Agenda Item: ID#14-653 (5:00 P.M.)
Date: 12/11/14

FRESNO CITY COUNCIL

City of FRESNO

Supplemental Information Packet

Agenda Related Items – ID#14-653 (5:00 P.M.)

Contents of Supplement: Findings of Fact

Item(s)

HEARING to consider approvals related to the Proposed General Plan Update ***(Citywide)***

1. Consideration of General Plan Update and certification of the related Environmental Impact Report (EIR) SCH No. 2012111015 filed by Jennifer K. Clark, Development and Resource Management Director, on behalf of the City of Fresno, citywide application

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

Findings of Fact
General Plan and Development Code Update
Master Environmental Impact Report
City of Fresno, County of Fresno, California

State Clearinghouse No. 2012111015

Prepared for:
City of Fresno
2600 Fresno Street
Fresno, CA 93721

Contact: Jennifer Clark, AICP

Table of Contents

SECTION 1: INTRODUCTION

1.1 - Background

In compliance with the requirements of the California Environmental Quality Act (CEQA) Public Resources Code Section 21000 et seq. and the CEQA Guidelines, the City of Fresno(City) has conducted an environmental review of the proposed General Plan and Development Code Update. A Notice of Preparation (NOP) was released for public review in November 2012. In July 2014, the Draft Master Environmental Report (Draft Master EIR) was released. After receiving public comment on the Draft Master EIR, the City prepared a document entitled Response to Comments on the Draft Master EIR (RTC). The RTC document includes the verbatim comments received on the Draft Master EIR, a list of persons, entities, and agencies providing comments, the City's responses to the significant environmental points raised in the comment, review and consultation process, and the various written responses to the comments prepared by the City's technical consultants and City staff. These Findings are based upon the information contained in the record of proceedings, including the final EIR, which includes the Draft Master EIR and technical appendices, the RTC, the staff report, and the Mitigation Monitoring and Reporting Program.

CEQA provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Public Resources Code Section 21002 [emphasis added].) The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." (Public Resources Code Section 21002.)

CEQA's mandates and principles are implemented, in part, through the requirement that agencies adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three conclusions:

(1)"[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR,"

(2) "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding [and] [s]uch changes have been adopted by such other agency or can and should be adopted by such other agency," or

(3) "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (Public Resources Code Section 21081; CEQA Guidelines, 14 California Code of Regulations Section 15091.)

CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, legal, environmental, social and technological factors." (Public Resources Code Section 21061.1; CEQA Guidelines, 14 California Code of Regulations Section 15364.)

Because the General Plan and Development Code Update Final Master EIR identified significant effects that may occur as a result of the project, and in accordance with the provisions of CEQA and the CEQA Guidelines, the City of Fresno hereby adopts these Findings of Fact. For each of the significant effects identified in Section 2, as set forth in greater detail in these Findings below, the City of Fresno makes the finding under Public Resources Code Section Public Resources Code Section 21081(a)(2) and/or 21081(a)(3). For each of the significant effects identified in Section 3, as set forth in greater detail in these Findings below, the City of Fresno makes the finding under Public Resources Code Section Public Resources Code Section 21081(a)(1).

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as having "no impact" or a "less than significant" impact. Therefore, these effects are not addressed in these Findings.

In accordance with the provisions of CEQA and the CEQA Guidelines, the City Council of the City of Fresno has independently reviewed the Record of Proceedings and based on the evidence in the Record of Proceedings adopts these Findings of Fact.

1.2 - Project Location

The City of Fresno is located in Fresno County, which is in central San Joaquin Valley. The City is located approximately 200 miles north of the Los Angeles and 170 miles south of Sacramento. The City is located on State Route (SR) 99 corridor that links it to other Central Valley cities. To the north of Fresno is Madera County. The City of Clovis is located northwest and adjacent to the City. East, south, and west of the City is unincorporated land.

The Planning Area is the geographic area for which the General Plan establishes policies about future growth. The boundary of the Planning Area was determined in response to State law (California Government Code Section 65300) requiring each city to include in its General Plan all territory within the boundaries of the incorporated area as well as "any land outside its boundaries which in the planning agency's judgment bears relation to its planning". The Planning Area established by the City of Fresno includes all areas within the City's current City limits, including the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF), the areas within the current Sphere of Influence (SOI), and an area north of the City's most northeasterly portion of the City.

The SOI is a boundary that encompasses lands that are expected to ultimately be annexed into the City, although until annexed, the lands fall under the jurisdiction of the County of Fresno. Within the Planning Area, the current SOI covers approximately 100,249 acres or approximately 157 square miles, but does not include the 3,292-acre RWRF and an additional 2,486 acres for the North Area. The Planning Area encompasses approximately 106,027 acres, or approximately 166 square miles of

both incorporated (approximately 72,244 acres) and unincorporated (approximately 33,783 acres) land bearing relation to the City's future growth. The Planning Area is generally located within the San Joaquin River to the north, American Avenue to the south, Garfield Avenue to the west, and McCall Avenue to the east, with the RWRF generally located with Jensen Avenue to the north, American Avenue to the south, South Chateau Fresno Avenue, and Cornelia Avenue to the east. The Planning Area includes various unincorporated islands surrounded by the City's limits.

1.3 - Project Characteristics

The proposed project is comprised of two components: the General Plan Update and the Development Code Update. The updates will accommodate projected growth and development through the buildout of the General Plan and Development Code which will be approximately the year 2056. The anticipated population at buildout is approximately 970,000 people in the Planning Area.

The General Plan Update includes a comprehensive update of the existing General Plan and includes the following elements: (1) Economic Development and Fiscal Sustainability, (2) Urban Form, Land Use and Design, (3) Mobility and Transportation, (4) Parks, Open Space and Schools, (5) Public Utilities and Services, (6) Resource Conservation and Resilience, (7) Historic and Cultural Resources, (8) Noise and Safety, (9) Healthy Communities, and (10) Implementation. The General Plan Update also includes a consistency update for the Housing Element. As a component of the General Plan Update, the City includes amendments to various existing plans including: Bullard Community Plan (this will be renamed to the Pinedale Neighborhood Plan), Sierra Sky Park Land Use Policy Plan, Fresno-Chandler Downtown Airport Master and Environs Specific Plan (formatting revisions for consistency with the ALUC's Plan), Tower District Specific Plan, Butler-Willow Specific Plan, North Avenue Industrial Plan, Sun Garden Acres Specific Plan, Hoover Community Plan (this will be renamed the El Dorado Park Neighborhood Plan). Another component of the General Plan Update includes the repeal of existing plans including: the West Area Community Plan, Roosevelt Community Plan, Fulton/Lowell Specific Plan, Woodward Park Community Plan, Central Area Community Plan, McLane Community Plan, Fresno-High Roeding Plan, Yosemite School Area Specific Plan, Dakota-First Street Specific Plan, Edison Community Plan, Civic Center Master Plan, and the Highway City Specific Plan. The Update to the General Plan also includes a Greenhouse Gas Reduction Plan.

As a component of the Development Code Update, the City includes the repeal of Chapter 12 of the City of Fresno Municipal Code, amendments and repeal of portions of the City of Fresno Municipal Code including Chapter 12, and the inclusion of Chapter 15 of the City of Fresno Municipal Code including the Zone District Consistency Table.

The projected population estimate under buildout conditions within the Planning Area is 970,000 persons.

The potential new development associated with the proposed General Plan Update includes approximately 145,000 residential units, 63.3 million square feet (msf) of commercial/office/public facility uses, 20.8 msf of mixed use, and 40.5 msf of industrial uses. With the increase in

development, the amount of existing vacant land and open space will be reduced within the Planning Area and the existing agricultural uses will be eventually removed. This potential development is projected to be built out by the year 2056.

1.4 - Project Objectives

The objectives of the proposed General Plan and Development Code Update are as follows:

1. Increase opportunity, economic development, business and job creation.
2. Support a successful and competitive Downtown.
3. Emphasize conservation, successful adaptation to climate and changing resource conditions, and performance effectiveness in the use of energy, water, land, buildings, natural resources, and fiscal resources required for the long-term sustainability of Fresno.
4. Emphasize achieving healthy air quality and reduced greenhouse gas emissions.
5. Support agriculture as an integral industry and sustainable food production system.
6. Protect, preserve, and enhance natural, historic, and cultural resources.
7. Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.
8. Develop “complete neighborhoods” and districts with a compact and diverse mix of residential densities, building types, and affordability, which are designed to be healthy, attractive, and centered by schools, parks, public and commercial services to provide a sense of place and that meet daily needs within walking distance.
9. Promote a city of healthy communities and improve quality of life in existing neighborhoods.
10. Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno.
11. Emphasize and plan for all modes of travel on local and major streets in Fresno.
12. Resolve existing public infrastructure and service deficiencies, make full use of existing infrastructure, and invest in improvements to increase competitiveness and promote economic growth.
13. Emphasize the City as a role model for growth management planning, regional cooperation, collaborative planning, efficient processing and permit streamlining, public-private partnerships and shared financing, sustainable urban development policies, environmental quality, and a strong economy, and work with other jurisdictions and institutions to further these values throughout the region.
14. Provide a network of safe, well-maintained parks, open spaces, athletic facilities, and walking and biking trails connecting the city’s districts and neighborhoods to attract and retain a

broad range of individuals, benefit the health of residents, and provide the level of public amenities required to encourage and support development of higher density urban living and transit use.

15. Improve Fresno's visual image, enhance its form, and function through urban design strategies and effective maintenance.
16. Protect and improve public health and safety.
17. Recognize, respect, and plan for Fresno's cultural, social, and ethnic diversity, and foster an informed and engaged citizenry.
18. Retain the existing sphere-of-influence.
19. Provide project development direction for future annexations within the existing sphere-of-influence.
20. Encourage development within urban infill areas.

1.5 - Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City of Fresno in conjunction with the proposed project.
- The Draft Master EIR and the technical appendices for the proposed project.
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft Master EIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft Master EIR.
- The Final Environmental Impact Report (Final EIR) for the proposed project, which consists of the Draft EIR, the technical appendices, and the Response to Comments.
- All written and verbal public testimony presented during a noticed public hearing for the proposed project at which such testimony was taken.
- The Mitigation Monitoring and Reporting Program (MMRP).
- The documents, reports, and data included or referenced in the technical appendices of the Master EIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft Master EIR and Response to Comments.
- The City of Fresno Staff Report

- The Resolution adopted by the City of Fresno in connection with the proposed project, and all documents incorporated by reference therein.
- Any documents expressly cited in these Findings or in the resolution adopting these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e) (excluding privileged materials).

1.6 - Custodian and Location of Records

The documents and other materials that constitute the administrative record for the City of Fresno's actions related to the project are located at the City of Fresno City Clerk Office at 2600 Fresno Street, Fresno, CA 93721. Copies of these documents, which constitute the record of proceedings, are, and at all relevant times, have been and will be available upon request at the City of Fresno City Clerk Office. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guideline Section 15091(e).

SECTION 2: SIGNIFICANT AND UNAVOIDABLE EFFECTS

The Final EIR identified project-specific and/or cumulative impacts to aesthetics, agricultural resources, air quality, cultural resources, greenhouse gases, noise, transportation and traffic, and utilities and service systems that cannot be mitigated to less than significant. Each of the significant and unavoidable impacts are discussed further below.

The City of Fresno finds, based on the facts set forth in the record, which include but are not limited to the facts as set forth below, those facts contained in the Draft Master EIR and the Response to Comments, and any other facts set forth in materials prepared by the City of Fresno and/or City consultants, that there are no feasible mitigation measures, changes, or alterations available to reduce the impacts to aesthetics, agricultural resources, air quality, cultural resources, greenhouse gases, noise, transportation and traffic, and utilities and service systems.

2.1 - Aesthetics

2.1.1 - Visual Character – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would substantially degrade the existing visual character or quality of the site and its surroundings.

The proposed General Plan and Development Code Update would result in a substantial alteration to the existing urban form and character of the existing Planning Area. The Update will provide for a substantial increase in residential units (approximately 85 percent increase compared to the existing units) and buildings occupied by non-residential uses (approximately 90 percent increase in square footage compared to the existing square footage). These non-residential uses include commercial, office, public facilities, mixed uses, and industrial. Based on the Update, roughly half of future residential units will be located within the existing City limits, primarily within Downtown Fresno, mixed-use centers, and along major transit corridors such as Blackstone Avenue and Ventura Avenue-Kings Canyon Road.

In addition to future development within the existing City limits, there is a substantial amount of development that is planned for areas outside the existing City limits and within the Planning Area. There are various development areas (i.e., West Development Area, Southwest Development Area, and Southeast Development Area) that will include a variety of land uses that will replace existing rural and agricultural uses as well as open space. This land use replacement will substantially alter the visual character within the areas that are outside of the existing City limits through the increase of densities and intensification of land uses. Significant visual character impacts are expected to occur from views within the Planning Area as well as from views that are outside the Planning Area such as properties within the County of Fresno, the City of Clovis, and possibly the County of Madera.

To reduce potential visual character impacts within the Planning Area, the General Plan Update includes the following objectives and policies within the Urban Form, Land Use and Design Element and the Mobility and Transportation Element.

Urban Form, Land Use and Design Element

Policy UF-1-c Legible City Structure. Focus integrated and ongoing planning efforts to achieve an identifiable city structure, comprised of a concentration of buildings, people, and pedestrian-oriented activity in Downtown; along a small number of prominent east-west and north-south transit-oriented, mixed-use corridors with distinctive and strategically located Activity Centers; and in existing and new neighborhoods augmented with parks and connected by multi-purpose trails and tree lined bike lanes and streets.

Policy UF-1-e Unique Neighborhoods. Promote and protect unique neighborhoods and mixed use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.

Objective UF-2 Enhance the unique sense of character and identity of the different subareas of the Downtown neighborhoods.

Objective UF-8 Develop each of Downtown's neighborhoods and districts, according to its unique character.

Policy UF-12-g Impacts on Surrounding Uses. Establish design standards and buffering requirements for high-intensity Activity Centers to protect surrounding residential uses from increased impacts from traffic noise and vehicle emissions, visual intrusion, interruption of view and air movement, and encroachment upon solar access.

Policy UF-13-a Future Planning to Require Design Principles. Require future planning, such as Specific Plans, neighborhood plans or Concept Plans, for Development Areas and BRT Corridors designated by the General Plan to include urban design principles and standards consistent with the Urban Form, Land Use, and Design Element.

Policy UF-1-f Complete Neighborhoods, Densities, and Development Standards. Use Complete Neighborhood design concepts, development standards, and project reviews outside the Downtown Planning Area to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan.

Objective UF-14 Create an urban form that facilitates multi-modal connectivity.

Policy UF-14-a Design Guidelines for Walkability. Develop and use design guidelines and standards for a walkable and pedestrian-scaled environment with a network of streets and connections for pedestrians and bicyclists, as well as transit and autos.

Objective LU-1 Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.

Policy LU-1-b Land Use Definition and Compatibility. Include zoning districts and standards in the Development Code that provide for the General Plan land use designations and create appropriate transitions or buffers between new development with existing uses, taking into consideration the health and safety of the community.

Policy LU-1-a Promote Development within the Existing City Limits as of December 31, 2012. Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.

Objective LU-2 Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Policy LU-2-c Infill Design Toolkit. Develop and distribute an infill design toolkit, consistent with the City's Infill Development Act to support and encourage infill development.

Policy LU-2-e Neighborhood Preservation. Incorporate standards in the Development Code to preserve the existing small-scale residential quality of older neighborhoods.

Policy LU-3-b Mixed-Use Urban Corridors that Connect the Downtown Planning Area. Support the development of mixed-use urban corridors that connect the Downtown Planning Area with the greater Fresno-Clovis Metropolitan Area with functional, enduring, and desirable urban qualities along the Blackstone Avenue, Shaw Avenue, California Avenue, and Ventura Avenue/Kings Canyon Road corridors, as shown on Figure LU-1: General Plan Land Use Diagram.

Policy LU-4-a Neighborhood Nuisance Abatement. Continue proactive and responsive code enforcement and nuisance abatement programs to improve the attractiveness of residential neighborhoods.

Policy LU-5-g Scale and Character of New Development. Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

Policy LU-6-a Design of Commercial Development. Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

Policy LU-6-b Commercial Development Guidelines. Consider adopting commercial development guidelines to assure high quality design and site planning for large commercial developments, consistent with the Urban Form policies of this Plan.

Policy LU-6-d Neighborhood and Community Commercial Center Design. Plan for neighborhood mixed use and community commercial uses to implement the Urban Form concepts of this Plan, promote the stability and identity of neighborhood and community shopping areas, and allow efficient access without compromising the operational effectiveness of the street system.

- Neighborhoods will be anchored by community commercial centers with a mix of uses that meet the area's needs and create a sense of place.
- Community commercial centers will be located within Activity Centers.

Policy LU-6-e Regional Center Planning and Design. Promote economic growth with regional commercial centers.

- New regional commercial centers will be located with access to State Routes and/or other major transportation facilities to ensure access from throughout the region.
- Regional shopping centers will have internally unified building design, landscaping, and signage standards.

Policy LU-6-f Auto-Oriented Commercial Uses. Direct highway-oriented and auto-serving commercial uses to locations that are compatible with the Urban Form policies of the General Plan. Ensure adequate buffering measures for adjacent residential uses noise, glare, odors, and dust.

Policy LU-9-e Downtown Sightline. Require new development to preserve existing sightlines to Downtown to the extent feasible.

Policy LU-9-f View Corridors. Promote new view corridors that highlight the Downtown skyline.

Objective D-1 Provide and maintain an urban image that creates a "sense of place" throughout Fresno.

Policy D-1-d Public Art. Continue to promote a citywide public art program that contributes to an awareness of the City's history and culture.

Policy D-1-e Graphic Identity. Continue the preservation, promotion, procurement and strategic location of landmarks, monuments and artwork that provide orientation and represent Fresno's cultural heritage and artistic values.

Policy D-1-h Screening of Parking. Continue requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new non-residential buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only.

Objective D-2 Enhance the visual image of all "gateway" routes entering the Fresno Planning Area.

Policy D-2-a Design Requirements for Gateways. Consider unified design requirements for gateways to welcome travelers to the City's Activity Centers.

Policy D-2-c Highway Beautification. Work with Caltrans, the Fresno Council of Governments, Tree Fresno, neighboring jurisdictions, and other organizations to obtain funding for highway beautification programs.

Objective D-3 Create unified plans for Green Streets, using distinctive features reflecting Fresno's landscape heritage.

Policy D-3-a Green Street Tree Planting. Create a Green Street Tree Planting Program, with a well-balanced variety and spacing of trees to establish continuous shading and visual continuity for each streetscape. Strive to achieve coherent linkages between public and private spaces, prioritizing tree planting along tree-deficient Arterial and Collector Roadways in neighborhoods characterized by lower per capita rates of vehicle ownership.

Policy D-3-b Funding for Green Street Tree Planting Program. Pursue funding for the Green Street Tree Planting Program, including landscaping of median islands.

Policy D-3-c Local Streets as Urban Parkways. Develop local streets as "urban parkways,", where appropriate, with landscaping and pedestrian spaces.

Policy D-3-d Undergrounding Utilities. Partner with utility companies to continue to pursue the undergrounding of overhead utilities as feasible.

Objective D-4 Preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

Policy D-4-f Design Compatibility with Residential Uses. Strive to ensure that all new non-residential land uses are developed and maintained in a manner complementary to and compatible with adjacent residential land uses, to minimize interface problems

with the surrounding environment and to be compatible with public facilities and services.

Objective D-5 Maintain and improve community appearance through programs that prevent and abate blighting influences.

Policy D-5-a Code Enforcement. Continue enforcement of the Fresno Municipal Code to remove or abate public nuisances in a timely manner:

Policy D-5-b Clean Streets. Promote community partnerships and continued City efforts toward litter clean-up and abatement of trash stockpiles on public and private streets.

Policy D-5-c Facade Improvements. Pursue funding for, and support of, building facade improvement programs.

Policy D-5-d Graffiti Prevention and Abatement. Seek ways to end graffiti, continue and expand the City's effective Graffiti Abatement Program.

Policy D-6-b Consider adopting and implementing incentives for, and support efforts by, private development to incorporate culturally-specific architectural elements in areas with a predominant ethnic population.

Mobility and Transportation Element

Objective MT-3 Identify, promote and preserve scenic or aesthetically unique corridors by application of appropriate policies and regulations.

Policy MT-3-a Scenic Corridors. Implement measures to preserve and enhance scenic qualities along scenic corridors or boulevards, including:

- Van Ness Boulevard – Weldon to Shaw Avenues
- Van Ness Extension – Shaw Avenue to the San Joaquin River Bluff
- Kearney Boulevard – Fresno Street to Polk Avenue
- Van Ness-Fulton couplet – Weldon Avenue to Divisadero
- Butler Avenue – Peach to Fowler Avenues
- Minnewawa Avenue – Belmont Avenue to Central Canal
- Huntington Boulevard – First Street to Cedar Avenue
- Shepherd Avenue – Friant Road to Willow Avenue
- Audubon Drive – Blackstone to Herndon Avenues
- Friant Road – Audubon to Millerton Roads
- Tulare Avenue – Sunnyside to Armstrong Avenues
- Ashlan Avenue – Palm to Maroa Avenues

Policy MT-3-b Preserve street trees lining designated scenic corridors or boulevards. Replace trees of the predominant type and in a comparable pattern to existing plantings if there is no detriment to public safety.

Although the above objectives and policies will reduce the potential visual character impacts from locations within and outside the Planning Area, the replacement of rural and agricultural uses and open space with urban land uses will continue to result in a substantial alteration of the visual character of the Planning Area. This substantial alteration is considered a significant visual character impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could reduce this impact to less than significant. As a result, the visual character project impact is significant and unavoidable.

As stated above, there are various objectives and policies that the City of Fresno has incorporated into the General Plan Update that would reduce potential visual character impacts. However, due to the substantial amount of development that would occur through buildout conditions associated with the General Plan and Development Code Update, the existing visual character within the Planning Area will be significant altered, and this alteration is considered a significant and unavoidable impact.

2.1.2 - Visual Character – Cumulative Impact

Significant

The Final EIR identified significant cumulative impacts that would substantially degrade the existing visual character or quality of the site and its surroundings.

The implementation of cumulative development that is located outside of the Planning Area such as development that would occur within the City of Clovis, the County of Fresno, and the County of Madera, is anticipated to contribute to the conversion of rural and agricultural land to urban uses. This conversion outside of the Planning Area is expected to result in a substantial alteration of the existing visual character of the area. Therefore, cumulative development will result in a significant impact. Since the proposed project will also result in a significant visual character impact even after the implementation of the General Plan Update goals, objectives, and policies, the project's contribution to cumulative visual alteration impacts in the project vicinity would be cumulatively considerable. Therefore, the project would result in a significant cumulative impact related to the existing visual character.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could reduce this impact to less than significant. As a result, the visual character project impact is significant and unavoidable.

As stated above, there are various objectives and policies that the City of Fresno has incorporated into the General Plan Update that would reduce the project's contribution to cumulative visual character impacts. However, due to the substantial amount of development that would occur through buildout conditions associated with the General Plan and Development Code Update, this future development will substantially contribute to the cumulative impact on the visual character within and outside of the Planning Area. The project's contribution to cumulative visual character impacts will be significant and unavoidable.

2.1.3 - Light – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would create a new source of substantial light which would adversely affect nighttime views in the area.

Development in accordance with the General Plan and Development Code Update will result in land use changes by increasing densities and intensities of land uses within the Planning Area. These land use changes include the development of new residential and non-residential land uses.

New development within the City limits could increase the amount of light from street lights, exterior lighting systems on private and public property, exterior lighting from buildings, and vehicular headlights. New development could also increase light with new illuminated signs and lighting systems to illuminate active play areas. The increase in lighting within the City limits could result in light spillover onto adjacent properties. In addition, the increase in light will substantially illuminate the sky at night. This increase in light illumination is considered a significant impact.

Outside of the existing City limits and within the Planning Area as well as areas directly adjacent to the Planning Area, many areas are exposed to a nominal amount of light due to the rural and agricultural setting. New urban development will substantially alter these existing rural and agricultural areas. Increases in lighting systems will occur within new development throughout this area and could result in an increase in lighting adjacent to the Planning Area. Development will include new roads that will have lighting systems along the rights-of-way. Residential development will include lighting systems on properties to provide safety and security. Non-residential development will include lighting system for parking areas, buildings, and signs. Public facilities including active use parks will increase lighting to illuminate play areas for evening activities. With

the increase in development in this area, there will be increases in nighttime traffic that will increase lighting from car headlights. Together, new development outside the existing City limits and within the Planning Area will increase the amount of light that could cause light spillover onto adjacent properties within and adjacent to the Planning Area and increase the illumination of the sky at night. This increase in light is considered a significant impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM AES-1 Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

MM AES-2 Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.

MM AES-3 Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.

MM AES-4 Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.

Due to the substantial amount of development that would occur with buildout of the General Plan and Development Code Update within the Planning Area, the project will substantially increase the illumination of the sky at night. This increase is considered significant and unavoidable.

2.1.4 - Light – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would create a new source of substantial light which would adversely affect nighttime views in the area.

