

E201810000187

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION

Filed with:

EA No. R-17-019

Rezone Application No. R-17-019

FILED

AUG 31 2018

TIME

9:03AM

APPLICANT:

Jeffrey Roberts
Assemi Group, Inc.
1396 W. Herndon
Fresno, CA 93711

FRESNO COUNTY CLERK
By  DEPUTY

FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA
93721

PROJECT LOCATION:

5812 W. Clinton Avenue, S/A, 5625 W. Clinton Avenue,
5704 W. Clinton Avenue and two parcels not yet addressed
± 39.3 acres of property located on the north and south
sides of West Clinton Avenue between North Hayes and
North Polk Avenues.

Site Latitude: 36°46' 25.67" N

Site Longitude: -119° 53' 41.46" W

Mount Diablo Base & Meridian, Township 13S, Range 19E
Section 34, CA Quadrangle

Assessor's Parcel Numbers: 312-092-32, 312-061-15, 16,
17, & 18

PROJECT DESCRIPTION:

Rezone Application No. R-17-019 was filed by Jeffrey Roberts of Assemi Group, Inc. and pertains to ± 39.3 acres of property located on the north and south sides of West Clinton Avenue between North Hayes and North Polk Avenues. The applicant proposes to amend the Official Zone Map to pre-zone the property from the RR (*Rural Residential—Fresno County*) zone district to the City of Fresno RS-5/UGM (*Residential Single Family, Medium Density/Urban Growth Management-19.28 acres*) and the RS-4/UGM (*Residential Single Family, Medium Low Density -20 acres*) zone districts consistent with the Fresno General Plan planned land uses. The pre-zone of the property is for purposes of facilitating a future annexation, which also proposes detachment of the property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno. The Applicant will initiate this annexation through a land owner petition. These actions will be under the jurisdiction of the Local Agency Formation Commission (LAFCO).

Assessor's Parcel Numbers: 312-092-32, 312-061-15, 16, 17, & 18

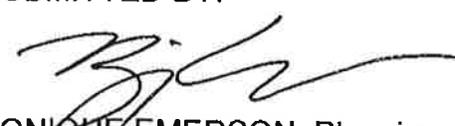
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The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on December 18, 2014. Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

With mitigation imposed, 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 MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the proposed environmental Mitigated Negative Declaration, initial study and all documents and technical studies referenced in the initial study, as well as electronic copies of documents, may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, Third Floor-North, Room 3043, Fresno, California 93721-3604. Please contact Bruce Barnes at (559) 621-8047 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. Comments may be submitted at any time between the publication date of this notice and close of business on September 25, 2018. Please direct comments to Bruce Barnes, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Bruce.Barnes@fresno.gov; or comments can be sent by facsimile to (559) 498-1026. Para información en español, comuníquese con McKencie Contreras al teléfono (559) 621-8066.

INITIAL STUDY PREPARED BY: Bruce Barnes, Project Manager	SUBMITTED BY: 
DATE: August 31, 2018	BONIQUE EMERSON, Planning Manager CITY OF FRESNO DEVELOPMENT AND RESOURCE MANAGEMENT

E20121000187

CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION

Notice of Intent was filed with:

The full Initial Study and the Fresno General Plan Master Environmental Impact Report are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:
R-17-019

FRESNO COUNTY CLERK
2220 Tulare Street
Fresno, California 93721

on

August 31, 2018

APPLICANT:
City of Fresno
Department of Development and Resource Management
2600 Fresno Street, 3rd Floor
Fresno, CA 93721
Attention: Bruce Barnes, Project Manager

PROJECT LOCATION:
5812 W. Clinton Avenue, S/A, 5625 W. Clinton Avenue, 5704 W. Clinton Avenue and two parcels not yet addressed
± 39.3 acres of property located on the north and south sides of West Clinton Avenue between North Hayes and North Polk Avenues.

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Mount Diablo Base & Meridian, Township 13S, Range 19E
Section 34, CA Quadrangle
Assessor's Parcel Numbers: 312-092-32, 312-061-15, 16, 17, & 18

PROJECT DESCRIPTION:

Rezone Application No. R-17-019 was filed by Jeffrey Roberts of Assemi Group, Inc. and pertains to ± 39.3 acres of property located on the north and south sides of West Clinton Avenue between North Hayes and North Polk Avenues. The applicant proposes to amend the Official Zone Map to pre-zone the property from the RR (*Rural Residential—Fresno County*) zone district to the City of Fresno RS-5/UGM (*Residential Single Family, Medium Density/Urban Growth Management-19.28 acres*) and the RS-4/UGM (*Residential Single Family, Medium Low Density -20 acres*) zone districts consistent with the Fresno General Plan planned land uses. The pre-zone of the property is for purposes of facilitating a future annexation, which also proposes detachment of the property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno. The Applicant will initiate this annexation through a land owner petition. These actions will be under the jurisdiction of the Local Agency Formation Commission (LAFCO).

Assessor's Parcel Numbers: 312-092-32, 312-061-15, 16, 17, & 18

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from the Master Environmental Impact Report (SCH # 2012111015) prepared for the Fresno General Plan ("MEIR"). A copy of the MEIR

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may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report ("MEIR) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

This completed environmental impact checklist form, its associated narrative, technical studies and proposed 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.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist.

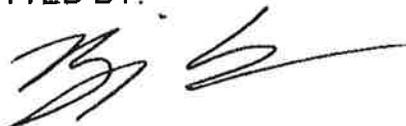
The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, 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 MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

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 Section 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.

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<p>PREPARED BY: Bruce Barnes Project Manager</p>	<p>SUBMITTED BY: </p>
<p>DATE: August 31, 2018</p>	<p>BONIQUE EMERSON, Planning Manager DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT</p>
<p>Attachments:</p>	<ul style="list-style-type: none">-Notice of Intent-Initial Study Impact Checklist and Initial Study (Appendix G)-City of Fresno General Plan and Development Code Update Mitigation and Monitoring Reporting Program dated August 31, 2018- Project Specific Mitigation Monitoring Checklist dated August 31, 2018

E201210000197

**MODIFIED APPENDIX G / INITIAL STUDY TO ANALYZE
SUBSEQUENT PROJECT IDENTIFIED IN CERTIFIED MASTER ENVIRONMENTAL
IMPACT REPORT (MEIR) SCH NO. 2012111015**

**Environmental Checklist Form
For EA No. R-17-019**

1. Project title:

Pre-zone Application No. R-17-019
(PZ17-30000019)

2. Lead agency name and address:

City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721

3. Contact person and phone number:

Bruce Barnes, Project Manager
City of Fresno
Development & Resource Management Department
(559) 621-8047

4. Project location:

Address: 5812 W Clinton Ave. S/A, 5615 W Clinton Ave., 5704 W Clinton Ave. and two parcels not yet addressed.

Location: ± 39.3 acres of property located on the north and south sides of West Clinton Avenue between North Hayes and North Polk Avenues.

