf currently has a capacity of 91.5 million gallons per day (mgd). The North Facility has a capacity of 0.71 mgd. The proposed project is not expected to exceed the capacity of existing wastewater-related services and facilities. Therefore, the impact would be *less than significant*.

d) 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?

Garbage disposed in the City of Fresno is taken to the Cedar Avenue Recycling and Transfer Station. Once trash has been off-loaded at the transfer station, it is sorted, and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill located approximately 6 miles southwest of Kerman.

The American Avenue Landfill (i.e., American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of

29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day.¹⁷

Other landfills within the County of Fresno include the Clovis Landfill (City of Clovis Landfill 10-AA-0004) with a maximum remaining permitted capacity of 7,740,000 cubic yards, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of 2047.¹⁸

Operation of the proposed project would generate approximately 1,000 cubic yards per year. Given the available capacity at the landfills, the additional solid waste generated by the proposed project is not anticipated to cause the facility to exceed its daily permitted capacity. As such, the project would be served by a landfill with sufficient capacity to accommodate the project's waste disposal needs, and impacts associated with the disposition of solid waste would be ***less than significant***.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The proposed project would comply with Cal Green, the City's Construction and Demolition (C&D) Waste Management Guide, and with waste management policies and recommendations from the General Plan and the Greenhouse Gas Reduction Plan Update.¹⁹ The proposed project would dispose of waste in accordance with applicable federal, state, and local recycling, reduction, and waste requirements and policies. Therefore, the proposed project would not conflict with federal, state, and local management and reduction statutes and regulations related to solid waste, and the impact would be ***less than significant***.

Mitigation Measures

1. The proposed project shall implement and incorporate the utilities and service systems related mitigation measures as identified in the attached Project-Specific Mitigation Measure Monitoring Program dated January 5, 2024.

¹⁷ CalRecycle. Available online at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/352> (accessed October 16, 2023)

¹⁸ CalRecycle. Available online at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/347> (accessed October 16, 2023)

¹⁹ City of Fresno, 2021. Greenhouse Gas Reduction Plan Update. Available online at: <https://www.fresno.gov/darm/wp-content/uploads/sites/10/2021/03/Link4AppendixGGHGRPUUpdate.pdf> (accessed October 16, 2023)

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

DISCUSSION

- a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**

The proposed project would not interfere with any emergency evacuation routes within the City of Fresno or an adopted emergency response plan. The project site would not require the alteration of any existing roadways. Therefore, the impact would be ***less than significant***.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

The project site is in an urban area and is not located within a Very High Fire Hazard Severity Zone (VHFHSZ).²⁰ The project site does not possess physical characteristics that would exacerbate wildfire risks. Therefore, the proposed project would not exacerbate wildfire risks and potentially expose project occupants to pollutants from a wildfire. The impact would be ***less than significant***.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

The project site is located in a developed area of the City of Fresno, and it would not require the installation or maintenance of infrastructure that would increase the risk of fire or result in temporary or ongoing environmental impacts, outside of what is already implemented according to City plans. As a result, a ***less-than-significant impact*** would occur.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

The project site is located on a relatively flat area and is not located adjacent to any hills. In general, the potential for land sliding or slope failure in Fresno is very low and the project site would not be susceptible to landslides. The project site is also not located on a flood hazard zone and would not be susceptible to flooding because of post-fire drainage changes. As discussed above, the project is not located within a VHFHSZ. Therefore, the proposed project would not expose people or structures to significant risks, and a ***less-than-significant impact*** would occur.

20 California Department of Forestry and Fire Protection (CAL FIRE). 2008. Fresno County Very High Fire Hazard Severity Zones in LRA. Available online at: <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/> (accessed October 16, 2023)

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

DISCUSSION

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause

a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

As discussed in Sections IV, Biological Resources, and V, Cultural Resources, with the incorporation of Mitigation Measures BIO-1.1, BIO-1.2, BIO-1.3, BIO-1.4, CUL-1.1, CUL-2, and CUL-3, the project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Therefore, with the incorporation of mitigation measures, development of the proposed project would not: 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife species population to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history. Therefore, this impact would be *less than significant*.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

The proposed project’s impacts would be individually limited and not cumulatively considerable due to the site-specific nature of the potential impacts. The potentially significant impacts that can be reduced to less-than-significant levels with implementation of recommended mitigation measures include the topics of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Tribal Cultural Resources, and Utilities and Service Systems. These impacts would primarily be related to construction-period activities, would be temporary in nature, and would not substantially contribute to any potential cumulative impacts associated with these topics.