The implementation of cumulative development that is located outside of the Planning Area such as development that would occur within the City of Clovis, the County of Fresno, and the County of Madera, will contribute to the increase in lighting in the project vicinity. However, future development within the County adjacent to the Planning Area is anticipated to be rural in character and therefore, any development within the County is expected to result in nominal increases in lighting. Future development within the City of Clovis is anticipated to include urban uses adjacent to the northeastern boundary of the Planning Area. This increase in lighting will occur from increases in new roads that will have lighting systems along the rights-of-way. New residential development will include lighting systems on properties to provide safety and security. Non-residential development will include lighting system for parking areas, buildings, and signs. Public facilities including active use parks will increase lighting to illuminate play areas for evening activities. Increases in light from development within the City of Clovis are anticipated to be significant. Furthermore, future development within the County of Madera may occur on the north side of the San Joaquin River. This potential development may include lighting systems for similar land uses as within the Planning Area. Overall, cumulative development is anticipated to result in a significant increase in lighting. Since the proposed project is expected to result in significant lighting impacts, the project's contribution to potential cumulative lighting impacts is cumulatively considerable. Therefore, the implementation of the project would result in significant cumulative lighting impacts.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures AES-1 through AES-4 is required.

Due to the substantial amount of development that would occur with buildout of the General Plan and Development Code Update within the Planning Area, the project's contribution of the illumination of the sky at night will remain cumulatively significant.

2.2 - Agricultural Resources

2.2.1 - Convert Farmland to Non-Agricultural Use – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

The Planning Area includes locations that have been designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance through the Farmland Mapping and Monitoring Program of the California Department of Conservation. The proposed General Plan Update includes a variety of land uses; however, there are no land uses that only allow agricultural uses. One land use designation within the General Plan and Development Code Update allows agricultural uses; however, there are other uses that are allowed within the same designation. This designation is "Buffer" and is intended to separate urban uses from agricultural uses. This use is planned within an approximately one-quarter mile wide buffer designated along the eastern Planning Area boundary in the Southeast Development Area. This area encompasses approximately 736 acres. In addition to agricultural uses, there are other general categories of land uses allowed within the Buffer designation including environmental, habitat, water conveyance, retention and recharge, and preservation and preparation of gravel resources for beneficial uses related to permanent water resource facilities. Therefore, for the purpose of this analysis, as a worst-case assumption, the General Plan Update would not conserve agricultural resources within the Planning Area.

Based on the FMMP, there are approximately 9,550 acres of Prime Farmland, approximately 2,911 acres of Unique Farmland, and approximately 2,355 acres of Farmland of Statewide Importance for a total of approximately 14,816 acres within the Planning Area. Although there may be land this is designated as farmland in the FMMP, existing agricultural operations are not necessarily occurring on all of the designated land. In addition, there may be some agricultural operations that occur within the Planning Area that are not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Based on existing farmland data received from the Fresno County Assessor's Office Land Use Codes that was provided by City staff, there is a total of approximately 11,714 acres that have agricultural operations.

With the implementation of the General Plan and Development Code Update, the approximately 15,903 acres of FMMP-designated farmland and approximately 11,714 acres of existing farmland are anticipated to be converted to uses other than agriculture. This conversion is a significant impact on agricultural resources.

Through the previous approval of the City of Fresno 2025 General Plan in 2002, a majority of the approximately 15,903 acres of farmland were approved to be converted to non-agricultural uses. The City of Fresno 2025 General Plan currently has approximately 82 acres of land that is designated as open space-agriculture. Although it appears that the City would need to approve the conversion

of an additional 82 acres of City-designated agricultural land, the City will consider the approval of the conversion of approximately 15,903 acres of FMMP-designated farmland and approximately 11,714 acres of existing farmland to non-farmland uses. This conversion of agricultural uses is considered a significant impact.

To reduce potential project-specific impacts on agricultural uses, the General Plan Update includes the following policies.

Policy RC-9-b Land Outside SOI. Express opposition to residential and commercial development proposals in unincorporated areas (excluding County Islands) within or adjacent to the Planning Area when these proposals would do any of the following:

- Make it difficult or infeasible to implement the General Plan;
- 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 Fresno Metropolitan Area (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).

Policy RC-9-c Farmland Enrollment. Farmland Preservation Program. In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of State Importance is converted to urban uses, this program would require that the developer of such a project permanently protect an equal amount of similar farmland elsewhere through easement. Advocate for the enrollment of all prime farmland outside of the City's SOI in agricultural land conservation programs.

With the implementation of the above policies, project impacts on agricultural resources will remain significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could reduce this impact to less than significant. As a result, the project's impact on agricultural resources is significant and unavoidable.

As stated above, there are policies that the City of Fresno has incorporated into the General Plan Update that would reduce potential impacts on agricultural resources. However, due to the substantial amount of development that would occur through buildout conditions associated with the General Plan and Development Code Update, there is a substantial amount of existing

agricultural resources that would be converted to non-agricultural uses. Although a farmland preservation policy that permanently protects an equal amount of similar farmland elsewhere through easement, this policy would not create new farmland. Since no new farmlands would be created, the implementation of the project would result in a loss of agricultural resources. This loss of agricultural resources is considered significant and unavoidable.

2.2.2 - Convert Farmland to Non-Agricultural Use – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would 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.

Future development in areas outside of the Planning Area such as the County of Fresno, City of Clovis, and County of Madera are anticipated to convert agricultural uses to non-agricultural uses. This future conversion would result in a significant cumulative impact. The implementation of the General Plan and Development Code Update will contribute to the conversion of agricultural uses to non-agricultural uses. Therefore, the proposed project's contribution to impacts on agricultural resources is considered cumulatively significant. As a result, the project will result in a significant cumulative impact on agricultural resources.

To reduce potential cumulative impacts on agricultural uses, the General Plan Update includes the following objective and policies.

Objective RC-9 Preserve agricultural land outside of the area planned for urbanization under this General Plan.

Policy RC-9-a Regional Cooperation. Work to establish a cooperative research and planning program with the Counties of Fresno and Madera, City of Clovis, and other public agencies to conserve agricultural land resources.

Policy RC-9-b Unincorporated Land in the Planning Area. Express opposition to residential and commercial development proposals in unincorporated areas within or adjacent to the Planning Area when these proposals would do any of the following:

- Make it difficult or infeasible to implement the General Plan;
- 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 Fresno Metropolitan Area (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).

Policy RC-9-c Farmland Enrollment. Farmland Preservation Program. In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of State Importance is converted to urban uses, this program would require that the developer of such a project permanently protect an equal amount of similar farmland elsewhere through easement. Advocate for the enrollment of all prime farmland outside of the City's SOI in agricultural land conservation programs.

With the implementation of the above objective and policies, the project's contribution to cumulative impacts on agricultural resources will remain significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could reduce this cumulative impact to less than significant. As a result, the project's contribution to cumulative impacts on agricultural resources is significant and unavoidable.

As stated above, there are policies that the City of Fresno has incorporated into the General Plan Update that would reduce potential impacts on agricultural resources. However, due to the substantial amount of development that would occur through buildout conditions associated with the General Plan and Development Code Update, there is a substantial amount of existing agricultural resources that would be converted to non-agricultural uses. Although a farmland preservation policy that permanently protects an equal amount of similar farmland elsewhere through easement, this policy would not create new farmland. Since no new farmlands would be created, the implementation of the project would result in a loss of agricultural resources. This loss of agricultural resources is considered significant and unavoidable.

2.2.3 - Conflict with Existing Zoning or Williamson Act Contract – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would conflict with existing zoning for agricultural use, or a Williamson Act Contract.

The Planning Area includes lands that are under a Williamson Act Contract for prime agricultural land as well as non-prime agricultural land. Currently, the majority of the Williamson Act Contract land is designated for non-agricultural land uses. There are approximately 82 acres that are currently designated for open space-agricultural uses under the existing City of Fresno 2025 General Plan. These 82 acres are proposed with non-agricultural land uses under the proposed General Plan and Development Code Update. In addition to the 82 acres, the remaining land that is under a

Williamson Act contract and within the Planning Area will continue to be designated for non-agricultural uses. Therefore, the implementation of the proposed General Plan and Development Code Update could conflict with existing Williamson Act Contracts because non-agricultural uses are allowed on the existing Contract land. As a result, the proposed project could result in a significant impact on existing Williamson Act Contract land.

In addition, the approximately 82 acres of agricultural land are designated for Open Space Conservation under the existing zoning ordinance. Agricultural uses are a permitted use in the Open Space Conservation zone. The proposed Development Code Update modifies the Open Space Conservation designation to Open Space where agricultural uses are no longer a permitted use. The existing agricultural uses can continue to operate as legal non-conforming land uses. However, the proposed revision to the zoning ordinance related to agricultural uses would result in a significant impact on existing zoning for agricultural uses.

To reduce potential project-specific impacts on agricultural zoning and Williamson Act Contracts, the General Plan Update includes Policy RC-9-b that will reduce the premature conversion of agricultural land in unincorporated areas within or adjacent to the Planning Area.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could reduce this project impact to less than significant. As a result, the project impacts on agricultural zoning and Williamson Act Contracts is significant and unavoidable.

As stated above, the proposed Development Code Update modifies the Open Space Conservation designation to Open Space where agricultural uses are no longer a permitted use. Agricultural uses can continue to operate as legal non-conforming uses. The inclusion of Policy-9-b in the General Plan Update will reduce the premature conversion of agricultural land in unincorporated areas within or adjacent to the Planning Area. However, this policy will not prevent owners of farmland to enter into Williamson Act Contract non-renewals. Therefore, the implementation of the proposed project will result in a significant and unavoidable impact on agricultural zoning and Williamson Act Contracts.

2.2.4 - Conflict with Existing Zoning or Williamson Act Contract – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would conflict with existing zoning or a Williamson Act Contract.

Future development in areas outside of the Planning Area such as the County of Fresno, City of Clovis, and County of Madera may conflict with existing agricultural zoning and Williamson Act Contracts. There are existing areas currently zoned for agriculture and under Williamson Act Contracts adjacent to and outside of the Planning Area. Since the proposed project could conflict with agricultural zoning and Williamson Act Contracts within the Planning Area, the proposed project's contribution to impacts on agricultural zoning and Williamson Act Contracts is considered cumulatively significant. As a result, the project will result in a significant cumulative impact on land zoned for agriculture and under a Williamson Act Contract.

To reduce potential cumulative impacts on agricultural zoning and Williamson Act Contracts, the General Plan Update includes Objective RC-9 and Policies RC-9-a through RC-9-c that will reduce the premature conversion of agricultural land within the Planning Area and outside the sphere-of-influence and could reduce conflicts with agricultural zoning and Williamson Act Contracts.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could substantially reduce the project's contribution to this impact to less than significant. As a result, the project's contribution to cumulative impacts on agricultural zoning and Williamson Act Contracts is significant and unavoidable.

As stated above, the proposed Development Code Update modifies the Open Space Conservation designation to Open Space where agricultural uses are no longer a permitted use. Agricultural uses can continue to operate as legal non-conforming uses. The inclusion of Policy-9-b in the General Plan Update will reduce the premature conversion of agricultural land in unincorporated areas within or adjacent to the Planning Area. However, this policy will not prevent owners of farmland to enter into Williamson Act Contract non-renewals. Therefore, the implementation of the proposed project will result in a significant and unavoidable impact on agricultural zoning and Williamson Act Contracts.

2.3 - Air Quality

2.3.1 - Criteria Pollutants – Project-Specific Impacts

Significant Impact

The Final EIR identified project-specific significant impacts that would result in a 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).

The SJVAPCD has adopted project level quantitative thresholds for ozone precursors reactive organic gases ROG and oxides of nitrogen ($NO_{x)}$ of 10 tons per year, and recommends quantitative thresholds for PM_{10} and $PM_{2.5}$ of 15 tons per year pending an update to the GAMAQI that is currently in draft form. Although these thresholds are intended for use on individual development projects, no other quantitative plan level threshold has been adopted. The General Plan Update provides for the development of numerous individual development projects that will be subject to the project level thresholds at the time they are proposed. Large individual projects are likely to exceed the thresholds during project construction and operation.

The General Plan Update reflects the cumulative projects anticipated for the City from the present until buildout, which is predicted for 2056. A more appropriate metric for cumulative contribution at the plan level is whether the cumulative impact of development predicted by the General Plan Update would conflict with plans adopted to achieve the applicable standards. A conflict would result when emission levels exceed the amounts required for attainment by the years mandated by state and federal regulations. After the attainment year, the emissions inventory must stay below the attainment inventory even with continued growth in order to maintain the standard. Once standards are achieved, no significant impact to health would occur as long as standards are maintained.

The project area is designated nonattainment for ozone, PM_{10}, and $PM_{2.5}$. Ozone is not directly emitted but is formed in the atmosphere by ozone precursors (ROG and NO_2). In addition, PM_{10} and $PM_{2.5}$ are emitted directly and also form in the atmosphere as a secondary pollutant from emissions of NO_2 and ammonia. Ammonia is not a criteria pollutant and the SJVAPCD PM control strategy is based primarily on NO_2 controls and reductions of directly emitted PM_{10} and $PM_{2.5}$. Therefore, this section addresses the cumulative emissions of the pollutants ROG, NOx, PM_{10}, and $PM_{2.5}$.

Development of the General Plan Update would result in air pollutant emissions from short-term construction activities and long-term project operation described below.

Construction

Construction activity from implementing the General Plan Update would cause temporary, short-term emissions of various air pollutants within the Planning Area. ROG and NOx (ozone precursors), PM_{10}, and $PM_{2.5}$ would be emitted by construction equipment during various activities, which may include but are not limited to grading, excavation, building construction, or demolition. Soil disturbance during construction activities emit fugitive dust a fraction of which is comprised of PM_{10} and $PM_{2.5}$.

SJVAPCD and state regulations reduce potential construction emissions. The ARB has adopted regulations for New Off-Road Diesel Engines and Equipment that result in cleaner equipment being placed in service as older, higher emitting equipment is retired. The ARB also adopted the In-Use Off-Road Diesel Vehicle Regulation requiring NOx and PM_{10} emission reductions from equipment and vehicles currently in operation. SJVAPCD Regulation VIII includes requirements to control fugitive dust emissions during construction activities and requires commercial projects over 5 acres and

residential projects over 10 acres to file a Dust Control Plan. The SJVAPCD 2002 GAMAQI states that compliance with Regulation VIII will normally reduce impacts from fugitive dust to less than significant. Rule 9510 – Indirect Source Review requires projects to reduce exhaust related construction emissions by 20 percent for NOx and by 50 percent for PM_{10}; however, significance for these emissions is based on whether projects exceed the SJVAPCD annual quantitative thresholds.

The District indicates that the control measures in Regulation VIII are required by regulation for all construction sites to reduce fugitive dust emissions. The District's 2002 GAMAQI lists additional measures that may be required because of sheer project size or proximity of the project to sensitive receptors. The additional measures are referred to as "enhanced control measures" in the GAMAQI. These enhanced control measures have been added as amendments to Regulation VIII, so they are no longer considered mitigation measures that could be imposed on very large or sensitive projects, but standard control measures required for rule compliance. As stated above, each commercial project over 5 acres in size and residential project over 10 acres in size is required to submit a Dust Control Plan to the SJVAPCD for approval and requires control measures adequate to prevent significant fugitive dust impacts. If measures included in the Dust Control Plan prove inadequate to control fugitive dust, construction contractors must implement additional controls or cease dust generating construction activities. In addition, projects smaller than the Dust Control Plan size thresholds must still comply with most other Regulation VIII requirements. Therefore, fugitive dust impacts from construction activities are considered less than significant.

The buildout of the General Plan Update will result in hundreds of individual development projects. Information regarding specific development projects, soil conditions, and the location of sensitive receptors in relation to the various projects would be needed in order to determine localized impacts associated with construction activity. However, overall estimates based on annual rates of construction activity required to reach buildout provides a reasonable method for determining an annual contribution rate for construction emissions. The emission inventory for the City of Fresno's share of the San Joaquin Valley construction activity source categories are as follows: 812.6 tons/year of reactive organic gases (ROG), 1,419.1 tons per year of oxides of nitrogen (NO_x), 724.5 tons per year of PM_{10}, and 133.6 tons per year of $PM_{2.5}$. The annual emissions would substantially exceed the SJVAPCD project level thresholds for all pollutants. The inventory represents a worst case emission estimate for construction activity. Emissions from construction activities are expected to decline over time as new cleaner equipment replaces older higher emitting equipment. However, on a cumulative basis, construction emissions would continue to exceed SJVAPCD annual thresholds even with the regulatory reductions.

Emissions related to projected construction activities are included in emission forecasts used to demonstrate attainment of the applicable air quality standards and would therefore, not interfere or obstruct with SJVAPCD attainment plans. However, the combined impact of all construction projects to reach buildout is a cumulative impact that makes it more difficult to attain the air quality standards compared to a scenario where no growth takes place. Although individual projects may exceed SJVAPCD project level thresholds, using a project threshold to address the impact of

hundreds of projects that would be constructed to reach General Plan buildout is a highly conservative measure of project level significance for an impact that is cumulative in nature.

Rule 9510 – Indirect Source Review requires reductions of construction emissions in order to mitigate the impacts of growth. The rule requires NOx reductions of 20 percent and PM_{10} reductions of 45 percent compared to the statewide average by using clean construction equipment at the project site or paying mitigation fees to the SJVAPCD to obtain off-site reductions. Rule 9510 serves to mitigate both project level and cumulative effects of construction on ozone and particulate matter emissions. Individual projects that exceed project level significance thresholds after accounting for Rule 9510 reductions would be required to implement additional mitigation measures to reduce significant emissions or the City would be required to prepare an EIR and adopt a statement of overriding considerations.

ARB off-road equipment regulations would result in reductions in NOx and PM emissions as new equipment meeting current and future standards replaces older higher emitting equipment. The regulations provide substantial reductions near term and midterm. ARB also requires retrofits of existing equipment to reduce particulate emissions that will help reduce emissions from older equipment. Regulations are normally implemented over a 5 to 10 year period at which time a new round of regulations are proposed if still needed to attain the air quality standards. The ARB has a long history of tightening regulations as technology advances increase the feasibility of additional controls. Large individual projects that exceed the SJVAPCD project thresholds will be required to include feasible mitigation measures that reduce the significant impact. The measures could include additional onsite controls or off-site mitigation fees that reduce emissions to less than significant levels.

Based on the continued emission reductions anticipated from adopted ARB and SJVAPCD regulations, attainment of ozone and particulate standards, accounting for projected growth, are on track. In the event that the SJVAB fails to reach Rate of Progress requirements, or to reach attainment of the air quality standards on schedule, or falls out of attainment in the future, the SJVAPCD will be required to implement contingency measures to address the shortfall or be subject to Clean Air Act sanctions. The SJVAPCD could obtain additional reductions from any source within its regulatory authority, which includes the construction emissions regulated under Rule 9510. No action by the SJVAPCD or the City of Fresno is required until such time the planned reductions prove insufficient.

When project construction emissions are viewed in relation to the applicable air quality plans adopted by the SJVAPCD, the emissions would not result in a significant cumulative contribution since the emissions would not interfere with attainment of air quality standards. However, estimated annual project construction emissions exceed project level thresholds by a substantial margin for all pollutants. Therefore, construction emissions are considered potentially significant.

Operation

The main sources of operational criteria air pollutants in the City of Fresno are on-road motor vehicles, off-road motor vehicles, natural gas combustion, and stationary/area sources. Based on

Section 5.3 in the Draft Master EIR, each of the criteria pollutants for 2020, 2035, and 2056 will reduce in tons per year compared to the criteria air emissions that occurred in 2010. The decline in emissions is the result of adopted regulations the benefits of which are incorporated in the air quality models used to estimate emissions.

The development within the Planning Area will result in increases in annual emissions that exceed SJVAPCD significance thresholds for all nonattainment pollutants. Although the growth in emissions is accounted for in SJVAPCD attainment plans and total emissions will decline even accounting for growth, the impact is significant.

The City of Fresno has previously adopted comprehensive policies and strategies aimed at improving the environment for the people of Fresno. The General Plan Update expands on the previous efforts to create a more sustainable Fresno. Previous initiatives include the following:

Fresno Green: The City of Fresno's Strategy for Achieving Sustainability. The City adopted the Handbook for Fresno Green Residential and Non-Residential Checklist in October 2009. The program provides incentives for projects that achieve a minimum of 20 points spread over five major sustainability categories including those with air quality benefits. The incentives include:

- 25 percent reduction on Planning entitlement fees
- 20 percent minor deviation from development standards (i.e., parking, setbacks, etc.)
- Expedited processing
- Recognition

Air Quality Update to the 2025 General Plan. The City approved amendments to the 2025 General Plan to add the Air Quality Update of the 2025 Fresno General Plan Resource Conservation Element that met the requirements of Assembly Bill 170 on May 7, 2009. The update includes many policies designed to assist the SJVAPCD attain air quality standards. Those policies are proposed within the General Plan Update where applicable.

Fresno Bus Rapid Transit Master Plan. The City of Fresno prepared the Bus Rapid Transit (BRT) Master Plan in 2008. The overall vision of the BRT Master Plan is to demonstrate how improved efficiency, speed, and service can attract new transit ridership, improve customer satisfaction, and benefit the broader community by providing a quality of service similar to light rail systems through the use of bus technology. The City has received a grant from the federal government to implement BRT in Fresno.

General Plan Update Policies. The General Plan includes policies designed specifically to address a variety of air quality impacts through measures that reduce vehicle and other operational-related air quality emissions. A partial list of policies that would reduce air pollutant emissions is provided below. For a full list of policies with air quality benefits see section 5.3.3 Regulatory Setting.

- Policies to reduce motor vehicle emissions by encouraging compact communities, smart growth, mixed use, infill development, pedestrian and bicycle accessibility, transit use, alternative fuel, and jobs/housing balance:
  - UF-1-c, UF-12-a, UF-12-b, UF-12-d, UF-12-e, UF-12-f, UF-14-a, UF-14-b, UF-14-c, LU-2-a, LU-2-b, LU-3-b, LU-3-c, LU-5-f, LU-5-e, LU-6-b, LU-6-f, LU-6-g, LU-8-b, RC-4-d, RC-4-e, RC-4-f, RC-4-g,RC-8-b, HC-3-b, and policies under the objectives MT-1, MT-4, MT-5, MT-6, MT-8, and MT-9.
- Policies to reduce the City government operational emissions:
  - RC-4-j, RC-8-f, RC-8-g.
- Policies encouraging the environmental review of projects to reduce air pollutant emissions:
  - RC-4c, RC-4d, RC-8c.

SJVAPCD Land Use Related Regulations. Individual projects to be developed under the proposed project would be subject to District Rules and Regulations, including Rule 9510 (Indirect Source Review) and Regulation VIII (Fugitive Dust Prohibitions), Existing businesses and new projects that are large employers (over 100 employees) will be subject to Rule 9410 (Employer Based Trip Reduction). Rule 9510 was adopted with the purpose of mitigating the impacts of growth on air quality throughout the San Joaquin Valley. Rule 9510 is by far the most stringent development related air regulation in California and the nation. Reductions from Rule 9510 are surplus meaning they are not required to demonstrate attainment of air quality standards. Rule 9410's purpose is to reduce emissions related to employee commute trips. These two rules provide substantial emission reductions from the General Plan buildout and provide assurance that the project would not result in significant air quality impacts.

SJVAPCD Voluntary Emission Reduction Agreements (VERA). The SJVAPCD offers VERAs as a method for development projects that exceed SJVAPCD thresholds after accounting for Rule 9510 reductions to mitigate significant criteria pollutant impacts. VERAs require emission reductions in addition to those required by Rule 9510. The developers of individual projects enter into contracts with the SJVAPCD to purchase emission reductions obtained through projects funded under SJVAPCD grant and incentive programs. The SJVAPCD will also verify emission reductions from projects identified by the developer and manage the implementation and long term monitoring of the projects. The use of a VERA may not be feasible for all projects but should be considered for large projects with significant impacts.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could reduce this impact to less than significant. As a result, the project's criteria pollutant impact is significant and unavoidable.

As stated above, there are policies that the City of Fresno has incorporated into the General Plan Update and existing San Joaquin Valley Air Pollution Control District regulations that would reduce potential criteria pollutant impacts. However, due to the substantial amount of development that would occur through buildout conditions associated with the General Plan and Development Code Update, the combined development would exceed the SJVAPCD project level thresholds of significance for ROG, NO_x, PM_{10}, and $PM_{2.5}$. Therefore, the project will continue to result in a potential significant and unavoidable impact.

2.3.2 - Criteria Pollutants – Cumulative Impacts

Significant Impact

The Final EIR identified significant cumulative impacts that would result in a 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).

The study area for the analysis of cumulative regional air quality impacts such as ROG, NOx, PM_{10}, and $PM_{2.5}$ is the San Joaquin Valley Air Basin which includes the counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and a portion of Kern. This analysis will be based on a summary of projections approach as provided in Section 15130(b)(1)(B) of the CEQA Guidelines. Section 15130(b) of the CEQA Guidelines states:

> The following elements are necessary to an adequate discussion of significant cumulative impacts: 1) Either: (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.

The District's 2012 Draft GAMAQI states the following regarding cumulative criteria air pollutants:

> As discussed in Section 8.4 (Thresholds of Significance – Criteria Pollutant Emissions) the District's thresholds of significance for criteria pollutants are based on District Rule 2201 (New Source Review) offset requirements. Furthermore, New Source Review (NSR) is a major component of the District's attainment strategy. The District's attainment plans demonstrate that project specific emissions below New Source Review (NSR) offset requirements will not prevent the District from achieving attainment. Consequently, if project specific criteria pollutant emissions are below their respective thresholds of significance, the project would

be consistent with the overall District attainment plan and would be determined to have a less than cumulatively significant impact on air quality.

Since the project exceeds the SJVAPCD quantitative thresholds for ROG, NOx, PM_{10}, $PM_{2.5}$, cumulative air emissions impacts are considered potentially significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures beyond General Plan policies, ordinances, and regulations that could reduce this cumulative impact to less than significant. As a result, the project's contribution to cumulative the criteria pollutant impact is significant and unavoidable.