Site Latitude: 36°46' 25.67" N

Site Longitude: -119° 53' 41.46" W

Mount Diablo Base & Meridian, Township 13S, Range 19E

Section 34, CA Quadrangle

Assessor's Parcel Numbers: 312-092-32, 312-061-15, 16, 17, & 18

5. Project sponsor's name and address:

City of Fresno
Development and Resource Management Department
2600 Fresno Street, Room 3043
Fresno, CA 93721

6. **General plan designation:**

Existing: (±19.28 ac.) – Medium Density Residential

Proposed: (±19.28 ac.) – No change

Existing: (±20 ac.) – Medium Low Density Residential

Proposed: (±20 ac.) – No change

7. **Zoning:**

Existing: (±19.28 ac.) – R-R (*Rural Residential, Fresno County*)

Proposed: (±19.28 acres) – RS-5/UGM (*Medium Density Residential/Urban Growth Management, City of Fresno*)

Existing: (±20 ac.) – R-R (*Rural Residential, Fresno County*)

Proposed: (±20 ac.) – RS-4/UGM (*Medium Low Density Residential/Urban Growth Management, City of Fresno*)

8. **Description of project:**

Rezone Application No. R-17-019 was filled by Jeffrey Roberts of Granville Homes and pertains to 39.3 acres of property located on the north and south sides of West Clinton Avenue between North Hayes and North Polk Avenues. The applicant proposes to amend the Official Zone Map to prezone the property from the RR (*Rural Residential—Fresno County*) zone district to the City of Fresno RS-5/UGM (*Residential Single Family, Medium Density/Urban Growth Management*) and the RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) zone districts consistent with the Fresno General Plan planned land uses. The pre-zone of the property is for purposes of facilitating a future annexation, which also proposes detachment of the property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno. The pre-zone and annexation will facilitate the development of two previously approved tentative tract maps (T-5560 and T-5881) that will allow the two sites to accommodate 138 new single family lots. The property

located south of West Clinton Avenue, although part of the pre-zone, will not be developed given it is located in Growth Area 2. Pursuant to Section 12.6 of the General Plan Implementation Chapter, development in Growth Area 2 is *not* permitted. As a mitigation measure, which will be added to the address and parcel in the City's land management system, the property in Growth Area 2 will not be allowed to be further developed (further subdivided) until conditions outlined in Section 12.6 of the General Plan Implementation Chapter have been met. The Applicant will initiate this annexation through a land owner petition. These actions will be under the jurisdiction of the Local Agency Formation Commission (LAFCO).

IMPORTANT NOTE: When proposing the project description for the Traffic Impact Study, the project applicant assumed the entire 39.3-acre project site was planned for medium density residential or 5-12 dwelling units per acre. However, 20 acres of the 39.3 acres project site is planned for medium *low* density or 3-6 dwelling units per acre. As a result the Traffic Impact Study mistakenly assumed that the entire project was medium density residential and would “develop 210 residential units on approximately 35 acres” or 6 units per acre. However, approved tentative tract map 5560 proposes to construct 88 single-family units and would have a density of 4.63 units to the acre. Tentative tract map 5881 proposes to construct 50 single-family units and would have a density of 5.19 units to acre. The combined tracts would have a total of 138 single-family homes. This is 35% fewer homes than the 210 single family units the Traffic Study predicted. As a result the number of average daily trips would be 35% lower and the impacts on air quality would also be 35% lower.

9. **Surrounding land uses and setting:**

	Planned Land Use	Existing Zoning	Existing Land Use
North	Medium Density Single Family Residential and Neighborhood Park	<i>R-R (Rural Residential – Fresno County)</i>	Single Family Residential
East	Medium Density Residential	<i>R-R (Rural Residential – Fresno County)</i>	Single Family Residential

South	Medium Density Residential and Elementary School	RS-5/UGM <i>(Medium Density Residential/Urban Growth Management– Fresno City)</i>	Single Family Residential and Elementary School
West	Medium Density Residential and Low Density Residential	RS-5/UGM <i>(Medium Density Residential/Urban Growth Management– Fresno City)</i>	Single Family Residential

10. **Other public agencies whose approval is required:**

Development and Resource Management Department, Building & Safety Services Division; Department of Public Works; Department of Public Utilities; County of Fresno, Department of Public Works and Planning, County of Fresno, Department of Community Health; City of Fresno Fire Department; Fresno Metropolitan Flood Control District; San Joaquin Valley Air Pollution Control District; Fresno County Local Area Formation Commission (LAFCO).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report State Clearing House (SCH) No. 111015 as prepared and adopted for the Fresno General Plan and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in Master Environmental Impact Report SCH No. 111015 (“MEIR”).

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"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & 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/Traffic	<input type="checkbox"/> Utilities / Service	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.
- I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, 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. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines

15178(a).


Bruce Barnes

August 31, 2018

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR or Air Quality MND:

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR or Air Quality MND.
 - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, 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 that was not previously examined in the MEIR or Air Quality MND, however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND.
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. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR.
6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, 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 MEIR 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.
8. 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.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

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

The site is located within an area which is planned for medium or medium low density residential land uses. Properties located directly to the south of the subject property are planned for medium density residential public facilities. There is an existing James K. Polk Elementary School south of the project site. Properties to the north, east and west are vacant or have been developed with single-family residences.

No identified or designated public or scenic vistas will be obstructed by the proposed project and no scenic resources will be damaged or removed. Due to the relatively flat topography of the subject and adjacent properties that reduce existing views within the project area as a whole, a less than significant impact will result to views of highly valued features such as the Sierra Nevada foothills from future development on and in

the vicinity of the subject property.

The project will not damage nor will it degrade the visual character or quality of the subject site and its surroundings, given that the project site is in an area planned and approved for primarily medium, medium low and low residential development to the north, south, east, and west of the subject property. Through the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties in accordance with project specific mitigation measures of the MEIR. As a result, the project will have less than significant impact on aesthetics.

In conclusion, the project will not result in any aesthetic impacts beyond those analyzed in MEIR SCH No. 2012111015 prepared for the Fresno General Plan.

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. -- 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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))?				X
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?				X

Based upon the upon the 2015 Rural Mapping Edition: Fresno County Important Farmland Map of the California Department of Conservation, the subject property is designated as "Urban" and therefore the project will convert prime farmland to urban uses.

With the adoption of the Fresno General Plan it was acknowledged that these lands would be urbanized with single family land uses.

The Fresno General Plan MEIR analyzed "project specific" impacts associated with future development within the Planning Area (Sphere of Influence) as well as the cumulative impacts factored from future development in areas outside of the Planning Area. The MEIR identifies locations within the Planning Area that have been designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance through the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation. The analysis of impacts contained within the MEIR acknowledges that Fresno General Plan implementation anticipates all of the FMMP-designated farmland within the Planning Area being converted to uses other than agriculture. Furthermore, the MEIR acknowledges that the anticipated conversion is a significant impact on agricultural resources.

To reduce potential project-specific and cumulative impacts on agricultural uses, the General Plan incorporates objectives and policies, which include but are not limited to the following:

G-5 Objective: While recognizing that the County of Fresno retains the primary responsibility for agricultural land use policies and the protection and advancement of farming operations, the City of Fresno will support efforts to preserve agricultural land outside of the area planned for urbanization and outside of the City's public service delivery capacity by being responsible in its land use plans, public service delivery plans, and development policies.

G-5-b. Policy: Plan for the location and intensity of urban development in a manner that efficiently utilizes land area located within the planned urban boundary, including the North and Southeast Growth Areas, while promoting compatibility with agricultural uses located outside of the planned urban area.

G-5-f. Policy: Oppose lot splits and development proposals in unincorporated areas within and outside the City General Plan boundary when these proposals would do any of the following:

- Make it difficult or infeasible to implement the general plan; or,
- Contribute to the premature conversion of agricultural, open space, or grazing lands; or constitute a detriment to the management of resources and/or facilities important to the metropolitan area (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).

However, the MEIR recognizes that despite implementation of the objectives and policies of the Fresno General Plan, project and cumulative impacts on agricultural resources will remain significant; and, that no feasible measures in addition to the objectives and policies of the Fresno General Plan are available.

In 2014, through passage of Council Resolution No. 2014-225, the City of Fresno adopted Findings of Fact related to Significant and Unavoidable Effects as well as Statements of Overriding Considerations in order to certify Master Environmental Impact Report SCH No. 111015 for purposes of adoption of the Fresno General Plan. Section 15093 of the California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The adopted Statements of Overriding Considerations for the MEIR addressed Findings of Significant Unavoidable Impacts within the categories/areas of Agricultural Resources; citing specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers as project goals, each and all of which were deemed and considered by the Fresno City Council to be benefits, which outweighed the unavoidable adverse

environmental effects attributed to development occurring within the City of Fresno Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan.