For the topic(s) of Agriculture and Forestry Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, and Wildfire, the project would have no impacts or less-than-significant impacts, and therefore, the project would not substantially contribute to any potential cumulative impacts for these topics. All environmental impacts that could occur as a result of the proposed project would be reduced to a less-than-significant level through the implementation of the mitigation measures recommended in this document.

Implementation of these measures would ensure that the impacts of the project would be below established thresholds of significance and that these impacts would not combine with the impacts of other cumulative projects to result in a cumulatively

considerable impact on the environment as a result of project development. Therefore, this impact would be *less than significant*.

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

The proposed project's potential to result in environmental effects that could directly or indirectly impacts human beings have been evaluated in this Initial Study. The proposed project would not result in environmental effects that would directly or indirectly adversely impact human beings and the environment. Therefore, the proposed project would result in a *less than significant impact*.

Mitigation Measure Monitoring Program for Environmental Assessment No. P23-03475/P23-00186

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the proposed Living Spaces Fresno Project (project). The MMRP, which is found in Table A of this section, lists mitigation measures recommended in the IS/MND for the proposed project and identifies mitigation monitoring requirements.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled "Timing for Mitigation Measure," refers to the implementation and schedule of mitigation measures. The third column, entitled "Mitigation Responsibility," refers to the party responsible for implementing the mitigation measure. The fourth column, entitled "Monitoring/Reporting Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fifth column, entitled "Verification," will be initialed and dated by the individual designated to verify adherence to the project specific mitigation, when the mitigation measure is completed.

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Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
I. AESTHETICS				
<p>Mitigation Measure AES-4.1: Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.</p>	<p>Prior to issuance of building permits</p>	<p>Project Applicant</p>	<p>Public Works Department (PW) and Planning and Development</p>	
<p>Mitigation Measure AES-4.2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.</p>	<p>Prior to issuance of building permits</p>	<p>Project Applicant</p>	<p>Planning and Development</p>	
<p>Mitigation Measure AES-4.3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.</p>	<p>Prior to issuance of building permits</p>	<p>Project Applicant</p>	<p>Planning and Development</p>	
<p>Mitigation Measure AES-4.4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500</p>	<p>Prior to issuance of building permits</p>	<p>Project Applicant</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.				
Mitigation Measure AES-4.5: Materials used on building facades shall be non-reflective.	Prior to issuance of building permits	Project Applicant	Planning and Development	
II. AGRICULTURE AND FORESTRY RESOURCES				
There are no significant impacts to Agriculture and Forestry Resources.				
III. AIR QUALITY				
<p>Mitigation Measure AIR-1: Consistent with SJVAPCD Regulation VIII (Fugitive PM10 Prohibitions), the following controls are required to be included as specifications for the proposed project and implemented at the construction site:</p> <ul style="list-style-type: none"> • All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover. • All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. 	Prior to issuance of grading permits, during project construction	Construction Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<ul style="list-style-type: none"> • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. • When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained. • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.) • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emission utilizing sufficient water or chemical 				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
stabilizer/suppressant.				
<p>Mitigation Measure AIR-2.1: Prior to future discretionary project approval, development project applicants shall prepare and submit to the Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology for assessing construction impacts. If construction-related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to:</p> <ul style="list-style-type: none"> • Install temporary construction power supply meters on site and use these to provide power to electric power tools whenever feasible. If temporary electric power is 	Prior to issuance of grading permits, during project construction	Construction Contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>available on site, forbid the use of portable gasoline- or diesel-fueled electric generators.</p> <ul style="list-style-type: none"> • Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible. • Maintain equipment according to manufacturers' specifications. • Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [CARB] regulation). • Phase grading operations to reduce disturbed areas and times of exposure. • Avoid excavation and grading during wet weather. • Limit on-site construction routes and stabilize construction entrance(s). • Remove existing vegetation only when absolutely necessary. • Sweep up spilled dry materials (e.g., cement, mortar, or dirt track-out) immediately. Never attempt to wash them away with water. Use only minimal water for dust control. • Store stockpiled materials and wastes under a temporary roof or secured plastic sheeting or tarp. 				
<p>Mitigation Measure AIR-2.2: Prior to future discretionary project approval, development project applicants shall prepare and submit to the</p>	<p>Prior to issuance of grading permits,</p>	<p>Construction Contractor</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>Director of the City Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the SJVAPCD-adopted thresholds of significance, the Planning and Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include, but are not limited to:</p> <ul style="list-style-type: none"> • For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions. • Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in 	<p>during project construction</p>			