As stated above, there are policies that the City of Fresno has incorporated into the General Plan Update and existing San Joaquin Valley Air Pollution Control District regulations that would reduce the project's potential criteria pollutant impacts. However, due to the substantial amount of development that would occur through buildout conditions associated with the General Plan and Development Code Update, the combined development would exceed the SJVAPCD project level thresholds of significance for ROG, NO_x, PM_{10}, and $PM_{2.5}$. Therefore, the project will substantially contribute to a potential significant and unavoidable cumulative impact.

2.3.3 - Sensitive Receptors – Project-Specific Impacts

Significant Impact

The Final EIR identified project-specific significant impacts that could expose sensitive receptors to substantial pollutant concentrations.

Certain criteria pollutants can produce localized impacts often referred to as hotspots due to their potential to expose sensitive receptors to substantial pollutant concentrations. These include NO_2, CO, SO_2, PM_{10}, and $PM_{2.5}$. Elevated concentrations of these pollutants can occur where a large number of sources are located in a concentrated area or when particularly large sources are located near sensitive receptors. In this case, substantial concentrations are defined as causing a localized exceedance of an air quality standard or contributing substantially to an existing exceedance of the standard at a specific receptor location.

Determination of localized pollutant concentrations requires project specific information that is not available at the General Plan level. Therefore, criteria are needed to allow the City to identify future projects with the potential for producing substantial pollutant concentrations. The criteria vary by pollutant and will also vary with time as emissions from sources of these pollutants continue to

decline through implementation of regulations. Screening criteria for each pollutant of concern are provided below.

Carbon Monoxide (CO). Localized exceedances of the CO standards have become increasingly unlikely. The SJVAB is in attainment of the State and Federal CO standards and background levels of CO as measured at SJVAB monitoring stations continues to decline. The maximum one-hour concentration in Fresno was 2.29 ppm compared to the State standard of 9.0 ppm. The intersection with the maximum traffic volume in Fresno at General Plan buildout (Palm and Herndon) is expected to accommodate approximately 12,000 trips during the peak hour. A sensitivity analysis using the CALINE4 CO Hotspot model was run to determine the volume of trips that would be required to exceed the most stringent standard. At triple the predicted peak for General Plan buildout of 36,000 peak hour trips, the hourly concentration was 7.5 ppm and an 8-hour concentration of 6.0 ppm. Based on this analysis is it extremely unlikely that a CO hotspot will occur in the Plan Area. CO emissions are predicted to continue to decline as old vehicles are retired and cleaner new motor vehicles take their place. Therefore, no CO hotspot modeling should be required for new projects during General Plan Buildout unless intersection volumes exceed 36,000 peak hour trips.

Nitrogen Dioxide (**$NO_{2)}$**. Localized nitrogen dioxide impacts can occur at sites with large numbers of diesel engines such as warehouse distribution centers and large retail centers with multiple daily truck deliveries. Proximity to the nearest sensitive receptor is the second criteria. Only projects with nearby sensitive sources have the potential to exceed the one-hour NO_2 standard. The distance considered nearby will vary with the magnitude of the source. Generally, projects with large numbers of heavy-duty truck trips and receptors within 100 meters of the project should conduct screening analysis or dispersion modeling to assess localized NO_2 impacts. NO_2 emissions are decreasing rapidly as cleaner vehicles replace higher emitting old vehicles. The decrease in vehicle emissions is expected to reduce the potential impact for NO_2 hotspots as the General Plan is built out. Generally, projects with five or more heavy-duty truck deliveries per day and sensitive receptors with 100 meters of loading areas should conducted a screening analysis. NOx emissions will decrease from trucks with time due to the implementation of State motor vehicle regulations so the screening criteria should be revisited during the course of General Plan buildout.

Particulate Matter (PM). Localized particulate matter emissions (PM_{10} and $PM_{2.5}$) impacts result from combustion sources in close proximity to receptors. Wood burning in residences was a substantial source of particulate matter emissions in the past; however, prohibitions on installing wood burning devices and wood burning restrictions on no burn days required by SJVAPCD Rule 4901 – Wood Burning Fireplaces and Wood Burning Heaters has successfully reduced this impact. Substantial concentrations of particulate matter (PM) can also occur where large numbers of diesel-powered vehicles congregate such as large construction sites, distribution centers, and rail yards. Freeways and major roadways can be sources of particulate matter that impact projects containing sensitive receptors. Projects locating sensitive receptors near freeways and major roadways with average daily trips exceeding 100,000 should perform screening analysis or dispersion modeling to determine if significant impacts would occur and mitigation measures to reduce exposure should be required.

Criteria Pollutant Assessments. Projects that expose sensitive receptors to concentrations exceeding ambient air quality standards or that make a cumulatively considerable contribution to pollutant that already exceed air quality standards would be considered significant. Dispersion modeling to determine criteria pollutant concentrations is recommended for projects with large numbers of diesel powered engines or vehicles near to sensitive receptors. Screening tools may be developed by the SJVAPCD or others that use conservative assumptions to allow assessments without dispersion modeling. Generally, projects with 10 or more diesel trucks accessing a project site per day and with sensitive receptors located within 100 meters should undergo screening for NO_2 and PM impacts. Stationary sources that emit NO_2 and PM are subject to the SJVAPCD permitting process that includes an assessment of localized criteria pollutant impacts. NO_2 and PM localized impacts will decrease over time as the ARB regulations on diesel vehicles and equipment are fully implemented and fleet turnover takes place. Thresholds for requiring analysis should be reviewed periodically during General Plan buildout to take declining emissions into account.

Toxic Air Contaminants

Besides the criteria air pollutants, there is another group of substances found in ambient air referred to as Hazardous Air Pollutants (HAPs) under the Federal Clean Air Act and Toxic Air Contaminants (TACs) under the California Clean Air Act. Impacts from these contaminants tend to be highest near the sources of emissions and are found in relatively low concentrations in ambient air. However, they can result in adverse chronic health effects if exposure to low concentrations occurs for long periods. HAPs and TACs are regulated at the air district, state, and federal level. HAPs are the air contaminants identified by the EPA as known or suspected to increase the risk of cancer, serious illness, birth defects, or death. Many of these contaminants originate from human activities, such as fuel combustion and solvent use.

EPA identifies 188 different compounds as HAPs. There are 21 compounds identified as Mobile Source Toxics (MSATs) that are a subset of the 188 HAPs. Of the 21 MSATs, EPA identifies six priority HAPs that include diesel exhaust, benzene, formaldehyde, acetaldehyde, acrolein, and 1, 3-butadiene. The ARB, based on available data, identified the ten TACs that pose the greatest known ambient risk in California: acetaldehyde, benzene, 1, 3-butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchloroethylene, and diesel particulate matter (diesel PM) (ARB 2009).

Project Level TAC Analysis. The regulatory agencies responsible for TAC emissions, the SJVAPCD and ARB, emphasize the localized nature of TAC emission sources in assessing project level impacts and impacts of existing sources on projects containing sensitive receptors. Project locations with large TAC sources in close proximity to sensitive receptors can exceed the SJVAPCD TAC threshold of a 10 in a million increase in cancer risk to the maximally impacted receptor.

The ARB Air Quality and Land Use Handbook (ARB 2005) identified the following sources that warrant special consideration:

- Freeways and High Traffic Roadways

- Distribution Centers (100 trucks per day/40 trucks with TRUs per day)
- Rail Yards
- Refineries
- Chrome Plating Facilities
- Dry Cleaners
- Large Gasoline Dispensing Facilities (3.6 million gallon/year throughput)

Other sources that warrant consideration when receptors are located near the project include projects with diesel engines.

- Large Commercial Projects with Loading Docks (3 or more deliveries per day)
- Recycling Centers using Diesel Equipment for Loading and Crushing Operations
- Hospitals with multiple Emergency Diesel Engines
- Other Facilities with Multiple Idling Trucks

In accordance with General Plan Policy RC-4-c, the City requires screening analyses or health risk assessments for these projects and as recommended by the SJVAPCD during CEQA consultation.

All stationary source projects subject to air permitting are assessed for TAC impacts by the SJVAPCD as part of the permitting process. Air permits for projects exceeding the 10 in a million threshold are not approved per SJVAPCD policy.

Stationary Source TAC Emission Sources

New sensitive receptors located near existing toxic air contaminant sources may be exposed to substantial pollutant concentrations. This potential impact is considered in CEQA documents for individual projects. General Plan Policy RC-4-c states, "Require use of computer models recommended by the SJVAPCD to evaluate the air quality impacts of projects that require environmental review by the City." The District's significance threshold for new projects is conservative and requires that carcinogen related impacts are less than 10 in a million and non-carcinogen impacts with a hazard index less than 1.0 for sensitive receptors. New projects that include toxic air contaminant sources would need to undergo review to determine if they have the potential to create a significant impact from TAC emissions. It should be noted that projects with stationary sources regulated by the SJVAPCD will not be approved if the emissions result in an increased risk exceeding the threshold. Projects located near facilities with large numbers of diesel trucks such as distribution centers or loading docks in close to proximity to receptors should undergo additional analysis using screening tools or dispersion modeling to determine if significant impacts may occur. Projects with potentially significant impacts after screening, should prepare a health risk assessment (HRA) to more accurately characterize the potential impact and the benefits of mitigation measures available to reduce project impacts.

Motor Vehicle Emissions Impacts to Sensitive Receptors

Impacts from motor vehicles are generally greatest within close proximity to locations with large numbers of diesel-powered vehicles. Therefore, sensitive receptors placed near high volume

freeways or roads could be exposed to substantial pollutant concentrations. The ARB's Land Use Handbook (2005) recommends avoiding new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. General Plan Policy HC-3a states, "Restrict new residential development, schools, and parks within 500 feet of a limited access freeway, in order to reduce exposure to concentrations of toxic air pollutants and noise, unless impacts can be mitigated as if these uses were 500 feet or further away." The project traffic analysis determined that the highest traffic volumes on any urban road will be 93,000 vehicles per day on a 6-lane arterial analyzed under the cumulative plus project scenario. No rural roads are planned for the Planning Area. Therefore, only freeways have the potential to exceed the ARB screening criteria with the buildout of the General Plan Update.

No specific development projects are identified in the General Plan that would allow an assessment of project specific criteria pollutant localized impacts and TAC impacts. However, the possibility exists that one or more projects would exceed the thresholds for these pollutants during project buildout. Therefore, the project could result in significant concentrations of toxic air contaminant emissions.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM AQ-1 Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO_2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:

- Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.
- Post signs requiring drivers to limit idling to 5 minutes or less.

MM AQ-2 Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce TAC exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to:

- Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.
- Post signs requiring drivers to limit idling to 5 minutes or less
- Construct block walls to reduce the flow of emissions toward sensitive receptors
- Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions
- For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds.
- Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems.
- For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel.
- Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved.

Mitigation measures MM AQ-1 and MM AQ-2 provides a list of measures that will serve to reduce the impacts of individual projects on sensitive receptors. However, identification of applicable project specific mitigation measures is not feasible without site-specific information. Project specific mitigation measures will depend on the types and amounts of pollutants that are present, the design characteristic of the site, and the location of the receptors in relation to the site. Development that occurs as part of the buildout of the General Plan and Development Code Update may reduce toxic air contaminant concentration impacts with the implementation of MM AQ-1 and MM AQ-2; however, potential significant and unavoidable impacts could remain.

2.3.4 - Sensitive Receptors – Cumulative Impacts

Significant Impact

The Final EIR identified significant cumulative impacts that could expose sensitive receptors to substantial pollutant concentrations.

Cumulative development allowed with the proposed General Plan Update would result in significant cumulative impact. The Proposed Project's contribution to the significant cumulative impact is

considerable because the project analysis identifies an existing significant impact. To reduce the project contribution to less than significant, mitigation measure MM-AQ-1 is required.

Areas of the community with multiple sources of TAC emissions can expose nearby sensitive receptors to elevated risk. Sources such as freeways and high volume roadways can have large concentrations of diesel vehicles that represent the cumulative emissions from truck travel generated by projects throughout the region. Industrial areas with large stationary sources or distribution centers may also result in elevated existing TAC emissions and risk. Projects constructed near large existing sources should undergo analysis to determine if there is an existing cumulative TAC impact without the project.

The SJVAPCD has not adopted a TAC threshold that defines conditions that would result in an existing significant TAC impact without the project. As described earlier, the SJVAPCD considers projects that exceed the 10 in a million increase in cancer risk threshold to provide a significant cumulative contribution. Under this concept, the existing TAC impacts throughout the air basin are considered significant regardless of differences in local concentrations.

The District's Draft 2012 GAMAQI states the following regarding cumulative toxic air contaminants:

> Impacts from hazardous air pollutants are largely localized impacts. As presented above in section 8.3 (Thresholds of Significance - Toxic Air Contaminant Emissions), the District has established thresholds of significance for toxic air contaminants (TAC) that are extremely conservative; protective of health impacts on sensitive receptors. Consequently, the District's application of thresholds of significance for TACs is relevant to the determination of whether individual project emissions of TAC would have a cumulatively significant health impact. Because the established TAC significance thresholds are highly conservative, if project specific TAC emissions would have a less than significant health impact, the project would not be expected to result in a cumulatively considerable net increase in TAC. Thus, the project would be determined to have a less than cumulatively significant impact on air quality.

Another air district has used a different approach to cumulative assessment that accounts for elevated risk from nearby sources. The Bay Area Air Quality Management District (BAAQMD) has adopted a cumulative threshold based on the aggregate total risk of all past, present, and foreseeable future sources within a 1,000-foot radius from the fence line of a source, or from the location of a receptor, plus the contribution from the project. Projects with an excess cancer risk levels of more than 100 in one million or a chronic non-cancer hazard index (from all local sources) greater than 10.0 are considered cumulatively significant. This approach allows the identification of areas with TAC emissions that are likely to have higher cancer risk than the regional average risk in a community due to location of multiple sources of TAC emissions in close proximity to a project.

Although TAC impacts are most important in a localized context, the emissions can remain in the atmosphere long enough to mix throughout a wider area to create a background risk. The amount of background risk at locations away from individual sources is not well documented. Non-diesel PM

TAC emissions were monitored at only three locations in the San Joaquin Valley. There is no method available to directly monitor diesel PM which ARB concludes is responsible for over 70 percent of air borne cancer risk in the San Joaquin Valley. Concentrations at actual locations vary widely due to importance of localized sources and dispersion. The ARB provides average risk data for the SJVAB and other air basins; however, the ARB states that "the regional cancer risks published by the ARB should be viewed as a gauge of relative risk, rather than as an absolute risk determination. These regional risks are useful for determining the geographic locations where current science indicates that the greatest amount of risk from toxic air contaminants exists. However, the absolute risk numbers should NOT [emphasis added by the ARB] be used as the basis for determining personal risk".

ARB's 2009 Air Quality Almanac provides the most recent available TAC risk estimates for California. The Almanac provides estimates of the annual average concentrations and health risks for each air basin, including the San Joaquin Valley Air Basin. The estimate of the average regional risk for TAC emissions from pollutants other than diesel PM also referred to as non-diesel PM TAC for 2007 (the most recent year of data available) is 90 in a million. However, the record for 2007 is missing data for two TACs, carbon tetrachloride, and para-dichlorobenzene. Using 2003 data for carbon tetrachloride as a substitute for the missing data and assuming no decrease since 2003 would add a risk of 26 in a million. Using 2006 data for para-dichlorobenzene would add 10 in a million. Adding these to a risk of 90 in a million for the other non-diesel TACs results in an average risk of 126 in a million.

The last analysis year that included an estimate of diesel PM risk was 2000, with an estimated risk of 390 in a million from diesel alone and 196 in a million from the other sources analyzed, for a total risk of 586 in a million. The report stated that more current estimates for diesel impacts were under review. Note that the Almanac reports average cancer risk in the entire San Joaquin Valley and does not identify locations with higher or lower than average exposure to TACs. Combining the 2000 diesel PM risk of 390 in a million with the non-diesel PM risk of 126 in a million results in an estimated average cancer risk of 516 in a million.

Local data for Fresno TAC risk is limited. Non-diesel PM TAC data for Fresno was only collected at the ARB monitoring station located on North First Street in Fresno until 2011 when the site was closed. Additional TAC data will be available at a monitoring station located nearby on East Garland Avenue. The Fresno monitoring site is situated in the center of the city, near a variety of commercial, residential, and high-volume roadways and a freeway (State Route 41 [SR-41] is 0.6 mile west of the site). Air emissions samples were collected every 12 days to measure TAC levels. ARB averaged the data it collected over a year to provide annual average emissions. Daily and annual TAC monitoring data are available from the ARB for the years 1980 through 2009 (ARB 2012a). The ARB site did not monitor diesel PM (particulate matter), since there is no direct method available for monitoring diesel PM. However, other methods are available to provide estimates of diesel PM using PM_{10} monitoring data as a surrogate and estimating the fraction that is composed of diesel PM. The ARB used receptor-modeling techniques to generate risk estimates provided in the ARB 2009 Air Quality Almanac (ARB 2009) that include risks associated with diesel PM for the year 2000. Other more

recent methods using NO_2 concentrations as a surrogate for diesel PM have also been used to estimate risk from this source.

ARB conducted a special study in Fresno to determine the adequacy of the air quality-monitoring network to identify impacts to children from TAC emissions. ARB analyzed monitoring data from the long-term Fresno First Street monitoring site and a temporary site located at a school as part of a 2006 special study, Community Air Quality Monitoring: Fresno, Fremont Elementary School (ARB 2006). The ARB conducted the study as part of a larger statewide evaluation of the adequacy of the State's air quality monitoring network as required by the Children's Environmental Health Protection Act (Escutia, Senate Bill 25, 1999 [SB 25]). Air monitoring at Fremont Elementary School was completed during a 15-month period, from June 2002 to August 2003. The study monitored 50 different air pollutants. As part of the study, data from Fremont Elementary School was compared with data from the nearest long-term monitoring site, Fresno–First Street, for the same time period.

Analysis of the monitoring results indicate that the potential cancer risk at Fremont Elementary School is mostly attributable to seven of the toxic air pollutants measured during the study: benzene, 1,3-butadiene, formaldehyde, acetaldehyde, perchloroethylene, carbon tetrachloride, and methylene chloride. Including the other toxic air pollutants measured at these sites does not significantly change the overall risk at each site, nor does it change the overall relationship of cancer risk between sites.

The cancer risk attributable to the ambient concentrations of the seven TACs was estimated at 156 in a million at the Fremont School site and 139 in a million at the Fresno First Street monitoring station during the period from July 2002 through June 2003. The Special Study on page 5 indicates that higher emissions and risk at the Fremont School compared with the Fresno First monitoring station were attributed to the school's location 0.5 mile east of State Route 99 and the proximity to a parcel distribution facility and other industrial and warehousing uses along State Route 99 (ARB 2006).

Rules and Regulations that Reduce TAC Impacts

Risk from TAC emissions is declining rapidly due to regulations adopted at the federal, state, and air district levels. The ARB's Diesel Risk Reduction Plan has led to the adoption of new state regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles to reduce diesel PM emissions by about 90 percent overall from year 2000 levels. The projected emission benefits associated with the full implementation of this plan, including federal measures, are reductions in diesel PM emissions and associated cancer risks of 75 percent by 2010 and 85 percent by 2020 (ARB 2000). Regulations on stationary sources such as ARB's Air Toxic Control Measures (ATCM) and Toxic Best Available Control Technology (T-BACT) implemented by the SJVAPCD provide similar reductions for other TACs. The Diesel Risk Reduction Plan has not been updated, so the data includes projections for 2010 that has already passed. The ARB has aggressively implemented the Diesel Risk Reduction Plan and success in achieving the projected reductions appears likely based on reductions identified for individual regulations listed in Section 5.3 of the Draft Master EIR.

There is no level of toxic emissions that is considered to have no health impacts. In that situation, decision makers must determine a level of risk that is acceptable considering the benefits of the activities provided by the emission sources. For example, using diesel trucks to transport goods and using gasoline to fuel motor vehicles are the two largest sources of TAC emissions, but are integral to the mobility of people in the San Joaquin Valley and to the economy. In light of the existing average TAC risk levels in the San Joaquin Valley of about 516 in a million, it seems appropriate to consider existing risk a significant impact. The implementation of future development under the General Plan Update will add TAC emissions to the air that would exceed the 10 in a million risk threshold. Therefore, the Proposed Project's contribution to cumulative TAC emissions would be considerable and would result in a significant cumulative impact.

To summarize, residents of the City of Fresno experience average risks of approximately 516 in a million from TAC emissions. Risk to individuals at specific locations has not been determined and may be higher or lower than the average because of the importance of localized sources. Development of new TAC sources in areas of the Planning Area with large concentrations of existing sources such as a freeway or a distribution center should undergo an assessment to determine if sensitive receptors would be exposed to elevated levels of TAC emissions (100 in a million cancer risk) from sources within an approximate 1,000 foot radius with and without the project. Projects at locations that exceed the cumulative threshold should be assessed to determine if they would make a significant cumulative contribution to an existing significant impact as defined by a 10 in a million increase in cancer risk threshold proposed by the SJVAPCD. Projects that result in a significant cumulative contribution should implement all feasible measures to mitigate their significant cumulative impact. Emissions and risk are declining to due regulations on TAC sources, so as the Planning Area is built out in accordance with the General Plan and Development Code Update, the chances of projects exceeding the project and cumulative thresholds will be less.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of mitigation measures MM AQ-1 and MM AQ-2 is required.

Projects located in areas with multiple existing or planned TAC sources nearby may result in elevated cancer risks to sensitive receptors also impacted by the project. Under this condition, it is

appropriate to assess the additional cumulative impact from localized sources within the screening distances identified by ARB as warranting special consideration. MM AQ-2 would require the additional analysis per the specified criteria. Projects proposing development containing sensitive receptors may be located near to large or multiple existing TAC sources. Under this circumstance, analysis of the impact of the existing sources within the ARB screening distances is appropriate to identify the potential impact to the sensitive receptors within the proposed project. Mitigation measure AQ-4 addresses the situation where projects containing sensitive receptors are proposed near to existing TAC sources. The following mitigation measures are proposed to ensure that projects with the potential to expose sensitive receptors to significant TAC concentrations are identified during later environmental reviews.

MM AQ-3 Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook.

MM AQ-4 Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the SJVAPCD

Mitigation measures MM AQ-1 through MM AQ-4 will serve to ensure that the cumulative impacts of projects implemented in accordance with the General Plan and Development Code Update are assessed to determine if they will expose sensitive receptors to potentially significant cumulative impacts from TAC emissions. However, the project's cumulative assessment may identify significant impacts or cumulative contributions for which feasible mitigation measures are not available. Therefore, cumulative TAC impacts would remain significant.

2.4 - Cultural Resources

2.4.1 - Historical Resources – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that could cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines.

Known historical resources are located primarily in Downtown Fresno because this is the area where development of the city began in the mid-1800s. These known resources meet the definition of historical resource under CEQA Section 15064.5(a). As discussed previously, there are 29 historical resources listed on the National Register of Historic Places, 31 historical resources listed on the California Register of Historic Resources, four State Historic Landmarks, and as of August 19, 2014, there are 271 designated properties that are on the City of Fresno's Local Register of Historic Places, there are also 13 Heritage Properties, which are not Historic Resources for the purposes of the City's

Historic Preservation Ordinance but could potentially be treated as historical resources for the purposes of CEQA at the City's discretion. In addition to the individual resources, there are three designated Local Historic Districts within the Planning Area. As additional surveys for potential historical resources are prepared, such as the surveys that were prepared for the Fulton Corridor Specific Plan in Downtown Fresno, additional resources may be added to the various lists. Many areas of Downtown, as well as other locations within the Planning Area, have not been surveyed. As a result, only a portion of the resources in the Planning Area are known.

As land uses are built out in accordance with the General Plan and Development Code Update, the growth that would occur within the Planning Area would include infill development and buildout of rural, agricultural, and undeveloped areas. As the density and intensity increases in the existing urban areas, there is a possibility that the new development could result in demolition or substantial alterations of historical or potentially historical buildings and structures. In addition to land use development, infrastructure and other public works improvements could result in demolition or substantial alterations of historical resources.

To reduce the potential impacts on historical resources, there are federal, state, and local regulations. These regulations are discussed in Section 5.5.5 in this Draft MEIR. The City of Fresno Historic Preservation Ordinance provides a process to preserve, promote, and improve the Historic Resources and Historic Districts within its jurisdiction. In addition to the Historic Preservation Ordinance, the General Plan Update includes the following objectives and policies to preserve historic resources.

Objective HCR-1 Maintain a comprehensive, citywide preservation program to identify, protect and assist in the preservation of Fresno's historic and cultural resources.

Policy HCR-1-c Historic Preservation Ordinance. Maintain the provisions of the City's Historic Preservation Ordinance, as may be amended, and enforce the provisions as appropriate.

Objective HCR-2 Identify and preserve Fresno's historic and cultural resources which reflect important cultural, social, economic and architectural features so that community residents will have a foundation upon which to measure and direct physical change.

Policy HCR-2-a Identification and Designation of Historic Properties. City staff and the Historic Preservation Commission shall work in tandem to identify potential historic resources and districts and to prepare nomination forms for Fresno's Local Register of Historic Resources. Historic resources may include not only buildings but also structures, objects and sites, as well as cultural and historic landscapes and traditional cultural properties (as defined by the National Park Service) – examples include farm complexes, canal systems, signage, gardens, infrastructure such as lighting and street furniture, and landscaped boulevards. As appropriate, resources may be forwarded to the State Historical Resources Commission for

consideration for the California Register of Historical Resources and/or the National Register of Historic Places.