The site is located within an area which is planned for Medium Density and Medium Low Residential Land Uses. Properties located around the subject property are developed with single family residences, a school or are vacant.

None of the subject property is identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The EIR done for the General Plan recognized that territory within the Sphere of Influence would eventually be developed so the long-term conversion farmland to no non-agricultural use has been anticipated. Therefore, the proposed project is consistent with the goals, objective and policies of the Fresno General Plan as referenced herein above; and, will not result in the premature conversion of agricultural lands or constitute a detriment to the management of agricultural resources and/or facilities important to the metropolitan area.

Given its proximity to unincorporated lands within the County of Fresno which are currently planned in the County for Rural Residential land uses, a "Right-to-Farm" covenant will NOT be required to be executed. Agricultural activities on these lands located in Fresno County are not feasible or practical since the adjacent lands are developed with single family homes or are too small to economically farm.

The proposed project will not conflict with any forest land or Timberland Production or result in any loss of forest land.

As discussed in Impact AG-1 of the MEIR, future development in accordance with the Fresno General Plan would result in the conversion of farmland to a non-agricultural use. Except for direct conversion, the implementation of project development would not result in other changes in the existing environment that would impact agricultural land outside of the Planning Area. In addition, the development in accordance with the General Plan would not impact forest land as discussed in Section 7.2.1 of this Draft Master EIR. Therefore, the project would result in no impact on farmland or forest land involving other changes in the existing environment which fall outside of the scope of the analyses contained within the MEIR.

In conclusion, the proposed project is fully within the scope of the Fresno General Plan and would not result in any agriculture and forestry resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (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.) -</p> <p>-</p> <p>Would the project:</p>				
<p>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)?</p>			X	
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>			X	
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>			X	
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>			X	
<p>e) Create objectionable odors affecting a substantial number of people?</p>				X

Setting

The subject site is located in Fresno County and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB. Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects, including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a "bowl" open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate

averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth's surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

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.

The Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan and Policy RC-4-c of the Fresno General Plan require that computer models used by the SJVAPCD be used to analyze development projects and estimate future air pollutant emissions that can be expected to be generated from operational emissions (vehicular traffic associated with the project), area-wide emissions (sources such as ongoing maintenance activities and use of appliances), and construction activities.

CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations (including vehicle and off-road equipment use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The GHG mitigation measures were developed and adopted by the California Air Pollution Control Officers Association (CAPCOA).

In addition to the above-mentioned factors, the CalEEMod computer model evaluates the following emissions: ozone precursors (Reactive Organic Gases (ROG)) and NOX; CO, SOX, both regulated categories of particulate matter, and the greenhouse gas carbon dioxide (CO2). The model incorporates geographically-customized data on local vehicles, weather, and SJVAPCD Rules.

Construction Emissions – Short Term

It was assumed that the project would be constructed in one phase, over a one year period. Construction equipment estimates were based on CalEEMod default assumptions. In accordance with District guidance, the architectural coatings were assumed to be mitigated in accordance with CalEEMod default assumptions. Total emissions from project construction are below the District's threshold levels. The project will meet all of the SJVAPCD's construction fleet and control requirements.

Project Construction Emissions

<i>[all data given in tons/year]</i>	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
2019 Construction	3.70	4.91	3.23	6.05	0.88	0.52	541.74
Project Total	3.70	4.91	3.23	6.05	0.88	0.52	541.74
District Thresholds	10	10	N/A	N/A	15	15	N/A

The analysis determined that the proposed project (138 single family housing units) will not exceed the threshold of significance limits for regulated air pollutants. During the construction phase of this project grading and trenching on the site may generate particulate matter pollution through fugitive dust emissions. SJVAPCD Regulation VIII addresses not only construction and demolition dust control measures, but also regulates ongoing maintenance of open ground areas that may create entrained dust from high winds. The applicant is required to provide landscaping on the project site which will contain trees to assist in the absorption of air pollutants, reduce ozone levels, and curtail storm water runoff.

Operational Emissions – Long Term

Operational emissions include emissions associated with area sources (energy use, landscaping, etc.) and vehicle emissions. Emissions from each phase of the project were estimated using the CalEEMod model. The average trips were based on default assumptions in the CalEEMod model, verified by the Traffic Impact Study that was conducted for the project.

Project Annual Operational Emissions

Project specific emissions of criteria pollutants will not exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. Project specific criteria pollutant emissions would have no significant adverse impact on air quality.

These project emissions as a percentage of the area source, energy use, and vehicle emissions within Fresno County are very small and the project's overall contribution to the overall emissions is negligible. There is no air quality or global climate change

impacts perceived to occur as a result of the proposed project. Both short and long term impacts associated with construction and operation are below the District's significance thresholds.

The SJVAPCD has developed the San Joaquin Valley 1991 California Clean Air Act Air Quality Attainment Plan (AQAP), which continues to project nonattainment for the above-noted pollutants in the future. This project will be subject to applicable SJVAPCD rules, regulations, and strategies. In addition, the project may be subject to the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of dust and fine particulate matter. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

Operational Emissions

<i>[all data given in tons/year]</i>	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Area	1.87	0.01	1.56	8.00	8.60	8.60	2.54
Mobile	0.83	9.92	8.24	0.03	2.27	0.64	3,662.59
Energy	0.02	0.25	0.10	0.03	0.02	0.02	828.20
Project Totals	2.74	10.19	9.91	0.04	2.30	0.67	4,571.92
District Thresholds	10	10	N/A	N/A	15	15	N/A

IMPORTANT NOTE: The project applicant assumed the entire 39.3-acre project site was planned for medium density residential or 5-12 dwelling units per acre. However, 20 acres of the 39.3 acres project site is planned for medium *low* density or 3-6 dwelling units per acre. As a result the Traffic Impact Study analyzed that the entire project was medium density residential and would “develop 210 residential units on approximately 35 acres” or 6 units per acre. However, approved tentative tract map 5560 proposes to construct 88 single-family units and would have a density of 4.63 units to the acre. Tentative tract map 5881 proposes to construct 50 single-family units and would have a density of 5.19 units to acre. The combined tracts would have a total of 138 single-family homes. This is 35% fewer homes than the 210 single family units the Traffic Study predicted. As a result the number of average daily trips would be 35% lower and the impacts on air quality would also be 35% lower.

Therefore, it initially appeared that the proposed project would slightly exceed the District's limit of 10 tons for NOx. No other emissions were exceeded even using 210 single family units. However, NOx would be reduced by 35% to 6.63 tons, under the 10 ton threshold. The District's Regulation VIII – Fugitive PM10 prohibitions requires controls for sources of particulate matter necessary for attaining the federal PM10 standards and achieving progress toward attaining the state PM10 Standards. Rule 2201 – New and Modified Stationary Source Review requires new and modified stationary/industrial sources provide emission controls and offsets that ensure stationary sources decline over time and do not impact the applicable air quality plans.

Compliance with these rules and regulations is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees.

The growth projections used for the Fresno General Plan assume that growth in population, vehicle use and other source categories will occur at historically robust rates that are consistent with the rates used to develop the SJVAPCD's attainment plans. In other words, the amount of growth predicted for the General Plan is accommodated by the SJVAPCD's attainment plan and would allow the air basin to attain the 8-hour ozone standard by the 2023 attainment date. Furthermore, as shown in the operational emissions analysis in Impact AIR-3, reductions anticipated from existing regulations and adopted control measures will result in emissions continuing to decline even though development and population will increase because the emission rates for the most important sources of pollutants substantially decrease from 2010 levels due to SJVAPCD and state regulations. Future development on the subject property is required to comply with these rules and regulations providing additional support for the conclusion that it will not interfere or obstruct with the application of the attainment plans.