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>appropriate applications to optimize renewable energy generation systems and avoid peak energy use.</p> <ul style="list-style-type: none"> • Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, Section 2485). • Require that 240-volt electrical outlets or Level 3 chargers be installed in parking lots that would enable charging of neighborhood electric vehicles (NEVs) and/or battery powered vehicles. • Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs throughout the city to generate solar energy. • Maximize the planting of trees in landscaping and parking lots. • Use light-colored paving and roofing materials. • Require use of electric lawn mowers and leaf blowers. • Utilize only Energy Star heating, cooling, and lighting devices, and appliances. 				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<ul style="list-style-type: none"> Use of water-based or low volatile organic compound (VOC) cleaning products. 				
<p>Mitigation Measure AIR-4.1: Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD, to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City as needed to reduce the impact to a level deemed acceptable by the SJVAPCD. The City's Planning and Development Department shall verify that all odor control measures have been incorporated into the project design specifications prior to issuing a permit to operate.</p>	<p>Prior to issuance of grading permits, during project construction</p>	<p>Construction Contractor</p>	<p>Planning and Development</p>	
<p>IV. BIOLOGICAL RESOURCES</p>				
<p>Mitigation Measure BIO-1.1: Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status</p>	<p>Prior to issuance of grading permits</p>	<p>Construction contractor, qualified biologist</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.</p>				
<p>Mitigation Measure BIO-1.2: Direct or incidental take of any state or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through</p>	<p>Prior to issuance of grading permits</p>	<p>Construction contractor, qualified biologist</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.				
<p>Mitigation Measure BIO-1.3: Development within the Planning Area shall avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and CESA. Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status</p>	Prior to issuance of grading permits	Construction contractor, qualified biologist	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>natural communities and vegetation communities shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.</p>				
<p>Mitigation Measure BIO-1.4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or nesting activity is observed on or within 500 feet of a project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to</p>	<p>Prior to issuance of grading permits</p>	<p>Construction contractor, qualified biologist</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the MBTA and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the MBTA shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigation measures recommended by the agency at the time of consultation.</p>				
V. CULTURAL RESOURCES				
<p>Mitigation Measure CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource</p>	<p>Prior to and during construction activities</p>	<p>Construction contractor, qualified historical resources specialist</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p> <p>No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study.</p>				
<p>Mitigation Measure CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will</p>	<p>During construction activities</p>	<p>Construction contractor, qualified</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.</p> <ul style="list-style-type: none"> • If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures 		archaeologist		

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <ul style="list-style-type: none"> If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the 				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p>				
<p>Mitigation Measure CUL-3: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to</p>	<p>During construction activities</p>	<p>Construction contractor</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.</p>				
VI. ENERGY				
There are no significant impacts to Energy.				
VII. GEOLOGY AND SOILS				
<p>Mitigation Measure GEO-6.1: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:</p> <ul style="list-style-type: none"> • If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or 	During construction activities	Construction contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow</p>				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>future scientific study.</p> <ul style="list-style-type: none"> If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. 				
VIII. GREENHOUSE GAS EMISSIONS				
There are no significant impacts to Greenhouse Gas Emissions.				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
IX. HAZARDS AND HAZARDOUS MATERIALS				
There are no significant impacts to Hazards and Hazardous Materials.				
X. HYDROLOGY AND WATER QUALITY				
<p>Mitigation Measure HYD-1: The developer is required to mitigate the impacts of the increased runoff from the proposed office commercial land use to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by an office commercial density development to a two-year discharge, which would be produced by the property if developed medium density residential. Implementation of the mitigation measures may be deferred until the time of development. However, FMFCD requests that the grading Engineer contact FMFCD as early as possible to review the proposed site grading for verification and acceptance of mitigation design prior to preparing a grading plan.</p>	Prior to issuance of grading permits	Construction contractor	FMFCD	
<p>Mitigation Measure HYD-3.1: The City shall implement the following measures to reduce the</p>	Prior to issuance of	Construction contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>impacts on the capacity of existing or planned SDFCMP collection systems:</p> <ul style="list-style-type: none"> • Coordinate with FMFCD to implement the existing Storm Drainage and Flood Control Master Plan (SDFCMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. • Coordinate with FMFCD to update the SDFCMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. • As development is proposed, implement current SDFCMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. • Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness 	grading permits			