Policy HCR-2-b Historic Surveys. Prepare historic surveys according to California Office of Historic Preservation protocols, as funding is available. Prioritize the survey of resources located on parcels within the Bus Rapid Transit corridors slated for development and intensification.

Policy HCR-2-c Project Development. Prior to project approval, a subject parcel and its Area of Potential Effects (APE), without benefit of a prior historic survey, will be evaluated and reviewed for the potential for historical and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Survey costs shall be the responsibility of the project developer.

Policy HCR-2-f Demolition Review. Require that preservation staff review all demolition permits to ascertain whether or not a resource scheduled for demolition is potentially eligible for listing on the Local Register of Historic Resources. Potential resources that appear to meet the threshold for individual eligibility will be reviewed by the City's Historic Preservation Commission and referred as appropriate to the City Council for consideration and a final determination before demolition may be approved.

Policy HCR-2-g City-owned Resources. Maintain all City-owned historic and cultural resources in a manner that is consistent with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties, as appropriate.

Objective HCR-3 Promote a "New City Beautiful" ethos by linking historic preservation, public art, and planning principles for complete neighborhoods with green building and technology.

Policy HCR-3-c Context Sensitive Design. Work with the development and planning communities to ensure that infill development is context sensitive in its design, massing, set-backs, color, and architectural detailing.

The City's Historic Preservation Ordinance and the above objectives and policies are aimed at preserving publicly and privately owned historic resources. These existing and proposed regulations provide the maintenance of the City's historic preservation program, the identification of resources, the evaluation of resources by qualified professionals, and the treatment of resources in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The implementation of the Historic Preservation Ordinance and the above objectives and policies would reduce the potential impacts on historical resources. However, in some instances, historical resources may need to be demolished due to health and safety reasons. In addition, modifications to historical resources may be proposed and as discussed in the Historic Preservation Ordinance, the

Secretary of the Interior's Standards for the Treatment of Historic Properties would need to be implemented. However, after the procedures identified in the Historic Preservation Ordinance are followed and all feasible mitigation measures are imposed, potential significant impacts to an historic resource could remain. Since the Historic Preservation Ordinance or the objectives or policies identified above do not prevent the City from approving a project posing a significant impact to an historical resource, the potential impact is considered significant.

In addition to known historical resources, development in accordance with the General Plan and Development Code Update could result in potential impacts to unknown resources that are located below the ground surface. Based on data from the Greenwood and Associates' archaeological report for the Fulton Corridor Specific Plan and Downtown Neighborhoods Community Plan project, there is a moderate to high potential for buried historic deposits in the Downtown Fresno area. Therefore, during grading and construction activities associated with future developments in accordance with the General Plan and Development Code Update, potential impacts to historic deposits could be significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM CUL-1 If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

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

Although Mitigation Measure CUL-1 would reduce potential impacts on historic resources, the City could approve the demolition of a historic resource posing a significant impact to an historical resource.

2.4.2 - Historical Resources – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that could cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines.

Future development in areas outside the Planning Area as well as other cumulative development, such as the High Speed Rail, could result in impacts to known and unknown historical resources. These resources could be buildings in adjoining jurisdictions, such as the counties of Fresno and Madera, and the City of Clovis. Current regulations to preserve historical resources are expected to reduce potential impacts to known resources. Cities or counties could implement all feasible measures to reduce impacts to known historical resources; however, the impacts may remain significant. In addition, construction activities could result in potential significant impacts to unknown buried historical resources. Development within the Planning Area as well as outside the Planning Area could result in significant impacts to historical resources. Since the proposed General Plan and Development Code Update could result in significant impacts to historical resources, the project's contribution to cumulative impacts would be cumulatively considerable and therefore cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measure as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measure CUL-1 is required.

Although Mitigation Measure CUL-1 would reduce potential cumulative impacts on historic resources, the City could approve the demolition of a historic resource posing a significant impact to an historical resource. This potential significant impact would substantially contribute to potential cumulative impacts to historic resources. Therefore, the project's contribution to cumulative impacts on historic resources is significant and unavoidable.

2.5 - Greenhouse Gases

2.5.1 - Greenhouse Gas Emissions – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The proposed project includes the creation of a greenhouse gas reduction plan for the City. That plan includes strategies to reduce per capita greenhouse gas emissions to 1990 levels by 2020. 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.

As discussed in the Draft Master EIR in Section 5.7, the proposed objectives and policies as well as the existing regulations will achieve a 24.4 percent reduction in greenhouse gas emissions which will exceed the 21.7 percent reduction required to show consistency with Assembly Bill 32 targets. However, there is no comprehensive state target that has been adopted for 2035. It is not known if additional reductions would be required by state regulations or local measures. If the State ultimately sets targets based on achieving 80 percent reduction below 1990 levels by 2050 which has been identified as a goal through State Executive Order S-03-05, additional reductions beyond currently adopted regulations will almost certainly be needed by 2035. To provide further reductions, actions described in the Progress Beyond 2020 in Section 5.7.4 of the Draft Master EIR. The City of Fresno does not have regulatory authority that allow this level to be achieved with its own actions. Therefore, impacts beyond 2020 such as 2035 and the General Plan buildout year of 2056 are potentially significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures beyond implementation of the General Plan objectives and policies as well as existing regulations.

The City of Fresno has incorporated various objectives and policies to reduce greenhouse gas emissions within the Planning Area. These objectives and policies are identified in Impact GHG-1 in the Draft Master EIR. Due to limitations on the City of Fresno's ability to achieve the reduction goal outlined by the state, the City not have the authority to substantially achieve future reductions. Therefore, the implementation of the proposed project is considered to have a significant and unavoidable impact on greenhouse gas emissions after the year 2020.

2.5.2 - Greenhouse Gas Emissions – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Greenhouse gas impacts are by their nature cumulative impacts. Localized impacts of climate change are the result of the cumulative impact of global emissions. The combined benefits of reductions achieved by all levels of government help to slow or reverse the growth in greenhouse gas emissions. In the absence of comprehensive international agreements on appropriate levels of reductions achieved by each country, another measure of cumulative contribution is required. California has defined reductions required by the state in AB 32 (1990 emission levels by 2020). This serves to define California's share of the reductions regardless of the activities or lack of activities of other areas of the U.S. or the world. Therefore, a cumulative threshold based on consistency with state targets and actions to reduce greenhouse gases is an appropriate standard of comparison for significance determinations at the General Plan level.

The cumulative impacts of General Plan implementation after 2020 has no comprehensive state target or action plan that provides a similar basis of comparison. The regional targets adopted to comply with SB 375 only apply to a fraction the mobile source inventory in 2020 and 2035. As described earlier, the state is in the process of identifying a reduction target for 2030, but the actual strategy required to reach a target has not been determined. Finally, in preliminary assessments of options to achieve the 2050 goal, the state concluded that reliance on technical advancements and accelerated market penetration of new technologies would be required. Developing a community 2050 target without an adopted state strategy would be highly speculative. The General Plan will likely be updated several times before 2050. Each update will provide an opportunity to identify community targets to coincide with state targets and to adjust the strategy to ensure that the City of Fresno does its part in achieving greenhouse gas reductions.

The General Plan policies will continue to provide greenhouse gas reductions beyond 2020 since they apply to all development that will occur between adoption and buildout unless superseded by new policies. The amount of local reductions needed beyond 2020 is uncertain pending adoption of state

targets for later years. In addition, the long-term effectiveness of the General Plan policies and programs that avoid, reduce, or minimize greenhouse gas emissions is not known. Therefore, cumulative impacts related to the growth under the General Plan and Development Code Update are significant and unavoidable. The City will track the effectiveness of implementation of the General Plan and the Greenhouse Gas Reduction Plan on an annual basis to identify progress in meeting emission reduction targets. The Greenhouse Gas Reduction Plan will require update when and if later targets are adopted by the ARB.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that could reduce this cumulative impact to less than significant. As a result, the project's contribution to greenhouse gas emissions is considered to be significant and unavoidable.

The City of Fresno has incorporated various objectives and policies to reduce greenhouse gas emissions within the Planning Area. These objectives and policies are identified in Impact GHG-1 in the Draft Master EIR. Due to limitations on the City of Fresno's ability to achieve the reduction goal outlined by the state, the City not have the authority to substantially achieve future reductions. Therefore, the implementation of the proposed project is considered to have a significant and unavoidable cumulative impact on greenhouse gas emissions after the year 2020.

2.6 - Noise

2.6.1 - Noise Levels in Excess of Standards – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would result in 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.

The implementation of the General Plan and Development Code Update will result in an increase in traffic as well as traffic noise. Future noise exposure contours for each of the City of Fresno's roadway classifications were modeled by applying the Federal Highway Administration's (FHWA) noise modeling procedure, using roadway, speed, and traffic mix data from the City of Fresno, and projected traffic volumes based on existing, existing with project, cumulative with project and other anticipated traffic volume levels that were calculated by the transportation planning and engineering firm of Fehr & Peers. The existing, existing with project and cumulative with project traffic volumes are based on the maximum traffic volumes anticipated to be experienced for each roadway classification.

In order to quantify the traffic noise impacts along the analyzed roadways, the roadway noise contours were calculated. Noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway. For analysis comparison purposes, the noise levels are calculated at the right-of-way of each roadway type, which is the nearest location where development may occur to each roadway. In establishing noise contours for land use planning, it is customary to ignore noise attenuation afforded by buildings, roadway elevations, and depressions, and to minimize the barrier effect of natural terrain features. The result is a worst-case estimate of the existing and future noise environment. The developed noise contours for the City of Fresno are conservative, meaning that the contours are modeled with minimal noise attenuation by natural barriers and buildings, with the exception of significantly depressed sections of highways.

The evaluation showed that all roadway classification scenarios would exceed the 60 dBA CNEL for sensitive land uses at the right-of-way. Implementation of proposed General Plan Policy NS-1-a would increase the City's noise standard for sensitive land uses from 60 dB L_{dn} or CNEL to 65 dB L_{dn} or CNEL from transportation sources and through the implementation of proposed General Plan Policy NS-1-g, which requires the implementation of noise reduction performance standards for new noise sensitive uses requires consideration of the following noise reduction measures:

- Construct façades with substantial weight and insulation;
- Use sound-rated windows for primary sleeping and activity areas;
- Use sound-rated doors for all exterior entries at primary sleeping and activity areas;
- Use minimum setbacks and exterior barriers;
- Use acoustic baffling of vents for chimneys, attic and gable ends;
- Install a mechanical ventilation system that provides fresh air under closed window conditions.

Many of the noise reduction features provided in Policy NS-1-g are dependent of the project design and are not feasible to quantify on a generic level, however the use of exterior barriers is quantifiable and would provide similar noise reduction levels throughout the City.

The implementation of exterior barriers (i.e., sound walls) could reduce roadway noise levels to within the City's proposed noise standard of 65 dBA CNEL for noise sensitive land uses. However, Table 5.11-11 in the Draft Master EIR shows the noise levels for each roadway classification, the required sound wall or noise attenuation feature height to meet the proposed 65 dBA CNEL standard and the resultant noise levels with implementation of the proposed sound walls. However, there is a possibility that there is existing development in the City where adequate sound walls were not constructed that would allow roadway noise to exceed the proposed 65 dBA CNEL noise standard for noise sensitive land uses. Therefore, roadway noise impacts would result in a significant unavoidable impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that are available beyond the policies within the General Plan Update. Existing noise sensitive land uses in areas with current high noise exposures may continue to exceed the City's noise standard and remain a significant and unavoidable impact.

2.6.2 - Noise Levels in Excess of Standards – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would result in 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.

Long-Term Project Impacts

Buildout of the General Plan Update Planning Area, along with construction of related projects in the Planning Area vicinity, would result in increased traffic volumes, thus incrementally increasing noise levels in some areas. Future noise levels along existing roadways and highways are projected to increase by approximately 2 to 10 dB. New roadways, significantly expanded roadways, or sparsely populated areas where significant new development is expected to occur may see noise levels increase by more than 10 dB. Substantial noise level exposures can also be expected from aircraft, trains, and stationary sources.

In most instances, when coupled with the revised 65 dB noise level threshold, implementation of General Plan Update Policy NS-1-a through Policy NS-1-k, as provided above, would reduce noise impacts to less than significant levels. However, these proposed policies and the measures that they would implement are ultimately limited, as even advanced policies and measures are limited in what they can do to remediate or reduce the magnitude of noise effects on many existing noise-sensitive land uses in areas with current high noise exposures or where substantial noise increases are expected. Thus, the continuing exposure of existing noise-sensitive land uses to noise levels in excess of standards established by the City, or to substantial noise increases as a result of future growth according to the General Plan Update, would be considered a potentially significant impact. As a result, cumulative impacts associated with the long-term exceedance of standards established in the local general plan or noise ordinance or applicable standards of other agencies would potentially occur in the Planning Area vicinity, and therefore, implementation of the General Plan Update is deemed cumulatively considerable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that are available beyond the policies within the General Plan Update. Existing noise sensitive land uses in areas with current high noise exposures may continue to exceed the City's noise standard and remain a significant and unavoidable cumulative noise impact.

2.6.3 - Permanent Increase in Ambient Noise Levels – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

As addressed in Impact NOI-1 in the Draft General Plan, future development activities within the Planning Area would result in increased traffic volumes, thus incrementally increasing noise levels in some areas. Future noise levels along existing roadways and highways are projected to increase by 2 to 10 dB. New roadways, significantly expanded roadways, or sparsely populated areas where significant new development is expected to occur may see noise levels increase by more than 10 dB. Such increases in noise level can subsequently increase annoyance to populations and communities adjacent to the roadways.

Intervening structures or other noise-attenuating obstacles between a roadway and a receptor may reduce roadway noise levels at the receptor, but such potential reductions cannot be assumed in the noise contouring modeling. In order to determine the proposed project's contribution to roadway noise, each of the City of Fresno's roadway classifications were modeled by applying the Federal Highway Administration's (FHWA) noise modeling procedure, using roadway, speed, and traffic mix data from the City of Fresno, and the greatest project increase anticipated for each roadway type, which have been based on traffic volume levels provided by the engineering firm of Fehr & Peers. The proposed project's incremental increase to existing conditions is shown in Table 5.11-13 in the Draft Master EIR.

Table 5.11-13 in the Draft Master EIR shows that the for the existing conditions that the proposed project would increase roadway noise by as much as 20 dBA CNEL. The project contributions to roadway noise for the existing scenario would exceed the noise increase thresholds provided in existing General Plan Policy H-1-b. In an effort to address noise impacts in the General Plan Update Planning Area, the General Plan Update includes Policy NS-1-a through NS-1-p, which are designed to reduce noise impacts. In conjunction with Policy NS-1-a, which would update the City's Noise Ordinance to set noise levels from 65 dB to 70 dB as the "conditionally unacceptable" range for

residential uses, and those above 70 dB as "generally unacceptable", the maximum allowable noise exposure for noise-sensitive land uses such as residential, transient lodging, hospitals/nursing homes, and churches/meeting halls would be set at 65 dB from 60 dB. Increasing this noise level threshold of noise-sensitive land uses would be consistent with the intensification of land uses in the City under the General Plan Update, as noise control would be an increasing consideration for infrastructure and new development, particularly for infill residential projects. As a result of the continuing urbanization of the City and the future development of the General Plan Update Planning Area, a 65 dB threshold for noise-sensitive land uses would be appropriate based on the changing character of the City.

Coupled with this revised noise level threshold, implementation of the Policy NS-1-a through Policy NS-1-p, which includes several structural design measures proven to reduce the effects of noise, would in most instances, reduce noise impacts to less than significant levels. However, these proposed policies and the measures that they would implement are ultimately limited, as even advanced policies and measures are limited in what they can do to remediate or reduce the magnitude of noise effects on many existing noise-sensitive land uses in areas with current high noise exposures or where substantial noise increases are expected. Thus, the continuing exposure of existing noise-sensitive land uses to noise levels in excess of standards established by the City, or to substantial noise increases as a result of future growth according to the General Plan Update, would result in a significant unavoidable permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that are available beyond the policies within the General Plan Update. New roadways, significantly expanded roadways, or sparsely populated areas where significant new development is expected to occur may see noise levels increase by more than five decibels. Substantial development in sparsely populated areas may be exposed to substantial noise increases even though some of these areas could still achieve the City's new threshold for noise sensitive land uses. Therefore, existing noise sensitive land uses may be exposed to significant and unavoidable noise impacts.

2.6.4 - Permanent Increase in Ambient Noise Levels – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Buildout of the General Plan Update Planning Area, along with construction of related projects in the Planning Area vicinity, would result in increased traffic volumes, thus incrementally increasing noise levels in some areas. Future noise levels along existing roadways and highways are projected to increase by one to five decibels. New roadways, significantly expanded roadways, or sparsely populated areas where significant new development is expected to occur may see noise levels increase by more than five decibels. Substantial noise level exposures can also be expected from aircraft, trains, and stationary sources.

Table 5.11-14 in the Draft Master EIR shows that the proposed project would increase roadway noise by as much as 21 dBA CNEL for the cumulative conditions. The project contributions to roadway noise for the cumulative scenario would exceed the City's current noise increase thresholds.

Coupled with this revised noise level threshold, implementation of the Policy NS-1-a through Policy NS-1-p, which includes several structural design measures proven to reduce the effects of noise, would in most instances, reduce noise impacts to less than significant levels. However, these proposed policies and the measures that they would implement are ultimately limited, as even advanced policies and measures are limited in what they can do to remediate or reduce the magnitude of noise effects on many existing noise-sensitive land uses in areas with current high noise exposures or where substantial noise increases are expected. Thus, the continuing exposure of existing noise-sensitive land uses to noise levels in excess of standards established by the City, or to substantial noise increases as a result of future growth according to the General Plan Update, would result in a significant unavoidable permanent increase in ambient noise levels in the project vicinity above levels existing without the project. As a result, cumulative impacts associated with a permanent increase in ambient noise levels would occur in the Planning Area vicinity, and therefore, implementation of the General Plan Update is deemed cumulatively considerable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that are available beyond the policies within the General Plan Update. New roadways, significantly expanded roadways, or sparsely populated areas where significant new development is expected to occur may see noise levels increase by more than five decibels. Substantial development in sparsely populated areas may be exposed to substantial noise increases even though some of these areas could still achieve the City's new threshold for noise sensitive land uses. Therefore, existing noise sensitive land uses may be exposed to significant and unavoidable cumulative noise impacts.

2.7 - Transportation and Traffic

2.7.1 - Traffic Increase – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

The City of Fresno General Plan Update will increase demand for travel. Vehicle miles traveled (VMT) within the Plan Area is projected to increase from 9,395,793 to 19,883,448 per weekday with build-out of the proposed General Plan under cumulative conditions, an increase of nearly 10,487,655 over existing conditions.

Build-out of the City of Fresno General Plan Update would add vehicle trips to roadways that would result in operations below the LOS thresholds of unincorporated Fresno County under existing conditions.

County of Fresno

Impacts to roadways within Fresno County were analyzed based on the County's minimum LOS threshold established by the County of Fresno 2000 General Plan, which identifies the following Policy:

Policy TR-A.2 The County shall plan and design its roadway system in a manner that strives to meet Level of Service (LOS) D on urban roadways within the spheres of influence of the cities of Fresno and Clovis and LOS C on all other roadways in the county.

The following County roadway segments would exceed the LOS D threshold, established by Fresno County, which generally represents areas of the City currently built up and wanting to encourage infill development:

- Ashlan Avenue
  - Fruit Avenue to Maroa Avenue
- Barstow Avenue
  - Marks Avenue to Palm Avenue
- Clovis Avenue
  - SR 180 EB Ramps to Belmont Avenue
  - Butler Avenue to California Avenue
- Fowler Avenue
  - Kings Canyon Drive to Hamilton Avenue

- Jensen Avenue
  - Orange Avenue to Cedar Avenue
- Maroa Avenue
  - Sample Avenue to Browning Avenue
- Sierra Avenue
  - Van Ness Boulevard to West Avenue
  - West Avenue to Palm Avenue

These roadway segments will exceed the LOS D threshold established by Fresno County. If incorporated, Policy MT-2-i of the proposed City of Fresno General Plan Update would allow LOS E, and LOS F on the roadway segments identified above as operating at LOS F with the implementation of the General Plan Update at these roadway segments.

With the General Plan Update (and if incorporated), impacts to these roadway segments would be less than significant. If not incorporated, the City of Fresno General Plan Update includes the following policy related to transportation funding and regional-level coordination:

Policy MT-2-j Funding for Multi-Modal Transportation Systems. Continue to seek and secure adequate financing to construct and maintain a complete multi-modal system through such measures as development of impact fees, local sales tax measures, special tax measures, assessment/improvement districts, and regional, state and federal transportation funds and grants.

Policy MT-2-l Region-wide Transportation Impact Fees. Continue to support the implementation of a metropolitan-wide and region-wide transportation impact fees sufficient to cover the proportional share of a development's impacts to and need for a comprehensive multi-modal transportation system that is not funded by other sources. Work with the Council of Fresno County Governments, transportation agencies (e.g., Caltrans, Federal Transportation Agency) and other jurisdictions in the region to develop a method for determining:

- Regional transportation impacts of new development.
- Regional highways, streets, trails, public transportation, goods movement system components, consistent with the General Plan, necessary to mitigate those impacts and serve projected demand.
- Projected full lifetime costs of the regional transportation system components, including construction, operations, and maintenance.
- Cost covered by established funding sources.

These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of

the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in Fresno County and could reduce these impacts, there is no guarantee that Fresno County will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

The following roadway segments would also exceed the LOS D threshold, established by Fresno County:

- Cornelia Avenue
  - Dakota to Cortland Avenue
  - Cortland Avenue to Clinton Avenue
- Fowler Avenue
  - McKinley Avenue to Olive Avenue
- Jensen Avenue
  - Peach Avenue to Armstrong Avenue
- Kings Canyon Road
  - Fowler Avenue to Armstrong
  - East of Temperance Avenue
- Temperance Avenue
  - Kings Canyon Road to SR 180 EB Ramps
  - Butler Avenue to Lowe Avenue

These eight roadway segments will exceed the LOS D threshold established by Fresno County. If incorporated, Policy MT-2-i of the proposed City of Fresno General Plan Update would allow LOS D, and LOS E and F on the roadway segments identified above as operating at LOS E and F with the implementation of the General Plan Update at these locations.

The General Plan Update accepts lower LOS values. This reflects a change in policy for the City of Fresno to acknowledge that transportation planning based solely on roadway LOS, which considers only driver comfort and convenience, is not desirable since it fails to acknowledge other users of the circulation system and other community values. In evaluating the roadway system, a lower vehicle LOS may be desired when balanced against other community values related to resource protection, social equity, economic development, and consideration of pedestrians, bicyclists, and transit users. In addition, roadway LOS is directly linked to roadway infrastructure costs. A higher LOS results in greater expenditure of infrastructure for wider roadways that do not necessarily serve all users of the circulation system and may compete with other policies of the General Plan Update.

With the General Plan Update (and if incorporated), impacts to these roadways would be less than significant.

If not incorporated, the City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in Fresno County and could reduce these impacts, there is no guarantee that Fresno County will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

The following roadway segments would also exceed the LOS D threshold, established by Fresno County, in an area that represents the southern employment areas within and planned by the City.

- Jensen Avenue
  - Chestnut Avenue to Willow Avenue
  - Willow Avenue to Peach Avenue

If incorporated, Policy MT-2-i of the proposed City of Fresno General Plan Update would allow LOS E, and LOSF on the roadway segments identified above as operating at LOS F with the implementation of the General Plan Update in this area. With the General Plan Update (and if incorporated), impacts to these roadways would be less than significant.

If not incorporated, the City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in Fresno County and could reduce these impacts, there is no guarantee that Fresno County will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

City of Clovis

Build-out of the City of Fresno General Plan Update would add vehicle trips to roadways that would result in operations below the LOS thresholds of the City of Clovis under existing conditions. Impacts to roadways within the City of Clovis were analyzed based on the City's minimum LOS threshold established by the City of Clovis 1993 General Plan, which identifies the following Policy:

Policy 1.3 Level of Service should meet the City standard on major streets and intersection within the Clovis Project Area.

Action 1.3.2 Designate Service Level "D" as defined in the Highway Capacity Manual as the minimum desirable service level at which freeways, expressways, arterial streets and collector streets should operate.

The following study roadway segment is anticipated to operate at a lower level of service than the established LOS thresholds in Fresno County and the City of Clovis during the PM peak hour under existing conditions:

- Temperance Avenue
  - Ashlan Avenue to Shields Avenue

The resulting LOS for each of the identified roadway segments is due to a combination of traffic volumes assuming build-out of the City of Fresno General Plan Update combined with existing traffic generated outside of the City. The City of Fresno General Plan Update includes the following policy related to transportation funding and regional-level coordination:

Policy MT-2-j Funding for Multi-Modal Transportation Systems. Continue to seek and secure adequate financing to construct and maintain a complete multi-modal system through such measures as development of impact fees, local sales tax measures, special tax measures, assessment/improvement districts, and regional, state and federal transportation funds and grants.

Policy MT-2-l Region-wide Transportation Impact Fees. Continue to support the implementation of a metropolitan-wide and region-wide transportation impact fees sufficient to cover the proportional share of a development's impacts to and need for a comprehensive multi-modal transportation system that is not funded by other sources. Work with the Council of Fresno County Governments, transportation agencies (e.g., Caltrans, Federal Transportation Agency) and other jurisdictions in the region to develop a method for determining:

- Regional transportation impacts of new development;
- Regional highways, streets, trails, public transportation, goods movement system components, consistent with the General Plan, necessary to mitigate those impacts and serve projected demand;
- Projected full lifetime costs of the regional transportation system components, including construction, operations, and maintenance; and
- Cost covered by established funding sources.