The proposed project on the subject site will not expose sensitive receptors to substantial pollutant concentrations. The proposed project is not proposing a use which will create objectionable odors.

Based upon the information and analyses referenced herein above, the project will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations, impacts, or increases of criteria pollutants for which the San Joaquin Valley region is under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). The proposed project will comply with all applicable air quality plans. Therefore, no violations of air quality standards will occur and no net increase of pollutants will occur.

In conclusion, with the MEIR Mitigation Measures incorporated, the project will not result in any air quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the air quality related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist.

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
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	

The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the US Fish and Wildlife Service. No federally protected wetlands are located on the subject site.

Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. There are also no bodies of water on the subject site or in the immediate vicinity of the subject site. The proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

The subject property have been utilized historically for irrigated row and field crops. This vegetation community frequently occurs in floodplains or upland areas with high soil quality. Irrigated row and field crops include annual and perennial crops, grown in rows, with open space between the rows. Row and field crops are artificially irrigated and feature a moderate disturbance rate by vehicle and pedestrian encroachment typically associated with farming activities. Species composition changes frequently, both by season and by year.

Since irrigated row and field crops contain active agriculture, and are therefore significantly disturbed with altered substrates, this vegetation community does not provide suitable habitat for any special-status plant species and limited habitat for special-status wildlife species.

Wildlife species that often occur within agricultural fields include gophers, California ground squirrels, mourning dove, mockingbird, whitecrowned sparrows, and ravens. Other wildlife that would be expected to occur within orchards would be similar to those occurring in adjacent ruderal habitats or agricultural fields.

Mammal species may also occur within intermittent fallow agricultural lands of the site and could include: deer mice, house mice, and pocket gopher. These species would

occur in fluctuating numbers depending on the available cover in the individual fields. California ground squirrels are sometimes known to burrow complexes at the margins or within areas of some fields where annual disking may not reach. Other small mammals likely to occur from time to time may include black-tailed hares and cottontail rabbits.

The presence of birds and small mammals is an attractant to both foraging raptors, such as hawks and owls, and mammalian predators. Because of the surrounding agricultural land uses, mammalian predators occurring on the site would most likely be limited to raccoons, coyotes, and red foxes, as these species are tolerant of human disturbance. It is also noted however, the expansion of residential and industrial developments in this area of the City of Fresno may limit the use of the site by these predators as well. Various species of bat may also forage over the fields of the site for flying insects.

A number of special status species, such as San Joaquin kit fox, American Badger, Western burrowing owl, Swainson hawk, tricolored blackbird, California horned lark, pallid bat, hoary bat, and western mastiff bat have some potential as resident seasonal or transient inhabitant of habitats such as those which may be found on the site.

The federally endangered and California threatened San Joaquin kit fox once occurred throughout much of the San Joaquin Valley, but this species favored areas of alkali sink scrub and alkali grassland throughout the San Joaquin Valley and Tulare Basin, as well as areas further west. The low foothills of the Sierra Nevada at the eastern edge of the San Joaquin Valley must at best be considered at the margin of their natural range.

The project site would provide only marginal habitat for American badgers in the form of temporary ruderal grasslands. Although this species is known to occur within areas with friable soils which support California ground squirrels, it prefers open habitats (herbaceous growth, shrubs or forest). Furthermore, the loss of linkages to large tracks of open grassland further minimizes the potential presence of this species on the subject property. At best, American badgers would be a transient species on the project site and it is unlikely that development of the project would result in impacts to American badger.

The burrowing owl is a small, terrestrial owl of open prairie and grassland habitats. It inhabits relatively flat dry open grasslands where tree and shrub canopies provide minimal cover. This species is found in close association with California ground squirrels, using the abandoned burrows of these squirrels for shelter, roosting, and nesting. Burrowing owls are colonially nesting raptors, and colony size is indicative of habitat quality. It is not uncommon to find burrowing owls in developed and cultivated areas. The project site provides marginal habitat for this species in the form of temporary ruderal grasslands that support California ground squirrels.

The Swainson Hawk requires a supply of small mammals such as young ground squirrels as prey for nestlings and elevated perches for hunting. Therefore, it favors open and semi-open country over agricultural fields which may offer its prey too much cover. However, the Swainson is considered to be generally tolerant of people and

attracted to certain agricultural operations which disturb soils and displace prey which burrow or nest in those soils or from farm equipment which turn up insects.

Tricolored blackbirds nest in cattails, bulrushes, Himalaya berry, and agricultural silage, in areas that are flooded or otherwise defended against easy access by predators. Tricolored blackbirds forage away from nesting sites, and large colonies require large foraging areas; the birds eat insects, small fruits, seeds, and small aquatic life. Suitable habitat for foraging includes irrigated pasture, dry rangeland, and dairy operations providing successive harvest and flooding conditions. Orchards, row crops, and vineyards may occasionally and briefly be used as foraging habitat; however, these areas are not known to sustain breeding colonies. Tricolored blackbirds could occasionally forage over the project site; however, habitat suitable for nesting tricolored blackbirds is not found on the project site.

Horned larks, which feed on seeds and insects, are ground nesting and the frequent disking and soil disturbance on the project site probably precludes the site from use as nesting habitat.

Pallid bat, hoary bat, and western mastiff bat are relatively reclusive and probably do not breed on the project site, but they may forage on or near the site from time to time. Hoary bats and western mastiff bats eat insects, while pallid bats eat insects, other invertebrates, and small vertebrates that they find on the ground or on vegetation. The project site would not constitute uniquely important habitat for these species.

Use of ruderal/nonnative grassland habitat by native terrestrial vertebrates is generally considered common in agricultural fields. However, the regular cultivation and annual disking of this habitat as well as its proximity to a busy road and a construction equipment and materials storage yard operation reduce its value to most native animals. This includes birds and small mammals which serve as an attractant to both foraging raptors, such as hawks and owls, and mammalian predators; as well as, those terrestrial and/or ground-nesting special status species preferring open prairie and/or grassland habitats.

Mitigation Measure MM BIO-1 of Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan requires construction of a proposed project to 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.

Furthermore, Mitigation Measure MM BIO-2 of Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan requires that any direct or incidental take of any state or federally listed species should 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 California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must 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 a listed species will be determined through agency consultation.

Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc. Examples of natural communities of special concern in the San Joaquin Valley could include: open, ruderal/nonnative grassland habitat, which is infrequently disturbed, vernal pools and various types of riparian forest. No natural communities of special concern were identified on the project site.

Wildlife movement corridors are areas where wildlife species regularly and predictably move during foraging, or during dispersal or migration. Movement corridors in California are typically associated with valleys, rivers and creeks supporting riparian vegetation, and ridgelines. Such geographic and topographic features are absent from the project site. Wildlife movements across the project site and vicinity would be further impeded by major streets and local roads adjacent to and within the general vicinity of the project site boundary.

No habitat conservation plans or natural community conservation plans in the region pertain to natural resources that exist on the subject site or in its immediate vicinity.

Implementation of all Biological Resource related mitigation measures of Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan have been applied to the proposed project. Therefore, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat. Therefore, there will be no impacts to Biological Resources.

In conclusion, with the MEIR and Project Specific Mitigation Measures incorporated the proposed project will not result in any biological resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

There are no structures which exist within the project area that are listed in the National or Local Register of Historic Places, and the subject site is not within a designated historic district. There are no known archaeological or paleontological resources that exist within the project area; previously unknown paleontological resources or undiscovered human remains could be disturbed during project construction. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject property. Past record searches for the region have not revealed the likelihood of cultural resources on the subject property or in its immediate vicinity. Therefore, it is not expected that the proposed project may impact cultural resources. It should be noted however, that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources.