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.				
<p>Mitigation Measure HYD-3.2: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP retention basins: Prior to approval of development projects, coordinate with FMFCD to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:</p> <ol style="list-style-type: none"> 1. Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination of planned retention basins. 2. Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. 	Prior to issuance of grading permits	Construction contractor	Planning and Development	
<p>Mitigation Measure HYD-3.3: The City shall implement the following measures to reduce the</p>	Prior to issuance of	Construction contractor	Planning and Development	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins:</p> <p>Prior to approval of development projects, coordinate with FMFCD to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:</p> <ol style="list-style-type: none"> 1. Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. 2. Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. 3. Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. 	grading permits			

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>Mitigation Measure HYD-3.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:</p> <ol style="list-style-type: none"> 1. Prior to approval of development projects, coordinate with FMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded. 2. Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates. 3. Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDFCMP. 	Prior to issuance of grading permits	Construction contractor	Planning and Development	
XI. LAND USE AND PLANNING				
There are no significant impacts to Land Use and Planning.				
XII. MINERAL RESOURCES				
There are no significant impacts to Mineral Resources.				
XIII. NOISE				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
There are no significant impacts to Noise.				
XIV. POPULATION AND HOUSING				
There are no significant impacts to Population and Housing.				
XV. PUBLIC SERVICES				
There are no significant impacts to Public Services.				
XVI. RECREATION				
There are no significant impacts to Recreation.				
XVII. TRANSPORTATION				
There are no significant impacts to Transportation.				
XVII. TRIBAL CULTURAL RESOURCES				
<p>Mitigation Measure CUL-1.1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the</p>	<p>Prior to and during construction activities</p>	<p>Construction contractor, qualified historical resources specialist</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p> <p>No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study.</p>				
<p>Mitigation Measure CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.</p> <ul style="list-style-type: none"> If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are 	<p>Prior to and during construction activities</p>	<p>Construction contractor, qualified historical resources specialist</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or</p>				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>person who is capable of providing long-term preservation to allow future scientific study.</p> <ul style="list-style-type: none"> If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. 				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
<p>Mitigation Measure CUL-3: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all</p>	<p>Prior to and during construction activities</p>	<p>Construction contractor, qualified historical resources specialist</p>	<p>Planning and Development</p>	

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
reasonable options regarding the descendants' preferences for treatment.				
XIX. UTILITIES AND SERVICE SYSTEMS				
<p>Mitigation Measure HYD-1: The developer is required to mitigate the impacts of the increased runoff from the proposed office commercial land use to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by an office commercial density development to a two-year discharge, which would be produced by the property if developed medium density residential. Implementation of the mitigation measures may be deferred until the time of development. However, FMFCD requests that the grading Engineer contact FMFCD as early as possible to review the proposed site grading for verification and acceptance of mitigation design prior to preparing a grading plan.</p>	Prior to issuance of grading permits	Construction contractor	FMFCD	
XX. WILDFIRE				

Table A: Mitigation Monitoring and Reporting Program

MITIGATION MEASURE	Timing for Mitigation Measure	Mitigation Responsibility	Monitoring/ Reporting Agency	Verification (Initials and Date)
There are no significant impacts to Wildfire.				
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
There are no significant impacts related to Mandatory Findings of Significance.				

Source: City of Fresno (October 16, 2023).

Vehicle Miles Traveled Analysis

Dialysis Clinic and Medical-Dental Office

Located on the Northeast Quadrant of First Street
and Gettysburg Avenue

In the City of Fresno, California

Prepared for:

DDYS Investments Granite Park, LLC
9036 N Burgan Ave
Clovis, CA 93619

March 7, 2023

Project No. 004-188



Traffic Engineering, Transportation Planning, & Parking Solutions

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Traffic Engineering, Transportation Planning, & Parking Solutions

Vehicle Miles Traveled Analysis

**For the Dialysis Clinic and Medical-Dental Office Project located on the
Northeast Quadrant of First Street and Gettysburg Avenue**

In the City of Fresno, CA

March 7, 2023

This Vehicle Miles Traveled Analysis has been prepared under the direction of a licensed Traffic Engineer. The licensed Traffic Engineer attests to the technical information contained therein and has judged the qualifications of any technical specialists providing engineering data from which recommendations, conclusions and decisions are based.

Prepared by:

Jose Luis Benavides, P.E., T.E.