These policies are crafted so that new City development pays the proportional share of the developments impacts.

The City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in the City of Clovis and could reduce these impacts, there is no guarantee that the City of Clovis will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

Caltrans

Build-out of the City of Fresno General Plan Update would add vehicle trips to roadways that would result in operations below the LOS thresholds for Caltrans facilities under existing conditions.

The following Caltrans roadways are anticipated to operate at a lower level of service than LOS D in the City of Fresno planning area during the AM and PM peak hour assuming build-out of the City of Fresno General Plan Update under existing conditions.

- SR 99 (Southbound)
  - Shaw Avenue to Ashlan Avenue
  - Clinton Avenue to McKinley Avenue
  - McKinley Avenue to Olive Avenue
  - Olive Avenue to Belmont Avenue
  - SR 180 to Stanislaus Avenue
  - Fresno Street to Ventura Avenue
- SR 99 (Northbound)
  - McKinley Avenue to Olive Avenue
  - Olive Avenue to Belmont Avenue
  - Belmont Avenue to SR 180
  - SR 180 to Stanislaus Avenue
  - Fresno Street to Ventura Avenue
- SR 41 (Southbound)
  - North of Friant Road
  - Herndon Avenue to Bullard Avenue
  - Bullard Avenue to Shaw Avenue
  - Shields Avenue to McKinley Avenue
- SR 41 (Northbound)
  - Bullard Avenue to Shaw Avenue
  - Shields Avenue to McKinley Avenue
  - SR 180 to Divisadero Street

- Divisadero Street to Van Ness Avenue
- Van Ness Avenue to SR 99

- SR 180 (Eastbound)
  - Brawley Avenue to Marks Avenue
  - SR 99 to Fulton Street
  - Fulton Street to Abby Street
  - SR 41 to SR 168
  - Chestnut Avenue to Peach Avenue
  - Fowler Avenue to Temperance Avenue

- SR 180 (Westbound)
  - Brawley Avenue to Marks Avenue
  - Marks Avenue to SR 99
  - Fulton Street to Abby Street
  - SR 41 to SR 168
  - Peach Avenue to Clovis Avenue
  - Clovis Avenue to Fowler Avenue
  - Fowler Avenue to Temperance Avenue

The resulting LOS exceedance for each of the identified roadway segments is due to a combination of traffic volumes assuming build-out of the City of Fresno General Plan Update combined with existing traffic generated outside of the City. The City of Fresno General Plan Update includes the following policy related to transportation funding and regional-level coordination:

Policy MT-2-j Funding for Multi-Modal Transportation Systems. Continue to seek and secure adequate financing to construct and maintain a complete multi-modal system through such measures as development of impact fees, local sales tax measures, special tax measures, assessment/improvement districts, and regional, state and federal transportation funds and grants.

Policy MT-2-l Region-wide Transportation Impact Fees. Continue to support the implementation of a metropolitan-wide and region-wide transportation impact fees sufficient to cover the proportional share of a development's impacts to and need for a comprehensive multi-modal transportation system that is not funded by other sources. Work with the Council of Fresno County Governments, transportation agencies (e.g., Caltrans, Federal Transportation Agency) and other jurisdictions in the region to develop a method for determining:

- Regional transportation impacts of new development;
- Regional highways, streets, trails, public transportation, goods movement system components, consistent with the General Plan, necessary to mitigate those impacts and serve projected demand;

- Projected full lifetime costs of the regional transportation system components, including construction, operations, and maintenance; and
- Cost covered by established funding sources.

These policies are crafted so that new City development pays the proportional share of the developments impacts.

The City of Fresno General Plan Update will accommodate planned population and employment growth without expanding its current SOI, accommodating 180,000 more people than the current General Plan in the same area. The intent is to accommodate anticipated growth though compact, walkable, infill, new complete neighborhoods, and mixed-use development through intensification of the downtown planning area, high capacity transit corridors, intensive urban activity centers, and multi-modal districts. This focus will locate population and employment closer to services. As discussed under Impact TRANS-1 in the Draft Master EIR, increased development density and intensity is correlated with reduced vehicle trips. Mixing complementary uses in a neighborhood setting increase internal trip "capture," and different urban design approaches increase transportation connectivity and provide high-quality bicycle, pedestrian, and transit facilities by increasing the relative attractiveness of non-automobile modes of travel to promote travel mode shifts. The City of Fresno General Plan Update also provides a complete streets approach, which considers all modes of transportation, in the planning, design and implementation facilities to support planned population and employment growth. Even with this focus on more compact development and complete street concepts, vehicle travel as measured in terms of VMT is forecast to increase.

The phenomenon where additional capacity leads to additional demand for travel is known as "induced travel." Induced travel occurs when the cost of travel is reduced (i.e., travel time reduction due to additional capacity) causing an increase in demand (more travelers using the improved facility). The reduction in travel time causes various responses by travelers, including diversion from other routes, changes in destinations, changes in mode, departure time shifts, and possibly the creation of new trips altogether. Expansion of the regional freeway system, consistent with the 2011 RTP, will contribute to induced travel and therefore may compete with objectives of the City of Fresno General Plan update that foster more compact multi-modal development.

The City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure funding for new development's impacts to regional facilities that would contribute to planned expansion of the freeway system. However, improvements to the freeway system are for

roadways under Caltrans' jurisdiction. Therefore, the City of Fresno does not have control over their timing or implementation, and this impact would remain significant and unavoidable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that are available beyond the policies within the General Plan Update because the City of Fresno does not have control over the timing or implementation of improvements within the County of Fresno, City of Clovis, or Caltrans facilities.

2.7.2 - Traffic Increase – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would 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.

Cumulative impacts identified due to increases in peak hour traffic volumes are based on build-out of the City of Fresno General Plan Update along with cumulative development in the remainder of Fresno County. Along with build-out of planned population and employment, the analysis assumes the transportation system displayed in Appendix H-6 and H-7 in the Draft Master EIR. Build-out of the City of Fresno General Plan Update would add vehicle trips to roadways that would result in operations below the adopted level of service thresholds in the City of Fresno, unincorporated Fresno County, City of Clovis, and to Caltrans facilities. This is a significant impact.

County of Fresno

Build-out of the City of Fresno General Plan Update would add vehicle trips to roadways that would result in operations below the LOS thresholds of unincorporated Fresno County under cumulative conditions.

Impacts to roadways within Fresno County were analyzed based on the County's minimum LOS threshold established by the County of Fresno 2000 General Plan, which identifies the following Policy:

Policy TR-A.2 The County shall plan and design its roadway system in a manner that strives to meet Level of Service (LOS) D on urban roadways within the spheres of influence of the cities of Fresno and Clovis and LOS C on all other roadways in the county.

The following County study roadway segments are anticipated to operate at a lower level of service than the established LOS thresholds in Fresno County during the AM and PM peak hours under cumulative conditions.

- Ashlan Avenue
  - Fruit Avenue to Palm Avenue
  - Palm to Maroa Avenue
- Barstow Avenue
  - Marks Avenue to Van Ness Boulevard
  - Van Ness Boulevard to West Avenue
  - West Avenue to Fruit Avenue
  - Fruit Avenue to Palm Avenue
- Clovis Avenue
  - SR 180 EB Ramps to Belmont Avenue
  - Butler Avenue to California Avenue
- Fowler Avenue
  - Kings Canyon Drive to Hamilton Avenue
- Jensen Avenue
  - Martin Luther King Jr. Boulevard to Clara Avenue
- Maroa Avenue
  - Sample Avenue to Bullard Avenue
  - Bullard Avenue to Browning Avenue
  - Gettysburg Avenue to Holland Avenue
- Sierra Avenue
  - Marks Avenue to West Avenue
  - West Avenue to Thorne Avenue
  - Thorne Avenue to Palm Avenue

If incorporated, Policy MT-2-i of the proposed City of Fresno General Plan Update would allow LOS E, and LOS F on the roadway segments identified above as operating at LOS F with the implementation of the General Plan Update at these roadway segments.

The General Plan Update accepts lower LOS values. This reflects a change in policy for the City of Fresno to acknowledge that transportation planning based solely on roadway LOS, which considers only driver comfort and convenience, is not desirable since it fails to acknowledge other users of the circulation system and other community values. In evaluating the roadway system, a lower vehicle LOS may be desired when balanced against other community values related to resource protection, social equity, economic development, and consideration of pedestrians, bicyclists, and transit users. In addition, roadway LOS is directly linked to roadway infrastructure costs. A higher LOS results in greater expenditure of infrastructure for wider roadways that do not necessarily serve all users of the circulation system and may compete with other policies of the General Plan Update.

With the General Plan Update (and if incorporated), impacts to these roadways would be less than significant.

If not incorporated, the City of Fresno General Plan Update includes the following policy related to transportation funding and regional-level coordination:

Policy MT-2-j Funding for Multi-Modal Transportation Systems. Continue to seek and secure adequate financing to construct and maintain a complete multi-modal system through such measures as development of impact fees, local sales tax measures, special tax measures, assessment/improvement districts, and regional, state and federal transportation funds and grants.

Policy MT-2-l Region-wide Transportation Impact Fees. Continue to support the implementation of a metropolitan-wide and region-wide transportation impact fees sufficient to cover the proportional share of a development's impacts to and need for a comprehensive multi-modal transportation system that is not funded by other sources. Work with the Council of Fresno County Governments, transportation agencies (e.g., Caltrans, Federal Transportation Agency) and other jurisdictions in the region to develop a method for determining:

- Regional transportation impacts of new development;
- Regional highways, streets, trails, public transportation, goods movement system components, consistent with the General Plan, necessary to mitigate those impacts and serve projected demand;
- Projected full lifetime costs of the regional transportation system components, including construction, operations, and maintenance; and
- Cost covered by established funding sources.

These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in Fresno County and could reduce these impacts, there is no guarantee that Fresno County will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

The following County roadway segments would also exceed the LOS D threshold, established by Fresno County in a portion of the Plan Area that generally represents areas near or outside the City Limits but within the SOI as of December 31, 2012.

- Alluvial Avenue
  - Pinedale Avenue to Chestnut Avenue

  - Chestnut Avenue to Willow Avenue
- Armstrong Avenue
  - McKinley Avenue to Olive Avenue
- Cornelia Avenue
  - Ashlan Avenue to Griffith Way
  - Griffith Way to Dakota Avenue
  - Dakota Avenue to Cortland Avenue
  - Cortland Avenue to Clinton Avenue
- Fowler Avenue
  - McKinley Avenue to Olive Avenue
- Jensen Avenue
  - Peach Avenue to Armstrong Avenue
- Kings Canyon Road
  - Fowler Avenue to Armstrong Avenue
  - East of Temperance Avenue
- Marks Avenue
  - Whites Bridge Avenue to SR 180 EB Ramps
- Temperance Avenue
  - Shields Avenue to McKinley Avenue
  - Kings Canyon Road to SR 180 EB Ramps
  - Butler Avenue to Lowe Avenue

If incorporated, Policy MT-2-i of the proposed City of Fresno General Plan Update would allow LOS D, and LOS E and F on the roadway segments identified above as operating at LOS E and F with the implementation of the General Plan Update in this portion of the Plan Area.

The General Plan Update accepts lower LOS values. This reflects a change in policy for the City of Fresno to acknowledge that transportation planning based solely on roadway LOS, which considers only driver comfort and convenience, is not desirable since it fails to acknowledge other users of the circulation system and other community values. In evaluating the roadway system, a lower vehicle LOS may be desired when balanced against other community values related to resource protection, social equity, economic development, and consideration of pedestrians, bicyclists, and transit users. In addition, roadway LOS is directly linked to roadway infrastructure costs. A higher LOS results in greater expenditure of infrastructure for wider roadways that do not necessarily serve all users of the circulation system and may compete with other policies of the General Plan Update.

With the General Plan Update (and if incorporated), impacts to these roadways would be less than significant.

If not incorporated, the City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in Fresno County and could reduce these impacts, there is no guarantee that Fresno County will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

The following roadway segments would exceed the LOS D threshold, established by Fresno County, in a portion of the Planning Area that represents the southern employment areas within and planned by the City.

- Jensen Avenue
  - Pullman Street to Cedar Avenue
  - Maple Avenue to Chestnut Avenue
  - Chestnut Avenue to Willow Avenue
  - Willow Avenue to Helm Avenue

If incorporated, Policy MT-2-i of the proposed City of Fresno General Plan Update would allow LOS E, and LOSF on the roadway segments identified above as operating at LOS F with the implementation of the General Plan Update at these roadways.

The General Plan Update accepts lower LOS values. This reflects a change in policy for the City of Fresno to acknowledge that transportation planning based solely on roadway LOS, which considers only driver comfort and convenience, is not desirable since it fails to acknowledge other users of the circulation system and other community values. In evaluating the roadway system, a lower vehicle LOS may be desired when balanced against other community values related to resource protection, social equity, economic development, and consideration of pedestrians, bicyclists, and transit users. In addition, roadway LOS is directly linked to roadway infrastructure costs. A higher LOS results in greater expenditure of infrastructure for wider roadways that do not necessarily serve all users of the circulation system and may compete with other policies of the General Plan Update.

With the General Plan Update (and if incorporated), impacts to these roadways would be less than significant.

If not incorporated, the City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and

need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in Fresno County and could reduce these impacts, there is no guarantee that Fresno County will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

City of Clovis

Build-out of the City of Fresno General Plan Update would add vehicle trips to roadways that would result in operations below the LOS thresholds of the City of Clovis under cumulative conditions.

Impacts to roadways within the City of Clovis were analyzed based on the City's minimum LOS threshold established by the City of Clovis 1993 General Plan, which identifies the following Policy:

Policy 1.3 Level of Service should meet the City standard on major streets and intersection within the Clovis Project Area.

Action 1.3.2 Designate Service Level "D" as defined in the Highway Capacity Manual as the minimum desirable service level at which freeways, expressways, arterial streets and collector streets should operate.

The following study roadway segment is anticipated to operate at a lower level of service than the established LOS thresholds in Fresno County and the City of Clovis during the AM and PM peak hours under cumulative conditions:

- Bullard Avenue
  - East of Willow Avenue

The resulting LOS for each of the identified roadway segments is due to a combination of traffic volumes assuming build-out of the City of Fresno General Plan Update combined with existing traffic generated outside of the City. The City of Fresno General Plan Update includes the following policy related to transportation funding and regional-level coordination:

Policy MT-2-j Funding for Multi-Modal Transportation Systems. Continue to seek and secure adequate financing to construct and maintain a complete multi-modal system through such measures as development of impact fees, local sales tax measures, special tax measures, assessment/improvement districts, and regional, state and federal transportation funds and grants.

Policy MT-2-l Region-wide Transportation Impact Fees. Continue to support the implementation of a metropolitan-wide and region-wide transportation impact fees sufficient to cover the proportional share of a development's impacts to and need for a comprehensive multi-modal transportation system that is not funded by other sources. Work with the Council of Fresno County Governments, transportation

agencies (e.g., Caltrans, Federal Transportation Agency) and other jurisdictions in the region to develop a method for determining:

- Regional transportation impacts of new development;
- Regional highways, streets, trails, public transportation, goods movement system components, consistent with the General Plan, necessary to mitigate those impacts and serve projected demand;
- Projected full lifetime costs of the regional transportation system components, including construction, operations, and maintenance; and
- Cost covered by established funding sources.

These policies are crafted so that new city development pays the proportional share of the developments impacts.

The City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure fair-share funding toward roadway impacts in the City of Clovis and could reduce these impacts, there is no guarantee that the City of Clovis will agree to new funding mechanisms or construct roadway capacity expansion projects to reduce the identified impacts if desired. Therefore, this would remain significant and unavoidable.

Caltrans

Build-out of the City of Fresno General Plan Update would add vehicle trips to roadways that would result in operations below the LOS thresholds for Caltrans facilities under cumulative conditions.

The following Caltrans roadways are anticipated to operate at a lower level of service than LOS D in the City of Fresno planning area during the AM and PM peak hour assuming build-out of the City of Fresno General Plan Update under cumulative conditions.

- SR 99 (Southbound)
  - Shaw Avenue to Ashlan Avenue
  - Clinton Avenue to McKinley Avenue
  - McKinley Avenue to Olive Avenue
  - Olive Avenue to Belmont Avenue
  - SR 180 to Stanislaus Avenue
  - Fresno Street to Ventura Avenue
  - Jensen Avenue to North Avenue
- SR 99 (Northbound)

  - Herndon Avenue to Veterans Boulevard
  - Veterans Boulevard to Shaw Avenue
  - Shaw Avenue to Ashlan Avenue
  - Olive Avenue to Belmont Avenue
  - Belmont Avenue to SR 180
  - SR 180 to Stanislaus Avenue
  - Fresno Street to Ventura Avenue
  - Jensen Avenue to North Avenue

- SR 41 (Southbound)
  - North of Friant Road
  - Herndon Avenue to Bullard Avenue
  - Bullard Avenue to Shaw Avenue
  - Shields Avenue to McKinley Avenue
  - Bullard Avenue to Shaw Avenue
  - Shields Avenue to McKinley Avenue

- SR 41 (Northbound)
  - North of Friant Road
  - Bullard Avenue to Shaw Avenue
  - Shields Avenue to McKinley Avenue
  - SR 180 to Divisadero Street
  - Divisadero Street to Van Ness Avenue
  - Van Ness Avenue to SR 99

- SR 180 (Eastbound)
  - Brawley Avenue to Marks Avenue
  - Marks Avenue to SR 99
  - SR 99 to Fulton Street
  - Fulton Street to Abby Street
  - Fowler Avenue to Temperance Avenue

- SR 180 (Westbound)
  - Brawley Avenue to Marks Avenue
  - Marks Avenue to SR 99
  - Fulton Street to Abby Street
  - Chestnut Avenue to Peach Avenue
  - Peach Avenue to Clovis Avenue
  - Clovis Avenue to Fowler Avenue
  - Fowler Avenue to Temperance Avenue

The resulting LOS for each of the identified roadway segments is due to a combination of traffic volumes assuming build-out of the City of Fresno General Plan Update combined with existing traffic generated outside of the City. The City of Fresno General Plan Update includes the following policy related to transportation funding and regional-level coordination:

Policy MT-2-j Funding for Multi-Modal Transportation Systems. Continue to seek and secure adequate financing to construct and maintain a complete multi-modal system through such measures as development of impact fees, local sales tax measures, special tax measures, assessment/improvement districts, and regional, state and federal transportation funds and grants.

Policy MT-2-l Region-wide Transportation Impact Fees. Continue to support the implementation of a metropolitan-wide and region-wide transportation impact fees sufficient to cover the proportional share of a development's impacts to and need for a comprehensive multi-modal transportation system that is not funded by other sources. Work with the Council of Fresno County Governments, transportation agencies (e.g., Caltrans, Federal Transportation Agency) and other jurisdictions in the region to develop a method for determining:

- Regional transportation impacts of new development;
- Regional highways, streets, trails, public transportation, goods movement system components, consistent with the General Plan, necessary to mitigate those impacts and serve projected demand;
- Projected full lifetime costs of the regional transportation system components, including construction, operations, and maintenance;
- Cost covered by established funding sources.

These policies are crafted so that new City development pays the proportional share of the developments impacts. The City of Fresno General Plan Update will accommodate planned population and employment growth without expanding its current SOI, accommodating 180,000 more people than the current General Plan in the same area. The intent is to accommodate anticipated growth though compact, walkable, infill, new complete neighborhoods, and mixed-use development through intensification of the downtown planning area, high capacity transit corridors, intensive urban activity centers, and multi-modal districts. This focus will locate population and employment closer to services. As discussed under Impact TRANS-1 in the Draft Master EIR, increased development density and intensity is correlated with reduced vehicle trips. Mixing complementary uses in a neighborhood setting increase internal trip "capture," and different urban design approaches increase transportation connectivity and provide high-quality bicycle, pedestrian, and transit facilities by increasing the relative attractiveness of non-automobile modes of travel to promote travel mode shifts. The City of Fresno General Plan Update also provides a complete streets approach, which considers all modes of transportation, in the planning, design and implementation facilities to support planned population and employment growth. Even with this focus on more compact development and complete street concepts, vehicle travel as measured in terms of VMT is forecast to increase.

The phenomenon where additional capacity leads to additional demand for travel is known as "induced travel." Induced travel occurs when the cost of travel is reduced (i.e., travel time reduction due to additional capacity) causing an increase in demand (more travelers using the improved

facility). The reduction in travel time causes various responses by travelers, including diversion from other routes, changes in destinations, changes in mode, departure time shifts, and possibly the creation of new trips altogether. Expansion of the regional freeway system, consistent with the 2011 RTP, will contribute to induced travel and therefore may compete with objectives of the City of Fresno General Plan update that foster more compact multi-modal development.

The City of Fresno General Plan Update includes Policy MT-2-j and MT-2-I (included above) related to transportation funding and regional-level coordination. These policies are crafted so that new City development pays the proportional share of the developments impacts. These policies identify continued support for the implementation of metropolitan-wide and region-wide transportation impact fees to cover the proportional share of the developments impacts and need for a comprehensive multi-modal transportation system that are not funded by other sources. While implementation of the policies included in the City of Fresno General Plan Update would work to ensure funding for new development's impacts to regional facilities that would contribute to planned expansion of the freeway system. However, improvements to the freeway system are for roadways under Caltrans' jurisdiction. Therefore, the City of Fresno does not have control over their timing or implementation, and this impact would remain significant and unavoidable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

There are no feasible mitigation measures that are available beyond the policies within the General Plan Update because the City of Fresno does not have control over the timing or implementation of improvements within the County of Fresno, City of Clovis, or Caltrans facilities.

2.8 - Utilities and Service Systems

2.8.1 - Water or Wastewater Treatment Facilities – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would 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.

As discussed in Impact USS-1 in the Draft Master EIR, the implementation of the General Plan Update will result in the need for the expansion and new wastewater treatment facilities to serve future land uses and population. In addition, according to the City of Fresno Metropolitan Water Resources Management Plan Phase 2, the expansion and new surface water treatment facilities will be needed to increase water supplies within the Planning Area. Therefore, development in accordance with the

General Plan Update would result in a significant impact on the existing wastewater treatment facilities and water supplies.

The Regional Facility located near the intersection of Jensen and Cornelia Avenues would require an approximately 70 MGD expansion to accommodate anticipated demand by approximately the year 2025. An additional expansion of 9.6 MGD is anticipated for approximately after the year 2025. The capacity of the existing North Facility is anticipated to require expansion from 0.71 MGD to 1.2 MGD by approximately the year 2025.

The development of a new 24 MGD wastewater treatment facility is planned to be located within the Southeast Development Area to accommodate future growth.

A summary of the wastewater treatment facilities that would need to be constructed to accommodate future development associated with the General Plan Update includes the following.

- Construct 70.0 million gallon per day (MGD) expansion at the Fresno-Clovis Regional Wastewater Reclamation Facility, in accordance with the City of Fresno 2006 Wastewater Master Plan.
- Construct 25,000 acre-feet per year recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility, in accordance with the January 2012 City of Fresno Metropolitan Water Resources Management Plan.
- Construct a 0.49 MGD expansion of the North Facility.
- Construct 24 MGD wastewater treatment facility within the Southeast Development Area, in accordance with the City of Fresno 2006 Wastewater Master Plan.
- Construct 9.6 million gallon per day (MGD) expansion at the Fresno-Clovis Regional Wastewater Reclamation Facility.

The City of Fresno owns and operates two surface water treatment facilities, the Northeast Surface Water Treatment Facility (NESWTF) and the T-3 SWTF. Based on current projections, the City anticipates the need to increase the existing capacity (30 MGD = 33,604 AF/year) of the Chestnut SWTF by an additional 30 MGD (33,604 AF/year). In addition, the City anticipates the need to construct a new 80 MGD (89,611 AF/year) SWTF near the intersection of Olive and Armstrong Avenues in the southeastern portion of the Planning Area and a possible new 20 MGD (22,403 AF/year) SWTF near the intersection of Church and Marks Avenue in the southwestern portion of the Planning Area. With the additional anticipated surface water treatment capacity of 160 MGD (179,222 AF/year), there would still need to be additional new or expanded surface water treatment or recharge facilities to accommodate the remaining 5,478 AF/year of available surface water supplies from FID and USBR which consists of 184,700 AF/year. Following is a summary of the necessary improvements.

- Construct an 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of

the City of Fresno Metropolitan Water Resources Management Plan Update Phase 2 Report, January 2012 (2012 Metro Plan Update).

- Construct a 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 25,000 AF/year recycled water facility as an expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the January 2012 City of Fresno Metropolitan Water Resources Management Plan. This improvement is required after the year 2025.

In addition to treatment facilities, the implementation of the proposed General Plan Update would result in significant impacts on existing wastewater collection system and water conveyance facilities. Following are descriptions of the needed wastewater and water facilities to accommodate buildout in accordance with General Plan Update.

The existing wastewater collection system has several junction locations where flow distribution between downstream sewers can potentially be controlled. There are several areas where wastewater flow rates are expected to exceed existing sewer capacity. It is possible that other areas within the wastewater collection system may also experience flows in excess of existing sewer capacities. Additionally, a separate wastewater analysis identified four potentially deficient pipe segments totaling 4,730 feet.