The pre-zoning and annexation of the subject site will not cause the ground to be disturbed. However, subsequent projects on previously undisturbed lands would cause ground disturbing activities that will occur as a result of this subsequent project and the measures within the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified

professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

The project specific mitigation measure calls for the City of Fresno to notify and consult with the Dumma Wo Wah Tribal Government if human remains or artifacts are discovered. To date there has been no response from the tribe.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resource related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

There are no geologic hazards or unstable soil conditions known to exist on the site. The existing topography is flat with no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and the Fresno Metropolitan Flood Control District (FMFCD) Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

Fresno has no known active earthquake faults and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category “C” or “D,” depending on the soils underlying the specific location being categorized and that location’s proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code. Seismic upgrade/retrofit requirements are imposed on older structures by the City’s Development and Resource Management Department as may be applicable to building modification and rehabilitation projects.

No adverse environmental effects related to topography, soils or geology are expected as a result of this project.

In conclusion, the proposed project would not result in any geology or soil environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions, either directly or indirectly.

The General Plan and MEIR rely upon a Greenhouse Gas Reduction Plan that provides a comprehensive assessment of the benefits of city policies and proposed code changes, existing plans, programs, and initiatives that reduce greenhouse gas emissions. The plan demonstrates that even though there is increased growth, the City would still be reducing greenhouse gas emissions through 2020 and per capita emission rates drop substantially. The benefits of adopted regulations become flat in later years and growth starts to exceed the reductions from all regulations and measures. Although it is highly likely that regulations will be updated to provide additional reductions, none are reflected in the analysis since only the effect of adopted

regulations is included. See Section III, Air Quality and Global Climate Change, for a full discussion of air quality and greenhouse gas emissions.

In conclusion, the proposed project would not result in any greenhouse gas emission environmental impacts beyond those analyzed in MEIR SCH No. 2012111015 for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Pursuant to Policy 1-6-a of the Fresno General Plan, hazardous materials will be defined as those that, because of their quantity, concentration, physical or chemical characteristics, pose significant potential hazards to human health, safety, or the environment. Specific federal, state and local definitions and listings of hazardous materials will be used by the City of Fresno

The site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project is not located near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans.

The areas of the subject site have not been under cultivation for many years. However, no pesticides or hazardous materials are known to exist on the site and the proposed project will have no environmental impacts related to potential hazards or hazardous materials as identified above.

The project site is not located within the vicinity of the Fresno Yosemite Airport or any other airport or private air strip. No risks or hazards would result from constructing the project in the proposed location.

In conclusion, the project will not result in any hazards and hazardous material impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

On January 17, 2014, the Governor of California, proclaimed a State of Emergency in the State of California due to severe drought conditions. On April 25, 2014 and April 1, 2015, the Governor signed Executive Orders directing the State Water Resources Control Board ("State Water Board") to adopt emergency regulations to ensure urban

water suppliers implement drought response plans to limit outdoor irrigation and other wasteful water practices. California Water Code Section 1058.5 grants the State Water Board the authority to adopt emergency regulations during a period when the Governor has issued a proclamation of emergency based upon drought conditions or in response to drought conditions that exist, or are threatened, in a critically dry year immediately preceded by two or more consecutive below normal, dry, or critically dry years.

On July 15, 2014, the State Water Board adopted an emergency regulation for urban water conservation requiring each urban water supplier to implement the stage of its water shortage contingency plan that imposes restrictions on outdoor irrigation, which resulted in the City of Fresno implementing Stage 2 of its Water Shortage Contingency Plan.

On May 5, 2015, the State Water Board adopted additional emergency regulations for urban water conservation, requiring the City of Fresno to reduce its water usage by 28% compared to 2013 and impose additional prohibitions on water use beginning June 1, 2015, through February 28, 2016. In 2015, the City of Fresno implemented additional water conservation measures resulting in 23% reduction in the City's water usage in 2015 and 2016, and such water conservation measures are still effective.

On August 29, 2016, the Governor signed into law SB 814, which required the City of Fresno to define "excessive use" regarding water usage, and to establish a method to identify and discourage excessive water use.

California received record precipitation in the winter of 2017, resulting in mountain snowpack at 164% of the season average and on April 7, 2017, the Governor declared an end to California's drought emergency for all but Fresno, Kings, Tulare, and Tuolumne Counties in the state of California by Executive Order B-40-17. Executive Order B-40-17 directed the State Water Board to make permanent prohibitions on certain practices which do not conserve water.

On April 26, 2017, the State Water Board rescinded mandatory water conservation standards statewide, but left in effect prohibitions on certain water uses and required certain water conservation activities at all times in the City of Fresno comports with the Governor's Executive Order. Therefore the City of Fresno is proposing to define Excessive Use related to water usage and is proposing to establish a method to identify and discourage excessive water use to meet the requirements of SB 814. The City of Fresno is also amending the FMC to prohibit water-wasteful practices year round rather than certain drought periods. The action also includes updating the Water Shortage Contingency Plan which outlines watering days.

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

This Mitigated Negative Declaration prepared for the proposed project is tiered from Master Environmental Impact Report SCH No. 2012111015) prepared for the Fresno General Plan (collectively, the "MEIR"), which contains measures to mitigate projects' individual and cumulative impacts to groundwater resources and to reverse the groundwater basin's overdraft conditions.

Fresno has attempted to address these issues through metering and revisions to the City's Urban Water Management Plan (UWMP). The Fresno Metropolitan Water Resource Management Plan, which has been adopted and the accompanying Final EIR (SCH #95022029) certified, is also under revision. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to meet the future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

The adverse groundwater conditions of limited supply and compromised quality have been well- documented by planning, environmental impact report and technical studies over the past 20 years including the Master Environmental Impact Report No. 2012111015 for the Fresno General Plan, the MEIR 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117 and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring upgradient from the Fresno Metropolitan Area.

In response to the need for a comprehensive long-range water supply and distribution strategy, the General Plan recognizes the Kings Basin's Integrated Regional Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2010 Urban Water Management Plan. The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the future needs of the Kings Basin regions and the Fresno-Clovis metropolitan

area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The 2010 Urban Water Management Plan, Figure 4-3 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins;
- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm Water Treatment Facility (SESWTF); and
- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

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 UWMP 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. The UWMP was made available for public review together with the MND for the proposed project.

Until 2004, groundwater was the sole source of water for the City. In June 2004, a \$32 million Surface Water Treatment Facility ("SWTF") began providing Fresno with water treated to drinking water standards. A second surface water treatment facility is planned for 2015 in southeast Fresno (currently under construction and due to open in 2018 or 2019) to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan. Surface water is used to replace lost groundwater through Fresno's artificial recharge program at the City-owned Leaky Acres and smaller facilities in Southeast Fresno. Fresno holds entitlements to surface water from Millerton Lake and

Pine Flat Reservoir. In 2006, Fresno renewed its contract with the United States Bureau of Reclamation, through the year 2045, which entitles the City to 60,000 acre-feet per year of Class 1 water. This water supply has further increased the reliability of Fresno's water supply.

Also, in 2006, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2050. 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 2010 UWMP projects that groundwater pumped by the City will decrease from approximately 128,578 AF/year in 2010 to approximately 85,000 AF/year at buildout of the General Plan Update. This would represent a decrease in the groundwater percentage of total water supply from 87 percent to 36 percent. This reduction in groundwater pumping will recharge the aquifer by approximately 15,000 acre-feet per year because the safe yield is approximately 100,000 acre-feet per year. In order to meet this projection, the City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

The City has been adding to and upgrading its water supplies through capital improvements, including adding pipelines to distribute treated surface water. Additionally, in 2009, the treatment capacity of the Fresno/Clovis Regional Wastewater Reclamation Facility was improved. The City has recently been providing tertiary treatment at some of its wastewater treatment plants to supply tertiary treated recycled water for landscape irrigation to new growth areas and the North Fresno Wastewater Reclamation Facilities Satellite Plant was recently built to serve the Copper River development and golf course in the northern part of Fresno.