President



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Appendix A: Fresno COG VMT Calculation Tool Output

Project Description

This report describes a Vehicle Miles Traveled (VMT) Analysis prepared by JLB Traffic Engineering, Inc. (JLB) for the Dialysis Clinic and Medical-Dental Office (Project) located on the northeast quadrant of First Street and Gettysburg Avenue in the City of Fresno. The Project proposes to build an 11,360 square foot building to be used as a Dialysis Clinic and a 5,010 square foot building to be used as a Medical-Dental Office. Based on information provided to JLB, the Project is consistent with the City of Fresno Plan and will not go through a General Plan Amendment or a Rezone.

Project Trip Generation

Trip generation rates for the proposed Project were obtained from the 11th Edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE). Table I presents the trip generation for the proposed Project with trip generation rates for (Dialysis) Clinic and Medical-Dental Office Building under the subcategory of stand-alone. At buildout, the proposed Project is estimated to generate approximately of 607 daily trips, 47 AM peak hour trips and 62 PM peak hour trips.

Table I: Project Trip Generation

Land Use (ITE Code)	Size	Unit	Daily		AM (7-9) Peak Hour						PM (4-6) Peak Hour					
			Rate	Total	Trip Rate	In	Out	In	Out	Total	Trip Rate	In	Out	In	Out	Total
						%						%				
Clinic (630)	11.360	k.s.f.	37.60	427	2.75	81	19	25	6	31	3.69	30	70	13	29	42
Medical- Dental Office Building- Stand- Alone (720)	5.010	k.s.f.	36.00	180	3.10	79	21	13	3	16	3.93	30	70	6	14	20
Total Project Trips				607				38	9	47				19	43	62

Note: k.s.f. = Thousand Square Feet

VMT Analysis

Regulatory Setting

Senate Bill (SB) 743 requires that relevant California Environmental Quality Act (CEQA) analysis of transportation impacts be conducted using a metric known as VMT instead of level of service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities are no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that “[a] lead agency has discretion to choose the most appropriate methodology to evaluate a project’s vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project’s vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.”

On June 25, 2020, the City of Fresno adopted guidelines or thresholds for VMT pursuant to Senate Bill 743 to be effective July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (TA) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified development projects that meet the adopted criteria from needing to prepare a detailed VMT Analysis. These criteria may be size, location, proximity to transit, of trip making potential. In general development projects that are consistent with the City's General Plan and Zoning and that that meet one or more of the following criteria can be screened out from a quantitative VMT analysis.

1. Project Located in a Transit Priority Area/High Quality Transit Corridor (within 0.5 miles of a transit stop).
2. Project is Local-serving Retail of less than 50,000 square feet.
3. Project is a Low Trip Generator (Less than 500 average daily trips)
4. Project has a High Level of Affordable Housing Units
5. Project is an institutional/Government and Public Service Uses
6. Project is located in a Low VMT Zone

This screening tool is consistent with the OPR December 2018 Guidance referenced above. The screening tool includes an analysis of those portions of the City that satisfy the standard of reducing VMT by 13% from existing per capita and per employee VMT averages within the relevant region. The relevant region adopted by the City of Fresno VMT Thresholds is Fresno County.

However, the City of Fresno VMT Thresholds Section 3.1 regarding Development Projects states that "If a project constitutes a General Plan Amendment (GPA) or a Zone Change (ZC), none of the screening criteria may apply". While this particular Project does not include a General Plan Amendment, it does not meet the screening criteria. As such, a quantitative VMT analysis is required, and such was prepared utilizing the Fresno COG VMT Calculation Tool.

For projects that are not screened out, a quantitative analysis of VMT impacts must be prepared and compared against the adopted VMT thresholds of significance. The Fresno VMT Thresholds document includes thresholds of significance for development projects, transportation projects, and land use plans.

These thresholds of significance were developed using the County of Fresno as the applicable region, and the required reduction of VMT (as adopted in the Fresno VMT Thresholds) corresponds to Fresno County's contribution to the statewide GHG emission reduction target. In order to reach the statewide GHG reduction target of 15%, Fresno County must reduce its GHG emissions by 13%. The method of reducing GHG by 13% is to reduce VMT by 13% as well.

VMT Results

VMT is simply the product of a number of trips and those trips' lengths. The first step in a VMT analysis is to establish the baseline average VMT, which requires the definition of a region. The *CEQA Guidelines for Vehicle Miles Traveled Thresholds* for the City of Fresno provide that the Fresno County average VMT per Capita (appropriate for residential land uses) and Employee (appropriate for office/commercial non-retail land uses) are 16.1 and 25.6, respectively. The City's threshold targets a 13% reduction in VMT for residential and office/commercial non-retail land uses and a net zero (0) increase in regional VMT for commercial retail land uses.