Based on a review of the 2012 City of Fresno Metropolitan Water Resources Management Plan (Metro Plan), the existing water infrastructure facilities are not adequate to provide service to the population and land uses associated with the buildout of the 2025 General Plan. Since the proposed General Plan Update will result in approximately 425,000 more people and substantially more non-residential land uses compared to the 2025 General Plan, the existing water infrastructure facilities will not be adequate to serve the population and land uses associated with buildout of the General Plan Update. Therefore, the development in accordance with the General Plan Update would result in a significant impact on existing water infrastructure facilities. The 2012 Metro Update identified various improvements that will be required to adequately serve a portion of the buildout of the General Plan Update within the Planning Area. These improvements include the following.

- Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

- Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 95.9 miles of 16-inch transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. This improvement is required approximately after the year 2035.
- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. This improvement is required approximately after the year 2035.

In addition to the above improvements, additional facilities such as pipelines and storage facilities within Downtown area as well as other areas of the Planning Area are expected to be required to adequately serve the buildout of the General Plan Update.

The construction of expanded and new wastewater treatment facilities and surface water treatment facilities, recharge facilities, wastewater collection system facilities, and water infrastructure facilities could result in short-term environmental effects. These temporary effects include traffic, air emissions, greenhouse gas emissions, and noise from construction equipment and vehicles as well as water quality effects during construction.

Depending on the specific location of the expanded or new facilities, additional construction impacts that could result in long-term effects are related to aesthetics, agricultural resources, biological resources, and cultural resources. Following is a discussion of these potential impacts.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures AQ-1 through AQ-5, AES-1 through AES-5, BIO-1 through BIO-9, and CR-1 through CR-4 is required.

MM USS-4 A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented subject to approval by the City prior to construction. The plan shall identify hours of construction and for deliveries, include haul routes, identify access and parking restrictions, plan for notifications, identify pavement markings and signage, and a plan for coordination with emergency service providers and schools.

MM USS-5 Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.

Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update Phase 2 Report, January 2012 (2012 Metro Plan Update).

Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

MM USS-6 Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and

exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.

Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27-inches to 42-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP.

Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33-inches to 60-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP.

North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48-inches to 66-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1.

Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24-inches to 36-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP.

MM USS-7 Prior to exceeding capacity within the existing 28 pipeline segment shown on Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided.

MM USS-8 Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.

- Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

- Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 95.9 miles of 16-inch transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

MM USS-9 Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.

- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.
- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.

Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.

The potential project impacts during the construction of the required facilities could remain significant and unavoidable.

2.8.2 - Water or Wastewater Treatment Facilities – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would 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.

Public utility districts, water districts, and other municipalities exist near or adjacent to the Planning Area and include the City of Clovis, Pinedale Public Utility District, Pinedale County Water District, Malaga Water District, and Bakman Water Company. These entities could have construction projects of new water or wastewater treatment facilities or other urban development that could cause similar significant environmental impacts as discussed above. Since the proposed project would result in potential significant environmental effects from the construction of expanded and new treatment facilities and sewer and water conveyance facilities, the project's contribution to cumulative environmental impacts would be considerable, and the project would result in a significant cumulative environmental impact.

As cumulative development occurs outside of the Planning Area, these developments may not result in additional demands on the existing treatment facilities and conveyance facilities. The City of Clovis is the only entity outside of the Planning Area that contributes wastewater to the Regional Facility. This contribution is currently limited to 9.3 MGD, and there is no additional capacity within the current or future expansion of the Regional Facility that is planned to be allocated to the City of Clovis. Currently, the sewer and water conveyance facilities serve areas within the Planning Area and no areas outside of the Planning Area. Cumulative development outside of the Planning Area is not expected to impact existing or future water or sewer facilities. Therefore, as identified above, the implementation of the General Plan Update would result in a significant impact on water and sewer facilities. This impact is also considered a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been lessened by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures USS-4 through USS-9, AQ-1 through AQ-5, AES-1 through AES-5, BIO-1 through BIO-9, and CR-1 through CR-4 is required.

The project's contribution to potential cumulative impacts during the construction of the required facilities could remain significant and unavoidable.

2.8.3 - Stormwater Drainage Facilities – Project Impact

Significant Impact

The Final EIR identified project-specific significant impacts that would 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.

As development occurs throughout the Planning Area in accordance with the General Plan and Development Code Update, new and expanded storm water drainage facilities will be needed to adequately accommodate the increases in storm water flow due to the addition of impervious surfaces. Therefore, implementation of the General Plan Update would result in a significant impact on existing storm water drainage facilities.

Storm drainage facilities within the Planning Area as well as within Clovis are planned, implemented, operated, and maintained by the FMFCD. The existing and planned storm drainage facilities are documented in the Storm Drainage and Flood Control Master Plan (SDFCMP), which is developed and updated by FMFCD. The master plan drainage system for the Planning Area consists of 130 individual drainage areas or urban watersheds. The majority of the Planning Area is located within one of the individual drainage areas or urban watersheds. There are portions of the southeastern and western portions of the Planning Area that are not within an individual drainage area or watershed.

In 2007, the FMFCD approved the 2004 District Services Plan (Services Plan) that included flood control, local stormwater drainage, water conservation, and recreational uses within its service area. A Master EIR was prepared for the 2004 Services Plan, certified in 2007, and identified various programs including the local stormwater drainage program. This program includes facilities to accommodate future growth in accordance with land use plans approved in 2007 (i.e., the City of Fresno 2025 General Plan). These facilities include conveyance systems such as streets and gutters, storm drain inlets, storm drain pipelines, detention and retention basins, pump stations, and outfall facilities that collect and drain runoff from developed land areas. The Master EIR identified the potential environmental effects associated with the construction and operation of these future stormwater drainage facilities to adequately accommodate growth in accordance with the 2025 General Plan.

A Storm Drainage Technical Report was prepared by Blair, Church & Flynn in 2013 (see Appendix G-1), to address changes in storm water volumes within the 130 individual drainage areas of the Planning Area. The analysis included an evaluation of existing basin storage compared to the required storage to accommodate the land uses under the 2025 General Plan. The comparison found that there were 37 existing drainage areas within the Planning Area that have deficient stormwater basin storage. The analysis also included an evaluation of the changes in the future basin storage to accommodate the land uses proposed under the General Plan Update. Please note that the Storm

Drainage Technical Report referred to the General Plan Update as the 2035 General Plan; however, the land uses that were evaluated were those land uses that would not be buildout until the year 2056. Under this second evaluation, there were two previous drainage areas that were found to have deficient basin storage; however, under the land use proposed under the General Plan Update, the two drainage areas would no longer have deficient storage (see Appendix G-1). The second evaluation also found one additional drainage area that would have deficient basin storage compared to the 2025 General Plan evaluation. In addition to storage basins, the development of land uses under the General Plan Update may require additional facilities beyond the facilities identified in the 2004 Services Plan. However, the type of facilities would be similar such as streets and gutters, storm drain inlets, storm drain pipelines, detention and retention basins, pump stations, and outfall facilities that collect and drain runoff from developed land areas. Therefore, the environmental analysis provided in the Final Master EIR for the 2004 District Services Plan is anticipated to adequately address the potential impacts associated with future stormwater facilities. As a result, the Master EIR that was certified for the 2004 Services Plan is hereby incorporated by reference into this Master EIR. Following is a summary of the potential significant effects that could occur with the construction and operation of the future storm water drainage facilities.

Hydrology and Water Quality

Impact USS-3.1:

- The implementation of future stormwater drainage facilities could significantly affect surface water hydrology and stream/channel geomorphology through year-round restoration of intermittent channel flows. This is Impact 4.1-4 in the 2004 District Services Plan Master EIR.

Biological Resources

Impact USS-3.2:

- Future facilities could result in the loss and/or alteration of vernal pools, seasonal wetlands and other waters of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers. This loss is considered a potentially significant impact. This is Impact 4.2-2 in the 2004 District Services Plan Master EIR.

Impact USS-3.3:

- Future facilities could result in the loss of special-status plant species. This is Impact 4.2-3 in the 2004 District Services Plan Master EIR.

Impact USS-3.4:

- Future facilities could result in the loss of federally listed vernal pool invertebrates crustaceans. This is Impact 4.2-4 in the 2004 District Services Plan Master EIR.

Impact USS-3.5:

- Future facilities could result in the loss of suitable habitat for the valley elderberry longhorn beetle (VELB). This is Impact 4.2-5 in the 2004 District Services Plan Master EIR.

Impact USS-3.6:

- Future facilities could result in the loss of nesting birds. This is Impact 4.2-6 in the 2004 District Services Plan Master EIR.

Impact USS-3.7:

- Future facilities could result in the loss of burrowing owl nesting habitat. This is Impact 4.2-7 in the 2004 District Services Plan Master EIR.

Impact USS-3.8:

- Future facilities could affect migratory salmonids in the San Joaquin River. This is Impact 4.2-8 in the 2004 District Services Plan Master EIR.

Impact USS-3.9:

- Future facilities would contribute to the cumulative loss and/or damage of sensitive habitats supporting native plants and wildlife species. This is Impact 4.2-10 in the 2004 District Services Plan Master EIR.

Recreation/Trails

Impact USS-3.10:

- Future facilities could result in the incompatibilities with adopted existing or planned trails and associated recreational facilities within the District service area. This is Impact 4.4-1 in the 2004 District Services Plan Master EIR.

Agricultural Resources

Impact USS-3.11:

- Future facilities could convert Prime Farmland, Farmland of Statewide Importance, and/or Unique Farmland to non-agricultural use. This is Impact 4.5-1 in the 2004 District Services Plan Master EIR.

Impact USS-3.12:

- Future facilities would contribute to the cumulative permanent loss of important farmlands. This is Impact 4.5-3 in the 2004 District Services Plan Master EIR.

Air Quality

Impact USS-3.13:

- The construction and operation of the future projects could exceed the SJVAPCD annual thresholds of significance for oxides of nitrogen (NOx). This is Impact 4.6-2 in the 2004 District Services Plan Master EIR.

Impact USS-3.14:

- Construction of the future facilities would add to the cumulative levels of ozone precursors in the SJVAB. This is Impact 4.6-6 in the 2004 District Services Plan Master EIR.

The implementation of the General Plan Update objectives and policies identified in Draft EIR Sections Hydrology and Water Quality (Section 5.9), Biological Resources (Section 5.4), Public Services (Section 5.13), Agricultural Resources (Section 5.2), and Air Quality (Section 5.3) would reduce the potential significant effects from the construction and operation of the future storm water drainage facilities. However, even with the implementation of these objectives and policies, the potential significant impacts identified above would remain.

The remaining environmental issues, except for greenhouse gas emissions, were addressed within the Master EIR published in 2004 as well as the as the Notice of Preparation (NOP) and Initial Study (IS/NOP) that was published in 1999 and again with the draft and final versions of the Master EIR. Each of the remaining environmental issues would result in either no impact or a less than significant impact. The implementation of future storm water drainage facilities could increase greenhouse gas emissions, primarily during construction activities. However, construction of the proposed facilities is not expected to result in a substantial increase in greenhouse gas emissions because the emissions would be temporary and would cease after construction is completed. Operation of the facilities would include infrequent vehicle trips associated with routine inspections and possibly maintenance of the basins. These operational activities would not conflict with the state's ability to meet the Assembly Bill (AB) 32 goals for the year 2020, and therefore, would result in a less than significant impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been reduced by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM USS-10 Maintain operational intermittent flows during the dry season within define channel capacity and downstream capture capabilities for recharge.

MM USS-11 (a) The FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required.

(b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters (as part of the FMFCD's CDFG Memorandum of Understanding (MOU), Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet "no net policy", the permits shall require replacement of wetland habitat at a 1:1 ratio.

(c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:

(i) Specific location, size, and existing hydrology and soils within the wetland creation area.

(ii) Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.

(iii) A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met, 2) to specify monitoring methodology, 3) to identify as far as is possible, specific remedial actions that will be required by Fresno Metropolitan Flood Control District in order to achieve the success criteria, and 4) to document the degree of success achieved in establishing wetland vegetation.

(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.

Or

(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, the FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.

MM USS-12 (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, the FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants then no further action required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.

(b) Based on the results of the survey, prior to design approval, the FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:

- The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).
- The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.

- The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population.

(c) Prior to design approval, the FMFCD in consultation with the CDFG and/or the USFWS, shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.

MM USS-13 (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, the FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans.

(b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp.

(c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Alternatively, mitigation shall be the purchase of mitigation credit through an accredited mitigation bank.

MM USS-14 (a) During facility design and prior to initiation of construction activities, the FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.

(b) The FMFCD shall avoid and protect all potential identified VELB habitat where feasible.

(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.

MM USS-15 Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, the FMFCD shall conduct a survey of

trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.

MM USS-16 (a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin.

If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.

(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.

Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby.

MM USS-17 (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFG on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River.

(b) Riparian vegetation on the levee shading the main channel that is removed or damaged as a result of levee raising shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of

replacement trees on or within the levees, detention ponds or channels shall be approved by the FMFCD and State Reclamation Board.

MM USS-18 (a) Prior to final design approval of all elements of the District Services Plan, the FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, the FMFCD shall implement the following.

(b) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, the FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.

(c) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or the FMFCD shall replace these facilities.

MM USS-19 (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.

(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.

(c) Off-road trucks should be equipped with on-road engines if possible.

(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.

MM USS-20 Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with the Fresno Metropolitan Flood Control District to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the additional capacity is provided.

Significant and unavoidable impacts related to agricultural resources and air quality during construction activities associated with stormwater drainage facilities would remain.

2.8.4 - Stormwater Drainage Facilities – Cumulative Impact

Significant Impact

The Final EIR identified significant cumulative impacts that would 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.

The FMFCD extends beyond the current boundaries of the spheres-of-influences for the City of Fresno and City of Clovis, but does not include the portion of the Planning Area that encompasses the southern portion of SEDA. Construction projects that are located immediately adjacent to the FMFCD boundary could cause similar significant environmental impacts as discussed above. Since the proposed project would result in potential significant environmental effects from the construction of new storm water drainage facilities, the project's contribution to cumulative environmental impacts would be considerable, and the project would result in a significant cumulative environmental impact. In addition, future cumulative development could contribute additional storm water within the Planning Area and therefore result in additional impacts to existing drainage areas. The proposed project's contribution of storm water impacts to existing drainage areas is considerable and would result in a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been reduced by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures USS-10 through USS-20 is required.

Significant and unavoidable impacts related to agricultural resources and air quality during construction activities associated with stormwater drainage facilities would remain.

SECTION 3: ADVERSE PROJECT-SPECIFIC AND CUMULATIVE IMPACTS WHICH CAN BE MITIGATED TO A LEVEL OF INSIGNIFICANCE

The Final EIR identified significant project-specific and cumulative adverse impacts of the proposed project and proposed mitigation measures to avoid or substantially lessen those impacts. Those impacts and mitigation measures are identified in the following section. The City of Fresno finds, based on the facts set forth in the record, which include but are not limited to the facts as set forth below, that the incorporation of the identified mitigation measures will mitigate the following identified significant project-specific and cumulative adverse impacts to a level that is considered less than significant.

3.1 - Aesthetics

Glare – Project Impact

Potentially Significant Impact

The Final EIR identified that the project would create a new source of substantial glare which would adversely affect views in the area.

Development in accordance with the General Plan and Development Code Update will result in land use changes by increasing densities and intensities of land uses within the Planning Area. These land use changes include the development of new residential and non-residential land uses.

Development in accordance with the General Plan and Development Code Update will increase the amount of structures that could create new sources of glare within the Planning Area and directly adjacent to the Planning Area. These new sources of glare could be from materials used on building facades, parking lots, signs, roadway surfaces, and motor vehicles. Within the City limits, there are currently many sources of glare, and future development will add to the existing sources. Within the rural and agricultural areas, there are limited sources of glare. The primary sources of glare that will be added within the Planning Area will occur from vertical structures such as building facades and signs. Parking lots, roadway surfaces and motor vehicles do not create substantial amount of glare. Therefore, due to the substantial amount of new building square footage planned for the Planning Area, new buildings will result in a substantial increase in glare. This increase could result in significant glare impacts.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM AES-1 Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

MM AES-2 Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.

MM AES-3 Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.

MM AES-4 Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.

MM AES-5 Materials used on building facades shall be non-reflective.

The implementation of the mitigation measures identified above would reduce impacts associated with glare to less than significant.

Glare – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project would create a new source of substantial cumulative glare which would adversely affect views in the area.

With future development outside of the Planning Area, there will be increases in the amount of structures that could create new sources of glare. These new sources of glare could be from materials used on building facades, parking lots, signs, roadway surfaces, and motor vehicles. Therefore, cumulative development could create significant glare impacts. Since the proposed project is expected to result in significant glare impacts, the project's contribution to potential cumulative glare impacts is cumulatively considerable. Therefore, the implementation of the project would result in significant cumulative glare impacts.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM AES-1 Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

MM AES-2 Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.

MM AES-3 Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.

MM AES-4 Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.

MM AES-5 Materials used on building facades shall be non-reflective.

The implementation of the mitigation measures identified above would reduce impacts associated with glare to less than significant.

3.2 - Air Quality

Odors – Project Impact

Potentially Significant Impact

The Final EIR identified that the project would create objectionable odors affecting a substantial number of people.

The City of Fresno has many sources with the potential to generate odors including wastewater treatment facilities, landfills, transfer stations, recycling centers, manufacturing plants, food

processors, painting operations, and rendering plants. The implementation of the Proposed General Plan Update could result in odor sources being located within the screening threshold distances and could result in significant impacts on sensitive receptors.

The proposed General Plan Update could also result in sensitive receptors being constructed within the screening level distances from existing odor sources. Under this situation, these potential odor impacts on new sensitive receptors could be significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM AQ-4 Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant.

The implementation of the mitigation measure identified above would reduce impacts associated with odors to less than significant.

Odors – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project would create objectionable odors affecting a substantial number of people.

The City of Fresno has many sources with the potential to generate odors including wastewater treatment facilities, landfills, transfer stations, recycling centers, manufacturing plants, food processors, painting operations, and rendering plants. The implementation of the Proposed General Plan Update could result in odor sources being located within the screening threshold distances and could result in significant impacts on sensitive receptors. Cumulative odor impacts can occur when a project is an odor generator with the potential to impact sensitive receptors and when a project containing sensitive receptors is proposed within the odor screening distances from an existing odor generator. There are no specific land uses or policies proposed in the General Plan that would result in a concentration of odor sources at any particular location. With the buildout of the Proposed General Plan Update, impact from projects could result in a cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM AQ-4 Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant.

The implementation of the mitigation measure identified above would reduce impacts associated with glare to less than significant.

3.3 - Biological Resources

Effect on Species – Project Impact

Potentially Significant Impact

The Final EIR identified that the project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Development within the Planning Area could result in the loss of natural vegetation communities that provide suitable habitat for 30 special-status plant and wildlife species that have the potential to occur or are known to occur within the Planning Area. The vegetation communities within the Planning Area boundary that provide suitable habitat for listed and other special-status species are described above, under Section 5.4.2 of the Master EIR. Development within the Planning Area could result in the loss or degradation of natural habitats such as annual grassland, oak woodland, lacustrine, riverine, and pasture, which may support special-status plant and wildlife species. Project-related impacts to any of these habitat types may result in a substantial adverse effect, if it is determined that a special-status species will be impacted, either directly or through habitat modifications.

Direct project impacts to species listed as a candidate, sensitive, or special-status species by local, state, and federal agencies should be avoided to the greatest extent feasible; however, it is acknowledged that future projects may not be able to avoid these species. Project-related impacts

that result in the direct take of a special-status species may be considered a significant impact. The presence/absence of a special-status species on a project site and the potential to impact a special-status species must be determined prior to project construction. If development within the Planning Area results in the direct take or loss of suitable habitat for any of the 30 special-status species that have the potential to occur in the Planning Area, project-level mitigation will be required. Project impacts to special-status species listed as threatened or endangered by CDFW and/or USFWS may also require agency consultation and/or take permits.

Proposed projects within the Planning Area will incorporate project design features outlined in the objectives and policies of the Fresno General Plan Update. The General Plan Update includes specific implementing policies pertaining to biological resources that must be adhered to for development within the Planning Area, specifically within the Open Space and Biological Resources Section of Chapter 5, the Parks, Open Space, and Schools Element. Project-level implementation of the General Plan Policies POSS-5-a through POSS-5-f will reduce potential project impacts to special-status species and their associated habitats.

To reduce potential project-specific impacts on biological resources, the General Plan Update includes the following policies.

Policy POSS-5-a Habitat Area Acquisition. Support state, federal, and local programs to acquire significant habitat areas for permanent protection and/or conjunctive educational and recreational use.

Policy POSS-5-b Habitat Conservation Plans. Participate in cooperative, multi-jurisdictional approaches for area-wide habitat conservation plans to preserve and protect rare, threatened, and endangered species.

Policy POSS-5-c Buffers for Natural Areas. Require development projects, where appropriate and warranted, to incorporate natural features (such as ponds hedgerows and wooded strips) to serve as buffers for adjacent natural areas with high ecological value.

Policy POSS-5-d Guidelines for Habitat Conservation. Establish guidelines for habitat conservation and mitigation programs. These programs will include:

- An evaluation of the site's environmental setting and proposed design and operating parameters of proposed mitigation measures.
- A graphic depiction of land to be acquired or set aside for mitigation activities.
- Mitigation site preparation plans.
- Specification of the types and sources of plant material used for any revegetation.
- Water irrigation plans.
- Post-planting maintenance and other operational measures to ensure successful mitigation.
- Monitoring at an appropriate frequency by qualified personnel and reporting of data collected to permitting agencies.

Policy POSS-5-e Pursue development of conjunctive habitat and recreational trail uses in flood control and drainage projects.

Policy POSS-5-f Regional Mitigation and Habitat Restoration. Coordinate habitat restoration programs with responsible agencies to take advantage of opportunities for a coordinated regional mitigation program.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The following measures are required to be implemented to reduce the project's impact on special-status species to less than significant. In addition, the implementation of the measures below would reduce the project's contribution to a potential significant cumulative loss of a population(s) of a special-status species to less than significant.

MM BIO-1 Construction of a proposed project should 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.

MM BIO-2 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 CDFW 2081 and 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 on a case-by-case basis through agency consultation.

MM BIO-3 Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and CESA. Mitigation will consist of

preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis.

MM BIO-4 Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor.

The implementation of the mitigation measures identified above would reduce impacts associated with effects on species to less than significant.

Effect on Species – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project could have a substantial adverse cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Development within the San Joaquin Valley study area during buildout of the Planning Area primarily focuses on the conversion of agricultural land to development, which will reduce the availability of suitable habitat for special-status species, including suitable foraging habitat for raptor species. Additionally, agricultural land and open space conversion has the potential to reduce the size, extent, and/or quality of existing wildlife movement corridors, due to habitat fragmentation of undeveloped open space areas within the San Joaquin Valley study area.

The loss of potentially suitable habitat for special-status species as a result of cumulative development would primarily result from the total conversion of agricultural and undeveloped land to urban and rural development. This potential conversion by cumulative development is considered a potential significant impact on special-status species. Since the proposed project would also result

in potential significant impacts on special-status species, the project's contribution is considered cumulatively considerable, and therefore, would result in a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The following measures are required to be implemented to reduce the project's impact on special-status species to less than significant. In addition, the implementation of the measures below would reduce the project's contribution to a potential significant cumulative loss of a population(s) of a special-status species to less than significant.

MM BIO-1 Construction of a proposed project should 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.

MM BIO-2 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 CDFW 2081 and 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 on a case-by-case basis through agency consultation.

MM BIO-3 Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and CESA. Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than

significant level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis.

MM BIO-4 Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor.

The implementation of the mitigation measures identified above would reduce impacts associated with effects on species to less than significant.

Riparian Habitat – Project Impact

Potentially Significant Impact

The Final EIR identified that the project could have a substantial adverse effect on any riparian habitat or other special-status natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The Planning Area contains riparian habitat areas and special-status natural communities, primarily along the Planning Area boundaries. The riparian habitat within the Planning Area provides suitable habitat for a number of special-status plant and wildlife species known to occur in the region. There are two (2) special-status natural communities with a potential to occur within the Planning Area: northern claypan vernal pool and valley oak woodland. Planned development within the Planning Area is primarily limited to existing disturbed, developed and agricultural areas located around the geographic center of the Planning Area. However, as development continues within the Planning Area, it likely will continue towards existing water features. Future development that occurs in the vicinity of the San Joaquin River, its tributaries, any lakes or streams, and/or open grasslands with seasonal wetlands, may result in a significant impact to riparian habitat or a special-status natural community. The presence of riparian habitat and/or a special-status natural community on a project site must be evaluated prior to project approval. Any project-related impacts to riparian habitat and/or a special-status natural community are considered a significant impact and require mitigation.

Project level implementation of the General Plan Implementing Policies POSS-6-a through POSS-7-d will reduce potential project impacts to riparian habitat, and areas such as the San Joaquin River corridor.

Objective POSS-6 Maintain and restore, where feasible, the ecological values of the San Joaquin River corridor.

Policy POSS-6-a San Joaquin River Parkway Master Plan. Update the San Joaquin River Parkway Master Plan, working with the other jurisdictions and the River Conservancy, to create a comprehensive and feasible plan for preservation, conservation, and development.

Policy POSS-6-b Effects of Stormwater Discharge. Support efforts to identify and mitigate cumulative adverse effects on aquatic life from stormwater discharge to the San Joaquin River.

- Discharge of runoff from industrial and commercial land uses to the San Joaquin River or other riparian corridors shall be avoided.
- Approve development on sites having drainage (directly or indirectly) to the San Joaquin River or other riparian areas upon a finding that adequate measures for preventing pollution of natural bodies of water from their runoff will be implemented.
- Periodically monitor water quality and sediments near drainage outfalls to riparian areas. If unacceptable levels of contaminant(s) occur, remedial measures shall be promptly instituted.