In addition, the General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage, and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

The City also has implemented an extensive water conservation program which is detailed in Fresno's current UWMP and additional conservation is anticipated as more of the City's residential customers become metered. The City has implemented a residential water meter program; installing and metering water service for all single-family residential customers in the City by 2014. At a point of approximately 100% completion, the installation already demonstrated an approximately 15% decrease in water usage. The City also intends to commence providing tiered rates to incentivize further reduction in water usage.

Fresno continues to periodically update its water management plans to ensure the cost-effective use of water resources and continued availability of groundwater and surface water supplies.

In accordance with the provisions of the Fresno General Plan and Master EIR No. 111015 mitigation measures, project specific water supply and distribution requirements must assure that an adequate source of water is available to serve the project.

The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water service will be available to the proposed project subject to water mains being extended within the proposed residential area. It should be noted that a parcel, located in Growth Area 2, will be part of the annexation in order to allow for orderly and logical City boundaries. but is not slated for development. Any effort by the property owner to subdivide the property will be denied by City staff since it is located in Growth Area 2. This restriction of development is a mitigation measure and will be added as a condition on the property in accordance with Section 12.6 of the General Plan Implementation Chapter. This policy is implemented through a project-specific mitigation measure.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area. The Fresno Metropolitan Flood Control District (FMFCD) has indicated that drainage service is available to serve the annexation. The developer of the site will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

The mitigation measures of the MEIR are incorporated herein by reference and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures equate to City of Fresno policies and initiatives aimed toward ensuring that the City has a reliable, long-range source of water through the implementation of measures to promote water conservation through standards, incentives and capital investments.

Private development participates in the City's ability to meet water supply goals and initiatives through payment of fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the project, or participation in augmentation/enhancement/enlargement of the recharge capability of Fresno Metropolitan Flood Control District storm water ponding basins. While the proposed project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities.

The Department of Public Utilities works with Fresno Metropolitan Flood Control District to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program, and works with Fresno Irrigation District to ensure that the City's allotment of surface water is put to the best possible use for recharge.

As a condition of approval, any pre-existing on-site domestic or agricultural water wells that may be on the site shall be properly abandoned, in order to prevent the spread of contaminants from the ground surface or from shallow groundwater layers into deeper and cleaner levels of the aquifer.

As a condition of approval, any pre-existing septic systems shall be properly abandoned.

Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any onsite wastewater treatment system. The proposed project will be required to install sewer mains and branches, and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a publicly owned treatment works.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

There are no aspects of this project that will result in impacts to water supply or quality beyond those analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan. The project will not substantially alter existing drainage patterns of the site or area or substantially increase the rate or amount of runoff in a manner which would result in flooding, exceed planned storm water drainage systems, or provide substantial sources of polluted runoff. The site is not located within a flood prone or hazard area as evidenced by Flood Maps. The subject property is proposed to be developed at intensity and scale permitted by the RS-4 (*Medium Low Density, Residential*) and RS-5 (*Medium Density, Residential*) zone district. Thus, any proposed development project will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted planned land use designation; resulting in additional impacts on water supply from increased demand.

In conclusion, the project is fully within the scope of the Fresno General Plan and will not result in any hydrology and water quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Rezone Application No. R-17-019 was filed by Jeffrey Roberts of Assemi and Sons, Inc., and pertain to ±39.28 acres of property located on the north and south side of West Clinton Avenue between North Polk and North Hayes Avenues in the unincorporated portion of the City of Fresno’s Sphere of Influence boundary.

The subject property is located within the boundaries of the Fresno General Plan and the West Area Community Plan. The Fresno General Plan designates the subject properties for Medium Density Residential and Medium Low Density Residential planned land use.

Rezone Application No. R-17-019 proposes to amend the Official Zone Map to pre-zone the property from the Fresno County RR (*Rural Residential, Fresno County*) zone district to the City of Fresno RS-5/UGM (*Medium Density Residential/ Urban Growth Management-(±19.28acres)*) zone district. The other ±20 acre site is proposed to amend the Official Zone Map to rezone the property from the Fresno County RR (*Rural Residential, Fresno County*) zone district to the City of Fresno RS-4/UGM (*Medium Low Density Residential/Urban Growth Management*) zone district. This requested pre-zone will facilitate the annexation of the territory to the City of Fresno.

Jeffrey Roberts, of Assemi and Sons, Inc., intends to file a landowner petition with the Fresno Local Area Formation Commission (LAFCO) at a future date. The petition is the same thing as an annexation application and will propose the detachment of the property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno. These actions are under the jurisdiction of LAFCO. This pre-zone will also facilitate the development of previously approved tentative tract maps T-5560 and T-5881.

Fresno General Plan Goals, Objectives and Policies

Policies LU-1-e and LU-1-g recommend that annexations to the City conform to the General Plan Land Use Designations and maintain the City's current Sphere of Influence (SOI) Boundaries without additional expansion.

Annexation of the approximately 39.28 acres of the subject property will provide for the orderly development while promoting compatibility and minimizing potential land use conflicts.

Furthermore, evaluation of public services capacity and availability for the area has determined that public infrastructure improvements will need to be installed (water and sewer lines will need to be extended) in the area to serve the proposed development as well as future development on the area. Furthermore, the proposed project will be obligated to pay fair share and proportional payment of fees and all development mitigation costs. It should be noted that a parcel, located in Growth Area 2, will be part of the annexation but is not slated for development. As a mitigation measure, development will not be permitted on this site in accordance with Section 12.6 of the General Plan Implementation Chapter.

Additional policies of the Fresno General Plan respective to growth and annexations focus on: (1) Making full use of existing infrastructure, and investment in improvements to increase competitiveness and promote economic growth; (2) The promotion of orderly land use development in pace with public facilities and services needed to serve development; and, (3) Supporting annexations to the City only when such proposals conform to the General Plan Land Use Designations and open space and park system, and are revenue neutral and cover all costs for public infrastructure, public facilities and public services on an ongoing basis consistent with the requirements of ED-5-b.

The proposed project is located within an area where all necessary and required infrastructure improvements have been conditioned upon previous development projects and extended to the project site area with capacity to serve projected development in accordance with the Fresno General Plan. These improvements have been constructed in accordance with Department of Public Utilities and State of California rules, regulations and policies. Additional service extensions being facilitated as a direct result of the proposed project will not be done in a manner which would induce further growth or expansion of additional City services.

The goals of the West Area Community Plan include developing the area as a planned community with a complete range of services and facilities for the needs of the community residents, in adherence to a set of specific standards for residential, commercial, industrial, and public infrastructure development, with special emphasis on minimization of land use conflict between agriculture and urban uses.

Therefore, it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan and the West Area Community Plan; (2) To be Suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

In conclusion, the project is subject to project specific mitigation measures and measure contained in the MEIR mitigation monitoring checklist and the proposed project mitigation measures and will not result in any land use and planning impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The subject site is not located in an area designated for mineral resource preservation or recovery, therefore, will not 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 subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore it will not result in the loss of availability of a locally-important mineral resource.

In conclusion, the proposed project would not result in any mineral resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are transportation-related and consist of major streets and regional highways; airport operations at the Fresno Yosemite International, the Fresno-Chandler Downtown, and the Sierra Sky Park Airports; and railroad operations along the BNSF Railway and the Union Pacific Railroad lines.

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent or in proximity to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings hospitals, office buildings and schools, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.

Stationary noise sources can also have an effect on the population, and unlike mobile, transportation-related noise sources, these sources generally have a more permanent and consistent impact on people. These stationary noise sources involve a wide spectrum of uses and activities, including various industrial uses, commercial operations, agricultural production, school playgrounds, high school football games, HVAC units, generators, lawn maintenance equipment and swimming pool pumps.

Potential noise sources at the project site would occur primarily from roadway noise. However, since West Clinton Avenue is a collector street as it traverses the site, noise impacts should be lessened compared to if it were an arterial.