The City's adopted thresholds for development projects correspond to the regional averages modeled by Fresno COG's ABM. For residential and non-residential (except retail) development projects, the adopted threshold of significance is a 13% reduction, which means that projects that generate VMT in excess of a 13% reduction from the existing regional VMT per capita or per employee would have a significant environmental impact. Projects that reduce VMT by 13% or more are less than significant. For retail projects, the adopted threshold is any net increase in Regional VMT compared to the existing Regional VMT. Quantitative assessments of the VMT generated by a development project are determined using the COG ABM, which is a tour-based model.

For mixed use projects, the City of Fresno VMT Thresholds state that the VMT can be estimated based on each component of the project, independently, after taking credit for internal trip capture. It also confirms that mixed use projects must use the Fresno COG's Activity Based Model. The VMT per capita (for the residential component) and the total VMT (for the retail component) is then compared against the relevant threshold.

The target VMT for residential and commercial non-retail land uses are $(16.1 \times (1-.13) = 14.0)$ 14.0 VMT per capita and $(25.6 \times (1-.13) = 22.3)$ 22.3 VMT per employee, respectively. The target VMT for all other type of land uses that are consistent with the General Plan is 25.6 VMT per employee. The threshold for retail land uses the City's threshold targets a net zero (0) increase in regional VMT for retail land uses (City of Fresno, 2020).

Per discussions with the Project’s representative, the Project is estimated to generation 28 employees. The Project’s employment and the Assessor’s Parcel Number (APN) were entered into the Fresno COG VMT Calculation Tool to conduct a Project-specific VMT analysis. As can be seen in Table II below, the Fresno COG VMT Calculation Tool output an average of 15.9 VMT per employee. This VMT is within the City of Fresno's Threshold of 22.3 VMT per employee for office land uses. In conclusion, there are no significant impacts to VMT associated with this Project pursuant to the City of Fresno VMT Guidelines. Appendix A presents the Project VMT output from the Fresno COG VMT Calculation Tool.

Table II: VMT Results

<i>Project Components</i>	<i>Fresno COG VMT per Employee Calculation Tool Results¹</i>	<i>City of Fresno Office Threshold²</i>	<i>Significant VMT Impact?</i>
Office	15.9	22.3	No

Note: 1 = VMT Results per Fresno COG VMT Calculation Tool (Version 1.38)
 2 = VMT Threshold per *CEQA Guidelines for Vehicle Miles Traveled Thresholds* for the City of Fresno
 All VMT Outputs are measures as VMT per Employee

Conclusion

Conclusions regarding the VMT Analysis of the proposed Project are provided below:

- Based on the Fresno COG VMT Calculation Tool, the Project’s VMT is projected to be 15.9 VMT per employee.
- The City of Fresno VMT Threshold for Office land uses is 22.3 VMT per employee.
- As a result, per the Fresno COG VMT Tool, the Project will result in a less than significant impact to VMT.

Study Participants

JLB Traffic Engineering, Inc. Personnel

Jose Luis Benavides, PE, TE	Project Manager
Matthew Arndt, EIT	Engineer I/II
Carlos Topete	Engineering Aide

Persons Consulted:

Bryan Pok	Centerline Design, LLC
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Appendix A: Fresno COG VMT Calculation Tool Output



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App / A



Fresno COG Vehicle Miles Traveled Analysis Tool Summary Report

Tool Version: Version 1.38 Report Date: 2/15/2023

Project Information

Name:	First & Gettysburg
Jurisdiction	Jurisdiction
APN No.	42726125

Project Land Use

Residential	Single-family:	0	DU	Multi-family:	0	DU
	Total:	0	DU	Percent Affordable:	0	%
Non-Residential	Office:	28	EMP	Others:		TSF

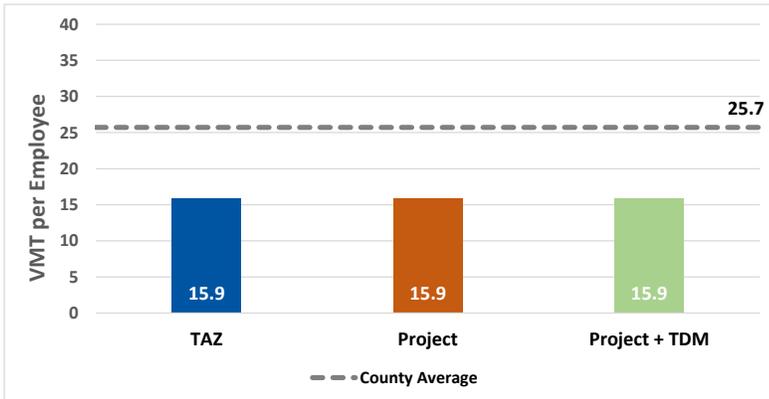
Project TDM measures (VMT reduction strategies)