Object POSS-7 Support the San Joaquin River Conservancy in its efforts to develop a river parkway.

Policy POSS-7-a Preserve Wildlife Corridors. Acquire and expand natural reserves and wildlife corridors through purchase, easements, mitigation for proposed activities, or other mutually satisfactory transactions.

Policy POSS-7-b Wildlife Corridor along San Joaquin River. Create a wildlife corridor to provide continuous land and water areas parallel to the San Joaquin River.

A minimum width of 200 feet of riparian vegetation should be preserved on both sides of the river. The corridor should be wider when possible and/or necessary to protect additional areas of native plants and critical habitat (such as wildlife breeding areas). In areas where 200 feet of riparian vegetation no longer exists along the river bank, a 200-foot or wider band of native plants is recommended to be reestablished, to the maximum extent feasible from topologic and hydrologic standpoints. Consider exceptions where the minimum-width corridor is infeasible due to topography, hydrology, or other constraints. In those instances, an offsetting expansion is recommended on the

opposite side of the river. Where steep bluffs drop directly into or close to the river, incorporate the bluff face into the wildlife corridor.

Policy POSS-7-c Monitoring River Corridor Conditions. Undertake periodic monitoring to determine the status of conditions and mitigation measures required for projects within, and in the vicinity of, the river corridor.

- A memorandum of understanding or other agreement should be executed so that the San Joaquin River Conservancy can perform, or participate in, this monitoring program in order to furnish additional expertise, provide for cost efficiency, and to ensure consistency throughout the river corridor.
- Based on information obtained from monitoring, modifications in special permits, reclamation plans, and other documents, operating parameters for uses may be necessary to insure human health and safety and the well-being of riparian plants and wildlife.

Policy POSS-7-d Buffer Zones near Intensive Uses. Protect natural reserve areas and the wildlife corridor areas in the River Corridor whenever more intensive human uses exist or are proposed on adjacent lands. Buffer zones will allow multiple uses on parts of the parkway while still protecting wildlife and native plants.

- Require studies of appropriate buffer widths to be approved by state and federal wildlife agencies before variances from standard buffer zone widths are granted.
- Maintain natural riparian buffer zones with appropriate native plants (seed material and cuttings locally derived).

Incorporate open space uses such as pasture, low-intensity agricultural activities, and the "rough" or marginal areas of golf courses, into buffer zones when they constitute an improvement in habitat over a previous use or degraded area. However, the potential impacts of construction, cultural, and operational practices (such as grading, number of livestock per acre, lighting, and use of pesticides, herbicides, and fertilizers) will need to be thoroughly evaluated and addressed before these uses can be approved for buffer zones.

With the implementation of the above objectives and policies, potential impacts to riparian habitat areas would be reduced; however, the impact would remain significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM BIO-5 If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis.

MM BIO-6 Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented.

MM BIO-7 Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.

The implementation of the mitigation measures identified above would reduce impacts associated with riparian habitat to less than significant.

Riparian Habitat – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project could have a substantial adverse cumulative effect on any riparian habitat or other special-status natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Implementation of cumulative development within the San Joaquin Valley could result in potential impacts to riparian habitat. Cumulative development could encroach into areas adjacent to existing rivers and streams that could contain riparian habitat. In addition, cumulative development near the

San Joaquin River corridor could result in potential impacts on riparian habitat. Since development in accordance with the General Plan Update could result in potential impacts on riparian habitat, the project's contribution to cumulative impacts would be considerable and would represent a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM BIO-5 If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis.

MM BIO-6 Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented.

MM BIO-7 Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.

The implementation of the mitigation measures identified above would reduce impacts associated with riparian habitat to less than significant.

Federally Protected Wetlands – Project Impact

Potentially Significant Impact

The Final EIR identified that the project could 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.

Development within the Planning Area, particularly in undeveloped areas, could result in the loss of jurisdictional wetland habitat, which includes vernal pools, seasonal wetlands, waters of the U.S. or intermittent/permanent water bodies. Proposed projects that encroach into grassland, agricultural, lake or riverine areas may result in the significant disturbance and/or fill of potentially jurisdictional wetlands. Any project-related impacts that result in the significant alteration or fill of a federally protected wetland is considered a significant impact. Additionally, special-status species associated with wetlands and vernal pool habitats, such as vernal pool fairy shrimp, may be impacted as a result of project impacts to protected wetlands. Project-specific agency (i.e., CDFW, RWQCB, and/or USACE coordination and/or regulatory permitting would be required to reduce project impacts to wetland habitat.

The implementation of Policies POSS-6-a through POSS-7-d, as listed in Impact BIO-2, would reduce potential project impacts to wetlands and wetland habitat, and areas such as the San Joaquin River corridor.

The conversion of grassland and undeveloped areas to cumulative development, within the San Joaquin Valley, may increase effects on protected wetland habitats. Cumulative development that encroaches into wetland habitat areas or indirectly impacts wetland habitat through the increase of upstream urban runoff could result in significant impact. Since the development in accordance with the General Plan Update could increase impacts on wetland habitats, the project's contribution to potential impacts on wetland habitat is cumulatively considerable. Thus, the proposed project would result in a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

MM BIO-8 If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the

Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.

MM BIO-9 In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.

The implementation of the mitigation measures identified above would reduce impacts associated with federally protected wetlands to less than significant.

Federally Protected Wetlands – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project could have a substantial adverse cumulative 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.

The conversion of grassland and undeveloped areas to cumulative development, within the San Joaquin Valley, may increase effects on protected wetland habitats. Cumulative development that encroaches into wetland habitat areas or indirectly impacts wetland habitat through the increase of upstream urban runoff could result in significant impact. Since the development in accordance with the General Plan Update could increase impacts on wetland habitats, the project's contribution to potential impacts on wetland habitat is cumulatively considerable. Thus, the proposed project would result in a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

MM BIO-8 If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the

Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.

MM BIO-9 In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.

The implementation of the mitigation measures identified above would reduce impacts associated with federally protected wetlands to less than significant.

3.4 - Cultural Resources

Archaeological Resource – Project Impact

Potentially Significant Impact

The Final EIR identified that the project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines.

Prehistoric archaeological resources are those cultural resources deposited before Europeans established a Franciscan Mission in California (1769). These resources include any deposits, features or isolated artifacts. Historical archaeological resources are discussed in Impact CUL-1 above. Under PRC 21083.2(h), prehistoric archaeological resources can be divided into two classes, unique and non-unique. Unique resources must be treated as if they are significant and avoidance of those resources is the first choice, while non-unique resources do not meet criteria in 21083.2(g) and therefore need not be avoided under CEQA Guidelines. Based on the data sources reviewed for the Planning Area and identified above in Section 5.5.3 of the Draft EIR, there have been no prehistoric archaeological resources found within the Planning Area. Since the banks of the San Joaquin River has yielded prehistoric archaeological resources upstream and downstream of the Planning Area, grading and construction activities within previously undisturbed soils within the vicinity of the San Joaquin River could result in significant impact to unknown resources. In addition, given the limited area within the Planning Area that has been surveyed by a professional archaeologist (0.3 percent of the Planning Area), the prehistoric archaeological sensitivity of the majority of the Planning Area is uncertain. Due to the nominal amount of prehistoric archaeological information within the majority of the Planning Area, the potential to impact prehistoric archaeological resources during grading and construction activities within previously undisturbed soils is considered significant.

Due to the nominal amount of prehistoric archaeological information in the vicinity of the Planning Area, future development in areas outside the Planning Area as well as other cumulative development, such as the High Speed Rail, could result in impacts to unknown prehistoric archaeological resources during excavation and/or construction activities. These potential impacts from cumulative development could be significant. Since future development within the Planning

Area could result in significant impacts to unknown prehistoric archaeological resources, the project's contribution to cumulative impacts would be cumulatively considerable and therefore cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM CUL-2 Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.

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

If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be

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

The implementation of the mitigation measure identified above would reduce impacts associated with archeological resources to less than significant.

Archaeological Resource – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project could cause a substantial adverse cumulative change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines.

Due to the nominal amount of prehistoric archaeological information in the vicinity of the Planning Area, future development in areas outside the Planning Area as well as other cumulative development, such as the High Speed Rail, could result in impacts to unknown prehistoric archaeological resources during excavation and/or construction activities. These potential impacts from cumulative development could be significant. Since future development within the Planning Area could result in significant impacts to unknown prehistoric archaeological resources, the project's contribution to cumulative impacts would be cumulatively considerable and therefore cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM CUL-2 Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric

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

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

If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

The implementation of the mitigation measure identified above would reduce impacts associated with archeological resources to less than significant.

Unique Paleontological Resource/Site or Unique Geologic Feature – Project Impact

Potentially Significant Impact

The Final EIR identified that the project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Based on a review of geologic maps of the Planning Area, there are two primary surficial deposits: 1) Pleistocene non-marine and 2) Quaternary non-marine fan deposits. The Pleistoscene non-marine deposits are considered to have a high potential sensitivity. The Quaternary non-marine deposits consist of Pleistocene-Holocene alluvial sediments. Since these deposits include Pleistocene sediments, they are also considered to have a high potential for sensitivity. Therefore, excavation and/or construction activities within the Planning Area that are associated with the General Plan and Development Code Update have the potential to impact paleontological/geological resources during excavation and construction activities within previously undisturbed soils. Although many areas have been previously disturbed by farming activities or previous structural development, the project could include future development that will require excavations or construction within previously undisturbed soils. The potential to impact paleontological/geological resources is considered significant.

Future development in areas outside the Planning Area as well as other cumulative development, such as the High Speed Rail, could result in impacts to paleontological/geological resources during excavation and/or construction activities within previously undisturbed soils. These potential impacts from cumulative development could be significant. Since future development within the Planning Area could result in significant impacts to paleontological/geological resources, the project's contribution to cumulative impacts would be cumulatively considerable and therefore cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM CUL-3 Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:

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

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

The implementation of the mitigation measure identified above would reduce impacts associated with unique paleontological resources or unique geologic features to less than significant.

Unique Paleontological Resource/Site or Unique Geologic Feature – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project could cumulatively affect a unique paleontological resource or site or unique geologic feature.

Future development in areas outside the Planning Area as well as other cumulative development, such as the High Speed Rail, could result in impacts to paleontological/geological resources during

excavation and/or construction activities within previously undisturbed soils. These potential impacts from cumulative development could be significant. Since future development within the Planning Area could result in significant impacts to paleontological/geological resources, the project's contribution to cumulative impacts would be cumulatively considerable and therefore cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM CUL-3 Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:

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

If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by

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

The implementation of the mitigation measure identified above would reduce impacts associated with unique paleontological resources or unique geologic features to less than significant.

Human Remains – Project Impact

Potentially Significant Impact

The Final EIR identified that the project could disturb human remains, including those interred outside of formal cemeteries.

There is currently no evidence that the Planning Area contains prehistoric cemeteries or Native American cemeteries, however, various cemeteries are located throughout the Planning Area. The General Plan and Development Code Update identifies these cemeteries as Public Facilities on the Land Use Map. Future development within the Planning Area would not impact existing cemeteries. Although there is no record of isolated human remains or unknown cemeteries, there is always a possibility that ground-disturbing activities associated with future development may uncover previously unknown buried human remains. In the event that human remains are encountered, the potential impact is considered significant.

Although no known prehistoric or Native American human remains have been identified within or in the vicinity of the Planning Area, there is a possibility that ground-disturbing activities associated with cumulative development may uncover previously unknown buried human remains. The uncovering of human remains is considered a significant impact. Since, there is a possibility for the project to uncover previously unknown buried human remains, the project's contribution to cumulative impacts on human remains would be cumulatively considerable and therefore cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM CUL-4 In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

The implementation of the mitigation measure identified above would reduce impacts associated with human remains to less than significant.

Human Remains – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project could disturb human remains, including those interred outside of formal cemeteries.

Although no known prehistoric or Native American human remains have been identified within or in the vicinity of the Planning Area, there is a possibility that ground-disturbing activities associated with cumulative development may uncover previously unknown buried human remains. The uncovering of human remains is considered a significant impact. Since, there is a possibility for the project to uncover previously unknown buried human remains, the project's contribution to cumulative impacts on human remains would be cumulatively considerable and therefore cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM CUL-4 In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

The implementation of the mitigation measure identified above would reduce impacts associated with human remains to less than significant.

3.5 - Hazards and Hazardous Materials

Airports – Project Impact

Potentially Significant Impact

The Final EIR identified that the project is located within an airport land use plan and within two miles of a public airport or public use airport, and the project could result in a safety hazard for people residing or working in the project area.

There are two public airports in the City of Fresno: (1) Fresno-Yosemite International Airport and (2) Fresno Chandler Downtown Airport. The 2025 General Plan also states that in conjunction with the Fresno-Yosemite International Airport, the Air National Guard maintains an airbase for military flight

and training operations. Per the Noise Element of the City's 2025 General Plan, the Air National Guard is stationed at the Fresno Yosemite International Airport. Implementation of the proposed General Plan and Development Code Update would increase the population within the Planning Area and as such may expose those working or living in the area to potential safety hazards associated with airport operations.

The implementation of the General Plan Update will result in three locations being inconsistent with the Fresno Yosemite Airport Safety zones; one location within Zone 1-Runway Protection Zone (RPZ), one location within Zone 3-Inner Turning and one location within Zone 5 Sideline. The vacant land proposed for low density residential northwest of the intersection of E. Garland Avenue and N. Dearing Avenue is located within Fresno Yosemite Airport Safety Zone 1-RPZ. Under the Fresno Yosemite Airport Compatibility and Land Use Plan, this use is unacceptable due to associated high risks. This inconsistency represents a significant airport safety impact.

The land designated low density residential (1-3 dwelling units per acre) located northwest of the airport is located within the Fresno Yosemite Airport Safety Zone 3-Inner Turning. Under the FYI Compatibility and Land Use Plan, residential uses should have a density no greater than two dwelling units per acre. Since the land use designation allows up to three dwelling units per acre, this land use designation could be inconsistent with the compatibility zone that allows no greater than two dwelling units per acre. Therefore, this inconsistency represents a potentially significant airport safety impact.

The vacant land proposed for light industrial uses northeast of the airport is located within the Fresno Yosemite Airport Safety Zone 5-Sideline. Under the FYI Compatibility and Land Use Plan, residential uses, other uses in structures, and other uses not in structures are considered incompatible and unacceptable due to associated high safety risks. Therefore, this inconsistency represents a potentially significant airport safety impact.

The Fresno-Chandler Downtown Airport Land Use Policy Plan contains restrictions of land uses or land use characteristics which may affect safe air navigation or which, because of their nature and proximity to an airport, may be incompatible with the airport shall be avoided in the vicinity of FCH. The General Plan Update includes residential uses that are proposed within Runway Protection Zone 1, Inner Safety Zone 2, and Inner Training Zone 3 that are located southeast of the airport runways. According to the Fresno Chandler Downtown Airport Land Use Policy Plan, no residential uses are allowed in Safety Zone 1 and single-family residential uses are allowed in safety zones 2 and 3. The proposed General Plan includes an inconsistency with the regulations identified for Safety Zone 1 in the Fresno Chandler Downtown Airport Land Use Policy Plan. Therefore, these inconsistencies represent a potentially significant airport safety impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM HAZ-1 Re-designate the existing vacant land proposed for low density residential northwest of the intersection of E Garland Avenue and N Dearing Avenue and located within Fresno Yosemite International Airport Zone 1- RPZ to Open Space.

MM HAZ-2 Limit the proposed low density residential at 1-3 dwelling units per acre located northwest of the airport and located within Fresno Yosemite International Airport Zone 3-Inner Turning to 2 dwelling units per acre or less.

MM HAZ-3 Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space.

MM HAZ-4 Redesignate the current vacant lots at the northeast corner of Kearney Boulevard and Thorne Avenue to Public Facilities-Airport or Open Space.

MM HAZ-5 Prohibit residential uses within Safety Zone 1 northwest of the W. Hawes Avenue and Thorne Avenue intersection

The implementation of the mitigation measures identified above would reduce impacts associated with airports to less than significant.

Airports – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project is located within an airport land use plan and within two miles of a public airport or public use airport, and the project could result in a cumulative safety hazard for people residing or working in the project area.

The implementation of cumulative development along with the General Plan Update will result in three locations being inconsistent with the Fresno Yosemite Airport Safety Zones and one location being inconsistent with the Fresno Chandler Downtown Airport Land Use Policy Plan. Since these inconsistencies would occur under the proposed project, the project's contribution to cumulative airport hazard impacts would be considerable and would be considered significant. One inconsistency for 1 –RPZ, Airport Safety Zone 3-Inner Turning, and Zone 5-Sideline. This inconsistency represents a significant cumulative airport safety impact. The implementation of the General Plan Update will contribute substantially to this potential significant airport safety impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM HAZ-1 Re-designate the existing vacant land proposed for low density residential northwest of the intersection of E Garland Avenue and N Dearing Avenue and located within Fresno Yosemite International Airport Zone 1- RPZ to Open Space.

MM HAZ-2 Limit the proposed low density residential at 1-3 dwelling units per acre located northwest of the airport and located within Fresno Yosemite International Airport Zone 3-Inner Turning to 2 dwelling units per acre or less.

MM HAZ-3 Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space.

MM HAZ-4 Redesignate the current vacant lots at the northeast corner of Kearney Boulevard and Thorne Avenue to Public Facilities-Airport or Open Space.

MM HAZ-5 Prohibit residential uses within Safety Zone 1 northwest of the W. Hawes Avenue and Thorne Avenue intersection

The implementation of the mitigation measures identified above would reduce impacts associated with airports to less than significant.

Emergency Plans – Project Impact

Potentially Significant Impact

The Final EIR identified that the project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The City's Police and Fire Departments are the lead agencies for all local emergency response efforts. The City's full-time Emergency Preparedness Officer (EPO) is responsible for ensuring that Fresno's emergency response plans are up-to-date and implemented properly. The EPO also facilitates cooperation between City departments and other local, state and federal agencies that would be involved in emergency response operations (City of Fresno Emergency Response Plan Overview. 2012). The City of Fresno EOC will serve as the coordination and communication between the City of Fresno and Fresno County Operational Area EOC. A potentially significant impact could occur if the EOC is under redevelopment or construction during an emergency.

Objectives and policies were identified in the General Plan Update that would reduce potential impacts to emergency response and evacuation. With the implementation of the above objective and policies, potential interference with an adopted emergency response plan or emergency evacuation plan would be reduced; however, the impact could remain significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measure as identified in the Final EIR and incorporated into the project.

MM HAZ-6 Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked.

The implementation of the mitigation measure identified above would reduce impacts associated with emergency plans to less than significant.

Emergency Plans – Cumulative Impact

Potentially Significant Impact

The Final EIR identified that the project could cumulatively impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Development outside of the Planning Area could affect emergency response and evacuation; however, this potential effect would not be a cumulative effect on the City's Emergency Operation Center. Since the proposed project could result in a significant impact on the Emergency Operations Center if the Center is under redevelopment during an emergency, the proposed project's contribution to a cumulative emergency or evacuation impact is considered considerable and therefore, a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measure as identified in the Final EIR and incorporated into the project.

MM HAZ-6 Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked.

The implementation of the mitigation measure identified above would reduce impacts associated with emergency plans to less than significant.

3.6 - Hydrology and Water Quality

Groundwater Supplies and Recharge – Project Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could 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.

The City of Fresno relied on groundwater for approximately 87 percent of its domestic water supply in 2010, which is approximately equal to a 128,578 acre feet. The groundwater was withdrawn from the Kings Groundwater Sub-basin of San Joaquin Basin Hydrologic Area. The City projects that groundwater withdrawal will be reduced to 86,000 AF/year by the Year 2025, according to the 2010 UWMP. At present, the City is creating an overdraft of the Kings Groundwater Sub-basin aquifer as defined by the California State Department of Water Resources.

The projected water demand for the City at full build out of the General Plan Update, based on a population of 970,000 and a per capita water demand of 250 gpcd from the 2010 UWMP, is 271,594 AF/year. Assuming treated water supplies, recycled water supplies, and pumped groundwater remain the same, the total supply of water would be 234,400 AF/year. This water supply would be less than the buildout demand by approximately 37,194 AF/year. To accommodate the buildout population of 970,000 people, additional water conservation measures would need to be developed to reduce water demand from 250 gpcd to 215 gpcd. At 215 gpcd, the population of 970,000 people would demand 233,606 AF/year of water. This demand would be less than the total water supply of 234,400 AF/year.

To accommodate the buildout water demand, the treated surface water supply would need to be increased, the recycled water supply would need to be increase, or the amount of groundwater to be pumped would need to be increased. An increase in water conservation could also accommodate the buildout demand. Additionally, the General Plan Update included policies and objectives designed to reduce the potential for groundwater overdraft impacts. However, even with the implementation of the policies and objectives identified in the General Plan Update, the proposed project could result in significant impacts to groundwater levels within the Kings Sub-basin if the increase in water demand is met through an increase of water supply from increased groundwater pumping.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures USS-5 and USS-17 is required.

MM HYD-1 The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day.

MM HYD-2 The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP.

The implementation of the mitigation measures identified above would reduce impacts associated with groundwater supplies and recharge to less than significant.

Groundwater Supplies and Recharge – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could 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.

The Kings Sub-basin is a source of groundwater for the communities of Clovis, Fresno, Sanger, Del Rey, Orange Cove, East Orosi, Orosi, Cutler, Dinuba, Reedley, Parlier, London, Traver, Kingsburg, Selma, Fowler, Easton, Bowles, Laton, Caruthers, Raisin City, Biola, Kerman, Riverdale, Lanare, and San Joaquin. The aquifer also provides groundwater for agricultural irrigation water and numerous private domestic wells. The Kings Basin Integrated Regional Water Management Plan (IRWMP) was developed by the Kings Basin Water Authority to provide regional planning and management of water resources in the Kings Sub-basin to maintain a sustainable supply of the surface and groundwater resources for the water users within the basin (Kings Basin Water Authority, 2012). The first regional goal (RG1) of the Kings Basin IRWMP is to reduce groundwater overdraft in the Kings Sub-basin (Kings Basin Water Authority, 2012). To accomplish this goal, the Kings Basin Water Authority has developed Measurable Objective, Resource Strategies, and Projects and Programs. The current planning horizon of the Kings Basin IRWMP is the Year 2032.

Since the proposed project is projected to increase water use to meet future demands, this increase could result in significant impacts to groundwater levels within the Kings Sub-basin if the increase in water demand is met through an increase of water supply from increased groundwater pumping. Therefore, the project's contribution to the potential cumulative effect on the groundwater basin is cumulatively considerable, and thus a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures USS-5 and USS-17 is required.

MM HYD-1 The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day.

MM HYD-2 The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP.

The implementation of the mitigation measures identified above would reduce impacts associated with groundwater supplies and recharge to less than significant.

Runoff Water and Drainage Systems – Project Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could 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.

Development under the General Plan Update would result in new industrial, commercial, residential, and mixed-use land uses that would re-grade undeveloped land to new grading patterns and would increase impervious surfaces that would increase stormwater runoff rates and volumes. Redevelopment of existing land uses, such as changing a residential land use area to a multi-family land use area, which has a greater level of imperviousness, will also increase stormwater runoff rates and volume. Increased runoff rates and greater volumes of stormwater runoff could exceed the capacity of existing or planned stormwater drainage systems.

The buildout of the Fresno metropolitan area to the 2025 General Plan would result in the development of permeable land uses such as farming or vacant land to impervious land uses such as

residential, multifamily residential, commercial, and industrial. Conversion of land to more impervious land uses that are unmitigated, always results in higher peak stormwater runoff rates and greater volumes of runoff from that land. Where development is an infill condition, such as within existing urbanized areas, master planned storm drainage facilities are generally available and are designed to provide service to the site as long as the development is consistent with the 2025 General Plan land uses. There are locations within the urbanized area where master planned storm drainage facilities are not fully available and runoff from the proposed developments would exceed the ability of existing storm drainage facilities to provide service to the developments. Likewise, there may be cases where the proposed development would result in a greater level of imperviousness than what was planned in the Storm Drainage Master Plan. In these cases, the stormwater runoff from the proposed development would exceed the ability of the existing storm drainage facilities to provide service to the developments.

Much of the area that is planned to be developed within the non-urbanized Planning Area has been master planned for storm drainage, such as the non-urbanized areas have been divided into drainage areas, master plan grading patterns have been documented, and the collection systems and retention basins have been located and sized. In most cases, the retention basins sites for the planned drainage areas have been purchased by FMFCD, but have not been excavated, and there are no existing storm drainage collection systems in place due to the low level of development. The existing storm drainage facilities in these areas consist of roadside drainage swales that follow the natural gradient of the land and they convey and store the runoff from the roadway only. The increased stormwater runoff rates and volumes from development projects within these areas would exceed the capacity of these existing facilities. The master planned storm drainage facilities are designed to collect, convey, and dispose of the runoff from the planned land uses for the 2025 General Plan at full buildout.

One hundred-nineteen drainage areas have projected increases in imperviousness due to the planned land uses in the 2025 General Plan. Of the 119 drainage areas that have projected increases in imperviousness, 37 drainage areas are projected to have increases that will result in runoff volumes that would exceed the design capacity of the retention basins for those drainage areas. These exceedances would result in potential significant impacts on the storage capacities of the retention basins.

Three drainage areas have pump systems for disposal of stormwater, two of which have projected increases in imperviousness that could exceed the capacity of the existing pump station. This exceedance would be a significant impact.