The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 60dB DNL for exterior noise levels in outdoor areas of noise-sensitive land uses. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level (L_{eq}) and maximum sound level (L_{max}). The standards are more restrictive during the nighttime hours, defined as 10:00 p.m. to 7:00 a.m. The standards may be adjusted upward (less restrictive) if the existing ambient noise level without the source of interest already exceeds these standards. The Noise Element standards for stationary noise sources are: (1) 50 dBA L_{eq} for the daytime and 45 dBA L_{eq} for the nighttime hourly equivalent sound levels; and, (2) 70 dBA L_{max} for the daytime and 65 dBA L_{max} for the nighttime maximum sound levels.

Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modification that may increase noise levels shall be mitigated so as not to exceed the noise level standards of Table 9 (Table 5.11-8 of the MEIR) at noise sensitive land uses. If the existing ambient noise levels equal or exceed these levels, mitigation is required to limit noise to the ambient noise level plus 5 dB.

The project sites are vacant. Therefore, it is reasonable to assume that any new proposed project will result in an increase in temporary and/or periodic ambient noise levels on the subject property above existing levels. However, these noise levels will not exceed those generated by adjacent existing or planned land uses.

Pursuant to Policy H-1-b of the Fresno General Plan, for purposes of City analyses of noise impacts, and for determining appropriate noise mitigation, a significant increase in ambient noise levels is assumed if the project causes ambient noise levels to exceed the following: (1) The ambient noise level is less than 60 db Ldn and the project increase noise levels by 5 dB or more; (2) The ambient noise level is 60-65 dB Ldn and the project increases noise levels by 3 dB or more; or, (3) The ambient noise level is greater than 65 dB Ldn and the project increases noise levels by 1.5 dB or more.

Short Term Noise Impacts

The construction of a project involves both short-term, construction related noise, and long term noise potentially generated by increases in area traffic, nearby stationary sources, or other transportation sources. The Fresno Municipal Code (FMC) allows for construction noise in excess of standards if it complies with the section below (Chapter 10, Article 1, Section 10-109 – Exemptions). It states that the provisions of Article 1 – Noise Regulations of the FMC shall not apply to:

Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. 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.

Groundborne Vibrations and Groundborne Noise Impacts

The construction of the project could involve short-term, construction related groundborne vibrations and groundborne noise. The Fresno Municipal Code does not set standards for groundborne vibration. The MEIR for the Fresno General Plan references Caltrans standards to determine impacts. Caltrans considers a peak-particle velocity (ppv) threshold of .04 inches per second (in/sec) for continuous vibration as the minimum perceptible level for human annoyance of groundborne vibration. Continuous/frequent vibrations in excess of .10 in/sec ppv is defined as distinctly perceptible, with levels of .4 in/sec ppv can be expected to result in severe annoyance to people. Ground vibration generated by common construction equipment, including large tractors and loaded trucks, ranges from 0.089 ppv (in/sec) to 0.003 ppv (in/sec) at 25 feet. Given that much of the construction will take place more than 25 feet away from neighboring properties and the threshold for severe annoyance is so much higher than what is expected of construction equipment (.4 compared to .089) the project's impact of groundborne vibrations is less than significant.

Long Term Noise Impacts

The subject property which is proposed to be zoned RS-5 which allows for single-family residential and multi-family development (with a Conditional Use Permit which must be noticed to property owners within 1,000 feet). The immediate vicinity consists of primarily single-family residential users, which have similar noise level requirements during the day. The project will be required to comply with all noise policies from the Fresno General Plan and noise ordinance from the FMC.

In conclusion, the proposed project would not result in any noise environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The subject site is currently designated by the Fresno General Plan for *Medium Density Residential Use* (±19.28 acres) and *Medium Low Density Residential* (±20 acres).

Therefore, the proposed project will create a less than significant impact on population. The subject site is completely vacant. There are no structures or crops on the two proposed tracts. Therefore, the proposed project does not have the potential to displace persons or housing as a result of development thereon. The extension of waterline and sewer lines will be required so this may indirectly create population growth, but it is not considered to be “substantial” population growth and is no more growth than was identified in the MEIR.

No population and housing impacts will result from the proposed project beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015.

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

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project. Water lines and sewer mains will be required by the Department of Public Utilities to be extended to the site. The extension of these services and the payment of significant impact fee should mitigate the impacts on these urban services. The required City police and fire protection services are also available to serve the proposed project.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that permanent drainage service is available and requires the developer to construct the "master planned facilities" (a pipeline) which will connect to existing flood control facilities.

These departments and agencies have all submitted conditions that will be required as Conditions of Approval for individual projects that may be built on the subject site. These conditions of approval which have been made mitigation measures will ensure that the proposed project will have a less than significant impact to urban services. All

conditions of approval, including mitigation measures, must be complied with prior to occupancy.

Due to the consistency of the proposed project with planned Medium Density Residential and Medium Low Residential Land Uses designated and projected by the Fresno General Plan and MEIR, demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required park impact fees at the time building permits are obtained.

Tentative Tract Map No. 5560 has been approved for 88 lots on almost 20 acres. However, the map expires on December 21, 2018. Another map, Tentative Tract Map 5881 has been approved for 50 lots on a 9.62 acre site. However, this tract map expires on December 20, 2018. If these tracts are ultimately approved before they expire they will be required to pay all appropriate impact fee for fire, water, sewer and all other urban services provided by the City of Fresno. Any future projects will also be required to pay the appropriate impact fees.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the public service related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist.

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

The proposed project will not result in the physical deterioration of existing parks or recreational facilities; and, will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the MEIR for the Fresno General Plan. The developer will be required to pay park impact fees to mitigate the effects of the project.

In conclusion, the proposed project would not result in any recreation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC - - Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The Fresno General Plan designates West Clinton Avenue as a Collector Street. In the future, the developer will need to dedicate property to accommodate the widening and making the necessary street improvement to West Clinton Avenue.

Public Works, Traffic Division, determined that a Traffic Impact Study (TIS) was required and the applicant submitted a TIS to the City's Traffic Division for review. Vehicle trips projected to be generated by a proposed project will be calculated using the Institute of Traffic Engineers (ITE) Trip Generation Manual, 9th Edition. As mitigation measures, the applicant shall be required to comply with all recommendations noted in the TIS, dated May 1, 2018.

Initially, at buildout the project was expected to generate a maximum of 1,982 daily trips, 155 am peak hour trips and 208 PM peak hour trips. But, as previously noted these daily trips were based on 210 single family units being built. But it has since been determined that that only 138 single family units will be constructed, thus lowering the number of daily trips generated by 35%.

Based on the higher project numbers, the Public Works Department, Traffic Engineering Division review the potential traffic related impacts for any proposed project and will determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the Traffic Engineering Division. These requirements generally may include such things as : (1) The provision of a minimum number of points of vehicular access to a major street for any phase of the development; (2) Major and local street dedications; (3) Street

improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (4) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF) Fee.

Therefore, the Public Works Department/Traffic Engineering Division has determined that, based upon the proposed traffic yield from and the expected traffic generation of a proposed project for the subject property, a proposed project will not adversely impact the existing and projected circulation system based upon implementation of the mitigation measures included within the MEIR and based upon compliance with the project specific mitigation measures referenced herein below.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system; no substantial increase in transportation or traffic is expected to result.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the traffic related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist. The proposed project shall implement all project specific mitigation measures identified in the TIS.

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?			X	
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

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, 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)). 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.

Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52. Under invitations to consult AB 52, no tribes elected to consult on the proposed project. Assembly Bill 52 (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.