TDM Strategy	Included in the project	TDM Quantification	% VMT/Capita Reduction	% VMT/Employment Reduction	
Implement Project Specific Vanpool Program	No		N/A		
Implement Project Specific Carpool Program	No			N/A	

Project VMT Results

Office

Project's VMT/Employee (15.9) is less than County's VMT/Employee (22.4 using 13% as threshold)



Project VMT per Employee:	15.9
County VMT / Employee:	25.7
Significant Impact:	No
Project VMT per Capita with TDM Measures:	15.9
Significant Impact with TDM measures:	No

Element_Type	Scientific_Name	Common_Name	Element_Code	Federal_Status	State_Status	CDFW_Status	CA_Rare_Plant_Rank	Quad_Code	Quad_Name	Data_Status	Taxonomic_Sc
Animals - Amphibians	Ambystoma californiense pop. 1	California tiger salamander - central California DPS	AAAAA01181	Threatened	Threatened	WL	-	3611977	FRESNO NORTH	Mapped and Unprocessed	Animals - Amphibians - Ambystomatidae - Ambystoma californiense pop. 1
Animals - Amphibians	Spea hammondii	western spadefoot	AAABF02020	None	None	SSC	-	3611977	FRESNO NORTH	Mapped	Animals - Amphibians - Scaphiropodidae - Spea hammondii
Animals - Birds	Buteo swainsoni	Swainsons hawk	ABNKC19070	None	Threatened	-	-	3611977	FRESNO NORTH	Mapped	Animals - Birds - Accipitridae - Buteo swainsoni
Animals - Birds	Ardea alba	great egret	ABNGA04040	None	None	-	-	3611977	FRESNO NORTH	Mapped and Unprocessed	Animals - Birds - Ardeidae - Ardea alba
Animals - Birds	Ardea herodias	great blue heron	ABNGA04010	None	None	-	-	3611977	FRESNO NORTH	Unprocessed	Animals - Birds - Ardeidae - Ardea herodias
Animals - Birds	Egretta thula	snowy egret	ABNGA06030	None	None	-	-	3611977	FRESNO NORTH	Mapped and Unprocessed	Animals - Birds - Ardeidae - Egretta thula
Animals - Birds	Nycticorax nycticorax	black-crowned night heron	ABNGA11010	None	None	-	-	3611977	FRESNO NORTH	Mapped and Unprocessed	Animals - Birds - Ardeidae - Nycticorax nycticorax
Animals - Birds	Agelaius tricolor	tricolored blackbird	ABPBXB0020	None	Threatened	SSC	-	3611977	FRESNO NORTH	Mapped	Animals - Birds - Icteridae - Agelaius tricolor
Animals - Birds	Xanthocephalus xanthocephalus	yellow-headed blackbird	ABPBXB3010	None	None	SSC	-	3611977	FRESNO NORTH	Unprocessed	Animals - Birds - Icteridae - Xanthocephalus xanthocephalus
Animals - Birds	Nannopterum auritum	double-crested cormorant	ABNFD01020	None	None	WL	-	3611977	FRESNO NORTH	Unprocessed	Animals - Birds - Phalacrocoracidae - Nannopterum auritum
Animals - Birds	Athene cunicularia	burrowing owl	ABNSB10010	None	None	SSC	-	3611977	FRESNO NORTH	Unprocessed	Animals - Birds - Strigidae - Athene cunicularia
Animals - Insects	Bombus crotchii	Crotch bumble bee	IIHYM24480	None	Candidate Endangered	-	-	3611977	FRESNO NORTH	Mapped	Animals - Insect Apidae - Bombus crotchii
Animals - Insects	Bombus pensylvanicus	American bumble bee	IIHYM24260	None	None	-	-	3611977	FRESNO NORTH	Mapped	Animals - Insect Apidae - Bombus pensylvanicus
Animals - Insects	Efferia antiochi	Antioch efferian robberfly	IIDIP07010	None	None	-	-	3611977	FRESNO NORTH	Mapped	Animals - Insect Asilidae - Efferia antiochi
Animals - Insects	Metapogon hurdi	Hurds metapogon robberfly	IIDIP08010	None	None	-	-	3611977	FRESNO NORTH	Mapped	Animals - Insect Asilidae - Metapogon hurdi
Animals - Insects	Lytta molesta	molestan blister beetle	IICOL4C030	None	None	-	-	3611977	FRESNO NORTH	Mapped	Animals - Insect Meloidae - Lytta molesta