Additionally the City of Fresno Development and Resource Management Department extended an invitation to consult on the CEQA review for the proposed project to the Dumna Wo Wah Tribal Government and the Table Mountain Rancheria Tribe, respectively. Both tribes declined consultation under AB 52. As described under the Cultural Resources section, the site is in an expanding growth area on the fringe of urban development. The site itself is currently being utilized for rural residential and agricultural uses as well as a construction equipment and materials storage yard, there is no evidence to suggest the presence of TCR's. Further, given that both tribes declined consultation, it would suggest the site is not believed to have the TCR's present. Nevertheless, 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 resources professional.

Overall, because all tribes, to which invitations for consultation were extended, declined either AB 52 consultation and because existing cultural resources protection laws exist that would require construction activities to cease if artifacts are discovered, a less-than-significant would occur.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project subject to the payment of any applicable connection charges and/or fees; and, compliance with the Department of Public Utilities standards, specifications, and policies.

Sanitary sewer and water service delivery is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City-wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage.

The project site will be serviced by the City's Solid Waste Division and will have water and sewer facilities available subject to the conditions stipulated for the proposed project.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The impact to storm drainage facilities will be less than significant given the developer will be required to provide drainage services and convey runoff to Master Plan Facilities.

In conclusion, the project will not result in any utilities and service system impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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	

The proposed project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

Since the project site has no structures, plants, crops or trees, the proposed 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. Since there are no structures or evidence of stone artifacts or carvings, the project has no potential to eliminate important examples of major periods in history.

Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings.

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.
- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an environmental Impact Report is not warranted for this project.

EXHIBIT C

**PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST
For Environmental Assessment No. R-17-019**

Conducted for Rezone Application No. R-17-019 located on the north and south sides of West Clinton Avenue between North Hayes and North Polk Avenues.

August 31, 2018

This monitoring checklist for the above noted environmental assessment is being prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), as required under Assembly Bill 3180, and is intended to establish a project-specific reporting/monitoring program for Environmental Assessment No. R-17-019. Verification of implementation of these mitigation measures, in addition to the applicable measures specified for this project per the Mitigation Monitoring Checklist prepared for this project pursuant to Master Environmental Impact Report No. SCH No. 2012111015 Fresno General Plan, will be required upon the application for subdivision of the project site, special permits, or grading on the project site. The captions below refer to corresponding sections of the Initial Study checklist for this project, using the Appendix G format from the CEQA Guidelines.

MITIGATION MEASURES FOR ENVIRONMENTAL ASSESSMENT NO. R-17-019

MITIGATION MEASURE	IMPLEMENTED BY	WHEN IMPLEMENTED	VERIFIED BY
Project shall implement and incorporate, as appropriate all mitigation measures as identified in the attached Master Environmental Impact Report No. SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated January 19, 2018.	Applicant	Processing and review of project proposal prior to approval of special permit.	City of Fresno Development & Resource Management Department; City of Fresno, Departments of Public Works and Utilities

Exhibit C: Project-Specific Mitigation Monitoring Checklist for EA No. R-17-019

<p>V. Cultural Resources</p> <p><i>"Prior to ground-disturbing activities, the project applicant shall submit a cultural resources report (Report) for the project site prepared by a qualified archaeologist, which shall include input, as determined by the archaeologist, from a qualified paleontologist, and/or Native American Monitor, to the City of Fresno Development and Resource Management Department for approval. The cultural resources report shall include, at a minimum, research and information of historical records available at the California Historical Resources Information System (CHRIS) at the California State University Bakersfield; a pre-construction survey that includes at least one (1) site visit by a qualified archaeologist; conclusion of findings based on the records search and pre-construction survey; and identification of any additional studies that may be necessary to determine the likelihood of presence of Native American resources at the project site, if necessary. If, in the opinion of a qualified archaeologist, soil borings and/or test pits are required to be able to make an accurate conclusion as to the likelihood of</i></p>	<p>Applicant</p>	<p>Processing and review of project proposal prior to approval of special permit.</p>	<p>City of Fresno Development & Resource Management Department; City of Fresno, Departments of Public Works and Utilities</p>
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Exhibit C: Project-Specific Mitigation Monitoring Checklist for EA No. R-17-019

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<p><i>the presence of Native American resources, cultural resources report shall include a summary of such test pits. Upon completion of the draft cultural resources report, the Dumna Wo Wah tribe shall have the opportunity to review and comment on the Report. Review and comments by the Dumna Wo Wah tribe shall be treated as advisory and will be taken into consideration prior to finalizing the Report. Comments provided by the Dumna Wo Wah tribe shall be incorporated into the Report, as necessary. The Dumna Wo Wah tribe's review period of the draft Report shall be up to one (1) week.</i></p>	<p>Applicant</p>	<p>Processing and review of project proposal prior to approval of special permit.</p>	<p>City of Fresno Development & Resource Management Department; City of Fresno, Departments of Public Works and Utilities</p>
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Exhibit C: Project-Specific Mitigation Monitoring Checklist for EA No. R-17-019

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<p>V. Cultural Resources</p> <p><i>If the qualified archaeologist hired by the applicant determines that additional studies and/or protection measures are necessary for the avoidance and/or protection of Native American resources, the applicant shall be required to implement recommendations from the qualified archaeologist and/or Native American Monitor to ensure protection of such Native American resources. Avoidance and/or additional protection measures could include, but not limited to, on-site monitoring by a qualified archaeologist and/or Native American Monitor during ground-disturbing construction activities, a pre-construction meeting in which an archaeologist educates the construction crews on what to look for during ground-disturbing activities to determine presence of a potential cultural resource, and other measures as recommended by the archaeologist to ensure adequate protection of Native American Resources. If the cultural resources report and pre-construction survey determines that there is either no likelihood or low likelihood for the presence of Native American resources, the project applicant shall ensure that construction crews are made aware of existing State and federal laws requiring construction operations to cease if unknown Native American resources</i></p>	<p align="center">Applicant</p>	<p>Processing and review of project proposal prior to approval of special permit.</p>	<p>City of Fresno Development & Resource Management Department; City of Fresno, Departments of Public Works and Utilities</p>
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Exhibit C: Project-Specific Mitigation Monitoring Checklist for EA No. R-17-019

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<p>are accidentally uncovered during ground-disturbing activities, until further investigation by a qualified archaeologist is conducted to determine the nature of the artifacts.</p> <p>If Native American resources are uncovered through the preparation of the cultural resources report or inadvertently during ground-disturbance, the project applicant shall cease construction activities and contact the the Dumna Wo Wah tribe and a qualified archaeologist to determine the status of such resources prior to continuing construction. If uncovered artifacts are determined to be of Dumna Wo Wah decent, the project applicant shall consult with the tribe to determine appropriate and feasible measures for the treatment of the resources agreeable to both parties. Pursuant to AB 52, "consultation shall be considered concluded when either of the following occurs: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a TCR; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached."</p>	<p>Applicant</p>	<p>Processing and review of project proposal prior to approval of special permit.</p>	<p>City of Fresno Development & Resource Management Department; City of Fresno, Departments of Public Works and Utilities</p>
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Exhibit C: Project-Specific Mitigation Monitoring Checklist for EA No. R-17-019

<p>X. Land Use and Planning</p> <p>The Implementation Chapter of the General Plan includes the Strategic Sequencing of Development. This sequencing of development makes it clear that the City will "focus on <i>infill development as well as new development within Growth Area 1 based on planned infrastructure expansion, public service capacity, and fiscal considerations... Growth Area 2 needs critical infrastructure improvements and the City does not anticipate funding for this area can be committed in the near-term.</i>" Therefore, the City will not permit development to occur in growth Area 2. City staff will insure that no development on this parcel occurs by placing this restriction in our new Accela Land Use Management System. A 4.66 acre portion of the site (APN # 312-092-32) is located in Growth Area 2, which is currently developed with a single family home, will not be permitted to further develop.</p>	<p>Applicant</p>	<p>Processing and review of project proposal prior to approval of special permit.</p>	<p>City of Fresno Development & Resource Management Department; City of Fresno, Departments of Public Works and Utilities</p>
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