Animals - Mammals	Dipodomys nitratoides exilis	Fresno kangaroo rat	AMAFD03151	Endangered	Endangered	-	-	3611977	FRESNO NORTH	Mapped and Unprocessed	Animals - Mammals - Heteromyidae - Dipodomys nitratoides exilis
Animals - Mammals	Perognathus inornatus	San Joaquin pocket mouse	AMAFD01060	None	None	-	-	3611977	FRESNO NORTH	Mapped	Animals - Mammals - Heteromyidae - Perognathus inornatus
Animals - Mammals	Eumops perotis californicus	western mastiff bat	AMACD02011	None	None	SSC	-	3611977	FRESNO NORTH	Mapped	Animals - Mammals - Molossidae - Eumops perotis californicus
Animals - Mammals	Mustela frenata xanthogenys	San Joaquin long-tailed weasel	AMAJF02038	None	None	-	-	3611977	FRESNO NORTH	Unprocessed	Animals - Mammals - Mustelidae - Mustela frenata xanthogenys
Animals - Mammals	Taxidea taxus	American badger	AMAJF04010	None	None	SSC	-	3611977	FRESNO NORTH	Unprocessed	Animals - Mammals - Mustelidae - Taxidea taxus
Animals - Reptiles	Anniella pulchra	Northern California legless lizard	ARACC01020	None	None	SSC	-	3611977	FRESNO NORTH	Mapped	Animals - Reptili - Anniellidae - Anniella pulchra
Animals - Reptiles	Arizona elegans occidentalis	California glossy snake	ARADB01017	None	None	SSC	-	3611977	FRESNO NORTH	Mapped	Animals - Reptili - Colubridae - Arizona elegans occidentalis
Animals - Reptiles	Gambelia sila	blunt-nosed leopard lizard	ARACF07010	Endangered	Endangered	FP	-	3611977	FRESNO NORTH	Unprocessed	Animals - Reptili - Crotophytidae - Gambelia sila
Animals - Reptiles	Emys marmorata	western pond turtle	ARAAD02030	Proposed Threatened	None	SSC	-	3611977	FRESNO NORTH	Unprocessed	Animals - Reptili - Emydidae - Emys marmorata
Animals - Reptiles	Phrynosoma blainvillii	coast horned lizard	ARACF12100	None	None	SSC	-	3611977	FRESNO NORTH	Mapped and Unprocessed	Animals - Reptili - Phrynosomatida - Phrynosoma blainvillii
Community - Terrestrial	Northern Claypan Vernal Pool	Northern Claypan Vernal Pool	CTT44120CA	None	None	-	-	3611977	FRESNO NORTH	Mapped	Community - Terrestrial - Northern Claypan Vernal Pool
Plants - Vascular	Sagittaria sanfordii	Sanfords arrowhead	PMALI040Q0	None	None	-	1B.2	3611977	FRESNO NORTH	Mapped	Plants - Vascula Alismataceae - Sagittaria sanfor
Plants - Vascular	Caulanthus californicus	California jewelflower	PDBRA31010	Endangered	Endangered	-	1B.1	3611977	FRESNO NORTH	Mapped	Plants - Vascula Brassicaceae - Caulanthus californicus
Plants - Vascular	Castilleja campestris var. succulenta	succulent owls-clover	PDSCR0D3Z1	Threatened	Endangered	-	1B.2	3611977	FRESNO NORTH	Mapped	Plants - Vascula Orobanchaceae Castilleja

											campestris var. succulenta
Plants - Vascular	Imperata brevifolia	California satintail	PMPOA3D020	None	None	-	2B.1	3611977	FRESNO NORTH	Mapped	Plants - Vascula Poaceae - Imperata brevifo
Plants - Vascular	Orcuttia inaequalis	San Joaquin Valley Orcutt grass	PMPOA4G060	Threatened	Endangered	-	1B.1	3611977	FRESNO NORTH	Mapped	Plants - Vascula Poaceae - Orcuttia inaeque
Plants - Vascular	Leptosiphon serrulatus	Madera leptosiphon	PDPLM09130	None	None	-	1B.2	3611977	FRESNO NORTH	Mapped	Plants - Vascula Polemoniaceae Leptosiphon serrulatus