The land use changes between the 2025 General Plan to the General Plan Update would reduce the number of drainage area retention basins that are impacted by increases in imperviousness from 37 to 35. Three drainage areas would no longer have storage deficits. Drainage Area U would, however, experience a deficit in storage capacity due to land use changes to the drainage area from the 2025 General Plan land uses to the General Plan Update land uses. Therefore, the project would significantly impact the storage capacity of the retention basins in Drainage Area U.

Of the three drainage areas that have pump systems for disposal of stormwater, only one, Drainage Area VV has a projected increase in imperviousness. The projected increase is 10.7 percent, which could result in stormwater runoff rates exceeding the pump station capacity of the Drainage Area VV pump system. This potential exceedance would be a significant impact on the capacity of the pump station.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM HYD-5.1 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant.

- Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses.
- Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness.
- Implementation of the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.
- Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.

MM HYD-5.2 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant.

- Update the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:

1. Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.
2. Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins.
3. Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.

MM HYD-5.3 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.

- Updating the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:
  1. Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
  2. Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.
  3. Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.

MM HYD-5.4 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.

1. Update the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded.
2. Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.
3. Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP update.

MM HYD-5.5 The City shall develop and adopt a storm drainage master plan update to the SDMP for the Southeast Growth Area that is designed to collect, convey and dispose of

runoff rates and volumes based on the planned land uses of the General Plan Update.

The implementation of the mitigation measures identified above would reduce impacts associated with runoff water and drainage systems to less than significant.

Runoff Water and Drainage Systems – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could 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.

Five drainage areas, DN, CZ, Q, T and BU have watershed area and drainage systems that convey runoff that originates outside of the Planning Area into the Planning Area. Drainage Areas CZ, Q, and T straddle the Planning Area boundary and are partially within the City of Fresno and partially within the City of Clovis sphere of influence (City of Clovis, 2013). Drainage Area DN is partially within Fresno County's planning area (Mintier Harnish, 2013). Two drainage areas, CL and BW have watershed area and drainage systems that convey runoff that originates within the Planning Area out of the Planning Area and into the City of Clovis sphere of influence. Changes to the land uses within the portions of the drainage areas that are outside of the Planning Area could result in changes to runoff rates and volumes that exceed the capacity of existing or planned stormwater drainage systems. This potential exceedance would be a significant cumulative impact. Since the proposed project would result in potential significant impacts on the capacities of existing storm drain facilities, the project's contribution to potential cumulative impacts on the capacities of stormwater facilities would be considerable and a significant cumulative impact.

Buildout of the Planning Area, along with construction and operation of related projects in the Planning Area vicinity, would increase the amount of paved impervious surfaces within the Planning Area. This increase in impervious surfaces would increase stormwater runoff rates and volumes over those that occur from undeveloped land. This increase in runoff would have the potential to increase the amount of polluted runoff; however, all development projects within the Fresno-Clovis area would be required to comply with the MS4 Permit that requires the implementation of water quality and watershed protection measures. Compliance with the MS4 Permit would reduce potential impacts from cumulative projects to less than significant. Since the development under the proposed project would also need to comply with the MS4 Permit and includes specific General Plan Update policies identified above, the project's contribution to potential cumulative impacts would not be considerable, and the project would result in a less than significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM HYD-5.1 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant.

- Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses.
- Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness.
- Implementation of the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.
- Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.

MM HYD-5.2 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant.

- Update the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:
  1. Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.
  2. Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins.
  3. Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.

MM HYD-5.3 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.

- Updating the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:
  1. Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
  2. Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.
  3. Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.

MM HYD-5.4 The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.

1. Update the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded.
2. Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.
3. Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP update.

MM HYD-5.5 The City shall develop and adopt a storm drainage master plan update to the SDMP for the Southeast Growth Area that is designed to collect, convey and dispose of runoff rates and volumes based on the planned land uses of the General Plan Update.

The implementation of the mitigation measures identified above would reduce impacts associated with runoff water and drainage systems to less than significant.

3.7 - Public Services

Fire Protection – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project could result in substantial adverse physical impacts associated with the provision or need of new or physically altered fire protection facilities to maintain acceptable service ratios, response times or other performance objectives for fire protection, and the construction of which could cause significant environmental impacts.

The City of Fresno Fire Department currently does not meet target response times due to cuts in the number of units available to respond. The City is currently rated by the Insurance Services Office (ISO) as a Public Protection Class 3. Staffing reductions and other cuts since 2009 has resulted in the City's level of service to be below average compared to similar sized metropolitan cities. The expected level of service based on nationally recognized best practice for fire prevention services in a city the size of Fresno is the ability to provide annual fire and life safety inspections if all commercial, industrial, institutional, and multi-family building and to provide proactive fire safety public education programs. Due to current budget issues, many low and moderate fire and life safety hazard buildings are not being inspected and public education outreach has ceased.

Implementation of the proposed General Plan would result in an increased demand for fire protection. Additional staff, equipment, and facilities would be required to ensure adequate levels of service and exceed current response times. Additional personnel may require additional facilities; therefore, there could be adverse physical impacts associated with the provision of new or physically altered governmental facilities. Typical impacts associated with fire stations include: noise, traffic, and lighting.

Development Impact Fees are currently collected for the provision of capital facilities for fire facilities that will provide for future facilities as the City's population increases.

Recognizing that there would be an increased demand for fire and emergency medical response, the General Plan Update includes several policies to support the activities of the Fresno Fire Department. The policies and objectives listed below from the proposed General Plan Update will ensure that the proposed project does not significantly affect fire protection.

PU-2 Ensure that the Fire Department's staffing and equipment resources are sufficient to meet all fire and emergency service level objectives and are provided in an efficient and cost effective manner.

PU-2-a Unity Fire Protection: Pursue long-range transfer of fire protection service agreements with adjacent fire districts that, in concert with existing automatic aid agreements, will lead to the eventual unification of fire protections services in the greater Fresno area.

PU-2-b Maintain Ability: Strive to continually maintain the Fire Department's ability to provide staffing and equipment resources to effectively prevent and mitigate emergencies in existing and new high-rise buildings and in other high-density residential and commercial development throughout the city.

PU-2-c Rescue Standards: Develop appropriate standards, as necessary, for rescue operations, including, but not limited to, confined space, high angle, swift water rescues, and the unique challenges of a high speed rail corridor.

PU-2-d Station Siting: Use the General Plan, community plans, Specific Plans, neighborhood plans, and Concept Plans, the City's Geographic Information Systems (GIS) database, and a fire station location program to achieve optimum siting of future fire stations.

PU-2-e Service Standards: Strive to achieve a community wide risk management plan that includes the following service level objectives 90 percent of the time:

- *First Unit on Scene* – First fire unit arriving with minimum of three firefighters and ability to apply suppressing agent within 6 minutes and 20 seconds from emergency call (7 minutes and 30 seconds with 9-11 processing time).
- *Effective Response Force* – Provide sufficient number of firefighters on scene of an emergency (17 for low risk, 23 for high risk) within nine minutes and 20 seconds from time to alert to arrival.

PU-3 Enhance the level of fire protection to meet the increasing demand for services from an increasing population.

PU-3-a Fire Prevention Inspections: Develop strategies to enable the performance of annual fire and life safety inspection of all industrial, commercial, institutional, and multi-family residential buildings, in accordance with nationally recognized standards for the level of service necessary for a large Metropolitan Area, including self-certification program.

PU-3-b Reduction Strategies: Develop community risk reduction strategies that target high service demand areas, vulnerable populations (e.g. young children, older adults, non-English speaking residents, persons with disabilities, etc.) and high life hazards occupancies.

PU-3-c Public Education Strategies. Develop strategies to re-establish and enhance routine public education outreach to all sectors of the community.

PU-3-d Review All Development Applications: Continue Fire Department review of all development applications, provide comments and recommend conditions of approval that will ensure adequate on-site and off-site fire protection systems and features are provided.

PU-3-e Building Codes. Adopt and enforce amendments to construction and fire codes, as determined appropriate, to systematically reduce the level of risk to life and property from fire, commensurate with the City's fire suppression capabilities.

PU-3-f Adequate Infrastructure. Continue to pursue the provision of adequate water supplies, hydrants, and appropriate property access to allow for adequate fire suppression throughout the City.

PU-3-g Cost Recovery. Continue to evaluate appropriate codes, policies, and methods to generate fees or other sources of revenue to offset the ongoing personnel and maintenance costs of providing fire prevention and response services.

In addition to the above policies and objectives, the following regulation within the City of Fresno Municipal Code would reduce potential fire service impacts.

Section 12-4.901 of the Fresno Municipal Code. In order to implement the goals and objectives of the City's general plan, and to mitigate the impacts caused by future development in the city, certain fire department facilities must be constructed. The City Council has determined that a Fire Facilities Fee is needed in order to pay for (a) land acquisition for, and design, engineering, and construction of the public facilities designated in the Council resolution and reasonable costs of outside consultant studies related thereto; (b) to reimburse the city for designated public facilities construction by the city with funds (other than gifts or grants) from other sources together with accrued interest; (c) to reimburse developers who have designed and constructed designated public facilities which are oversized and supplemental size, length, or capacity; and/or (d) to pay for and/or reimburse costs of program development and ongoing administration of the Fire Facilities Fee program.

As growth occurs within the Planning Area, the Fire Department may require additional personnel and additional facilities to provide adequate fire protection services. The provision of new or physically altered fire facilities could result in adverse environmental impacts. Typical impacts associated with new or altered fire facilities, such as stations, include: noise, traffic, and lighting. These typical impacts could remain significant after the implementation of the above-mentioned proposed policies as well as the Municipal Code regulation.

Future growth would result in increased demand for fire services and facilities throughout the Planning Area as well as areas that are outside the Planning Area. As cumulative development increases the demand for additional fire services and facilities, potential significant cumulative impacts could occur. To reduce the potential impacts, the General Plan Update includes objective and policies and the Municipal Code includes regulations. The implementation of General Plan Update Objectives PU-2 and PU-3 and Policies PU-2-a through PU-2-e and PU-3-a through PU-3-g and Section 12-4.901 of the Municipal Code would reduce the potential impacts. Although the potential impacts could be reduced, there could still be potential significant cumulative environmental impacts as future fire facilities are constructed to improve fire protection within the City's service area. The implementation of the proposed project would contribute to the potential

significant cumulative impact as future fire facilities are constructed. This project contribution is considered cumulatively considerable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks on the fire department sites.
- **Traffic:** Traffic devices for circulation and a "keep clear zone" during emergency responses.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures on the fire department sites.

The implementation of the mitigation measure identified above would reduce impacts associated with fire protection to less than significant.

Fire Protection – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project could result in substantial adverse cumulative impacts associated with the provision or need of new or physically altered fire protection facilities to maintain acceptable service ratios, response times or other performance objectives for fire protection, and the construction of which could cause significant environmental impacts.

Future growth would result in increased demand for fire services and facilities throughout the Planning Area as well as areas that are outside the Planning Area. As cumulative development increases the demand for additional fire services and facilities, potential significant cumulative impacts could occur. To reduce the potential impacts, the General Plan Update includes objective and policies and the Municipal Code includes regulations. The implementation of General Plan Update Objectives PU-2 and PU-3 and Policies PU-2-a through PU-2-e and PU-3-a through PU-3-g and Section 12-4.901 of the Municipal Code would reduce the potential impacts. Although the potential impacts could be reduced, there could still be potential significant cumulative environmental impacts as future fire facilities are constructed to improve fire protection within the

City's service area. The implementation of the proposed project would contribute to the potential significant cumulative impact as future fire facilities are constructed. This project contribution is considered cumulatively considerable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-1 As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks on the fire department sites.
- **Traffic:** Traffic devices for circulation and a "keep clear zone" during emergency responses.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures on the fire department sites.

The implementation of the mitigation measure identified above would reduce impacts associated with fire protection to less than significant.

Police Protection – Project Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could result in substantial adverse physical impacts associated with the provision or need of new or physically altered police protection facilities to maintain acceptable service ratios, response times or other performance objectives for police protection, and the construction of which could cause significant environmental impacts.

Growth under the General Plan Update would result in a potential population increase of approximately 425,000 additional residents within the Planning Area by buildout. Full buildout is projected to occur in approximately the year 2056. Therefore, implementation of the proposed General Plan Update would result in an increased need for law enforcement staffing and police protection. Based on the Fresno Police Department's goal of 1.5 officers per 1,000 residents, approximately 638 new officers would be required. Additional equipment and facilities would also be required to accommodate the additional personnel and ensure adequate levels of service and

response times throughout the Planning Area. Additional new or physically altered facilities could result in adverse environmental impacts. Typical impacts associated with police stations include: noise, traffic, and lighting.

Development Impact Fees are currently collected for the provision of capital facilities for fire facilities that will provide for future facilities as the City's population increases.

Recognizing that there would be an increased demand for police services, the General Plan Update includes several policies to support the activities of the Fresno Police Department. The policies and objectives listed below from the proposed General Plan update will ensure that the proposed project does not significantly affect police protection.

PU-1 Provide the level of law enforcement and crime prevention services necessary to maintain a safe, secure, and stable urban living environment through a Police Department that is dedicated to providing professional, ethical, efficient and innovative service with integrity, consistency and pride.

Strive to increase ethnic diversity and gender representation of the law enforcement workforce to reflect the composition of the Fresno community.

Maintain active involvement in youth development and delinquency prevention activities.

Collaborate with community-based public, non-profit or private agencies to develop comprehensive narcotics and violence prevention programs designed to discourage delinquent behavior and narcotics abuse, and to encourage viable alternative behaviors.

PU-1-b Involvement in General Plan. Facilitate Police Department participation in the implementation of General Plan policies, including citizen participation efforts and the application of crime prevention design measures to reduce the exposure of neighborhoods to crime and to promote community security.

- Facilitate Police Department communication with citizen advisory committees.
- Refer appropriate development entitlements to the Police Department for review and comment.

PU-1-c Safety Considerations in Development Approval. Continue to identify and apply appropriate safety, design and operational measures as conditions of development approval, including, but not limited to, street access control measures, lighting and visibility of access points and common areas, functional and secure on-site recreational and open space improvements within residential developments, and use of State licensed, uniformed security.

PU-1-e Communication with Public. Maximize communication and cooperative efforts with residents and businesses in order to identify crime problems and optimize the effectiveness of crime prevention measures and law enforcement programs.

PU-1-g Plan for Optimum Service. Create and adopt a program to provide targeted police services and establish long-term steps for attaining and maintaining the optimum levels of service - 1.5 officers per 1,000 residents.

In addition to the above policies and objectives, the following regulation within the City of Fresno Municipal Code would reduce potential police service impacts.

Section 12-4.801 of the Municipal Code. In order to implement the goals and objectives of the City's general plan, and to mitigate the impacts caused by future development in the city, certain police facilities must be constructed. The City Council has determined that a Police Facilities Fee is needed in order to pay for (a) land acquisition for, and design, engineering, and construction of the public facilities designated in the Council resolution and reasonable costs of outside consultant studies related thereto; (b) to reimburse the city for designated public facilities construction by the city with funds (other than gifts or grants) from other sources together with accrued interest; (c) to reimburse developers who have designed and constructed designated public facilities which are oversized and supplemental size, length, or capacity; and/or (d) to pay for and/or reimburse costs of program development and ongoing administration of the Police Facilities Fee program.

As growth occurs within the Planning Area, the Police Department may require additional personnel and additional facilities to provide adequate police protection services. The provision of new or physically altered fire facilities could result in adverse environmental impacts. Typical impacts associated with new or altered police facilities, such as stations, include: noise, traffic, and lighting. These typical impacts could remain significant after the implementation of the above-mentioned proposed policies as well as the Municipal Code regulation.

Future growth would result in increased demand for police services and facilities throughout the Planning Area and could increase mutual aid services to areas that are outside the Planning Area. As cumulative development increases the demand for additional police services and facilities, potential significant cumulative impacts could occur. The project's contribution to potential cumulative impacts on police services would be considerable. Implementation of the General Plan Update Objective PU-1 and Policies PU-1-a through PU-1-g and Section 12-4.801 of the Municipal Code would reduce the potential impacts to police services. Although the potential impacts could be reduced, there could still be potential significant cumulative environmental impacts as future police facilities are constructed to improve police protection within the City's service area. The implementation of the proposed project would contribute to the potential significant cumulative impact as future police facilities are constructed. This project contribution is considered cumulatively considerable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-2 As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks on the police department sites.
- **Traffic:** Traffic devices for circulation.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures on the fire department sites.

The implementation of the mitigation measure identified above would reduce impacts associated with police protection to less than significant.

Police Protection – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could result in substantial adverse physical impacts associated with the provision or need of new or physically altered police protection facilities to maintain acceptable service ratios, response times or other performance objectives for police protection, and the construction of which could cause significant environmental impacts.

Future growth would result in increased demand for police services and facilities throughout the Planning Area and could increase mutual aid services to areas that are outside the Planning Area. As cumulative development increases the demand for additional police services and facilities, potential significant cumulative impacts could occur. The project's contribution to potential cumulative impacts on police services would be considerable. Implementation of the General Plan Update Objective PU-1 and Policies PU-1-a through PU-1-g and Section 12-4.801 of the Municipal Code would reduce the potential impacts to police services. Although the potential impacts could be reduced, there could still be potential significant cumulative environmental impacts as future police facilities are constructed to improve police protection within the City's service area. The implementation of the proposed project would contribute to the potential significant cumulative impact as future police facilities are constructed. This project contribution is considered cumulatively considerable.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-2 As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks on the police department sites.
- **Traffic:** Traffic devices for circulation.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures on the fire department sites.

The implementation of the mitigation measure identified above would reduce impacts associated with police protection to less than significant.

Schools – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project could result in substantial adverse physical impacts associated with the provision or need of new or physically altered school facilities to maintain acceptable service ratios or other performance objectives for schools, and the construction of which could cause significant environmental impacts.

Impacts on schools are determined by analyzing the projected increase in demand for schools as a result of future development projected under the proposed General Plan Update. The buildout of the proposed General Plan would result in a substantial increase in residential development as well as projected student population. The project is anticipated to increase residential development by approximately 145,164 residential units. The total student population is projected by identifying a student generation rate by type of school and for single family and multiple family residential units. The student generation rates were derived based on a review of the student generation rates provided by the Fresno Unified School District and the Clovis Unified School District. The amount of students projected to be generated from the residential units that are projected to be developed within the Planning Area is approximately 65,518 students. This increase in student population will result in approximately 39,197 elementary students, 8,924 middle school students, and approximately 17,601 high school students.

The projected increase in student population within the Planning Area will result in the need for substantial additional elementary, middle, and high schools to serve the future student population. The project includes areas within the Planning Area that are designated for school facilities. City staff coordinated with representatives from the various school districts that serve the students within the Planning Area. As future development occurs throughout the Planning Area, the school districts will continually monitor capacities of existing schools and forecast the timing of the construction of new schools or expansion of existing schools so that new student populations can be provided with adequate school facilities. As new schools or expansion of existing schools are proposed, there could be significant adverse environmental impacts from the construction and operation of the schools. Typical impacts associated with schools include: noise and traffic for most of the schools and potentially lighting if there are high school stadiums proposed.

Implementation of the Fresno General Plan Update Policies POSS-8-a through POSS-8-c as well as assisting in collecting Senate Bill 50 fees from developers would assist the school districts in providing adequate school facilities in the Planning Area. However, as the expansion of existing schools or construction of new schools is proposed, there could still be adverse environmental impacts from the construction and operation of the schools. As described above, typical impacts associated with schools include: noise and traffic for most of the schools and potentially lighting if there are high school stadiums proposed.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-3 As future school facilities are planned, the school districts shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks placed on school sites.
- **Traffic:** Traffic devices for circulation.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures for stadium lights

The implementation of the mitigation measure identified above would reduce impacts associated with schools to less than significant.

Schools – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project could result in substantial adverse cumulative impacts associated with the provision or need of new or physically altered school facilities to maintain acceptable service ratios or other performance objectives for schools, and the construction of which could cause significant environmental impacts.

Future cumulative growth within the school districts that currently serve the student population within the Planning Area would result in the need for expanded or new school facilities. These new facilities could be located within or outside of the Planning Area. Construction and operation of these facilities could result in significant cumulative adverse environmental impacts such as noise, traffic, and lighting. Since the proposed project would generate a demand for additional school facilities and these additional facilities could result in significant adverse environmental impacts, the proposed project's contribution to cumulative environmental impacts associated with the provision of schools is considered cumulatively considerable. The objective and policies identified above would reduce the potential impact; however, the project's contribution would remain cumulatively considerable. Thus, the proposed project would result in significant cumulative impacts related to the provision of schools.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-3 As future school facilities are planned, the school districts shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks placed on school sites.
- **Traffic:** Traffic devices for circulation.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures for stadium lights

The implementation of the mitigation measure identified above would reduce impacts associated with schools to less than significant.

Parks and Recreational Facilities – Project Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could result in substantial adverse physical impacts associated with the provision or need of new or physically altered park and recreational facilities to maintain acceptable service ratios or other performance objectives for park and recreational, and the construction of which could cause significant environmental impacts.

With the buildout of the General Plan, growth would result in a potential population increase of approximately 425,000 additional residents within the Planning Area. This additional residential growth would result in an increase in the demand for parks and recreational facilities. Based on the proposed standard of 5 acres of public parkland per 1,000 residents, the buildout of the General Plan Update would require 4,850 acres of parkland and associated recreational amenities to serve all residents in the Planning Area. An additional 1,635 acres of Pocket, Neighborhood, and Community parkland and associated amenities would be required to accommodate existing residents, with 2,725 additional acres to reach the 5 acres per 1,000 residents goal. Based on the current Pocket, Neighborhood, and Community parkland of 632 acres within the Planning Area, an additional 2,278 acres, for a total of 2,910 acres, of parkland would be required to adequately accommodate future residents to meet the 3 acres per 1,000 residents for Pocket, Neighborhood, and Community Parks. The proposed General Plan Update includes the allocation of 2,100 acres of parkland in addition to existing parkland. Therefore, the proposed General Plan Update would not meet the City's goal of 5 acres of parkland per 1,000 residents for all City park space and 3 acres per 1,000 residents for Pocket, Neighborhood, and Community Park Space.

As future parklands are developed, there could be significant adverse environmental impacts from the construction and operation of the facilities. Typical impacts associated with parks include: noise, traffic, and lighting.

Recognizing that there would be an increased demand for parks and recreational facilities, the General Plan Update includes several policies to support goals and objectives regarding these facilities. The implementation of objectives POSS-1 through POSS-3, and Policies POSS-1-a through POSS-1-f, POSS-2-b through POSS-2d, POSS-3-a through POSS-3-i, and POSS-4a through POSS-4-c as well as the Municipal Code standard would reduce potential impacts associated with parks and recreational facilities. However, the potential significant environmental impacts that could occur during construction and operation of the facilities could remain.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-4 As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks placed on school sites.
- **Traffic:** Traffic devices for circulation.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures for stadium lights

The implementation of the mitigation measure identified above would reduce impacts associated with parks and recreational facilities to less than significant.

Parks and Recreational Facilities – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could result in substantial adverse physical impacts associated with the provision or need of new or physically altered park and recreational facilities to maintain acceptable service ratios or other performance objectives for park and recreational, and the construction of which could cause significant environmental impacts.

Development associated with implementation of the proposed General Plan Update and related cumulative projects would result in the development of new parks and recreational facilities. Individual development projects would be required to pay the City's Park Facilities Fee. Therefore, individual project applicants would be required to pay the fees, so that parks can be constructed at appropriate sites within the Planning Area and adequately maintained.

As future parks and recreational facilities are developed, there could be significant adverse environmental impacts from the construction and operation of the facilities. Typical cumulative impacts associated with parks include: noise, traffic, and lighting. Since the proposed project could also result in similar significant environmental impacts from construction and operation of the facilities, the proposed project's contribution to cumulative environmental impacts would be cumulatively considerable. Thus, the implementation of the proposed project would result in significant cumulative impacts.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-4 As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks placed on school sites.
- **Traffic:** Traffic devices for circulation.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures for stadium lights

The implementation of the mitigation measure identified above would reduce impacts associated with parks and recreational facilities to less than significant.

Other Public Facilities – Project Impact

Potentially Significant Impact

The Final EIR identifies that the proposed project and related cumulative projects could result in substantial adverse physical impacts associated with the provision or need of new or physically altered public facilities to maintain acceptable service ratios or other performance objectives for other public facilities, and the construction of which could cause significant environmental impacts.

As growth occurs within the Planning Area in accordance with the proposed General Plan Update, an increase in residential population would occur. An increase in population would result in an increased demand for other public facilities such as court, libraries, and hospitals within the Planning Area. Based on a substantial increase in population (approximately 425,000 people), a substantial increase in the need for new and expanded courts, libraries, and hospitals would be required to serve the future City residents.

As future facilities such as courts, libraries, and hospitals are developed as part of the General Plan Update, there could be significant adverse environmental impacts from the construction and operation of these facilities. Typical impacts associated with other facilities include: noise, traffic, and lighting. No specific objectives or policies are proposed to reduce potential impacts to these facilities.

There are no objectives or policies within the proposed General Plan Update to reduce the potential environmental effects associated with the expansion or development of new service facilities. Therefore, the potential significant environmental impacts would remain.

Development associated with implementation of the proposed General Plan Update and related cumulative projects would result in the development of new court, library, and hospital facilities. As

these future facilities are developed, there could be significant adverse environmental impacts from the construction and operation of the facilities. Typical cumulative impacts associated with other public facilities such as courts, libraries, and hospitals would include: noise, traffic, and lighting. Since the proposed project could also result in similar significant environmental impacts from construction and operation of the facilities, the proposed project's contribution to cumulative environmental impacts would be cumulatively considerable. Thus, the implementation of the proposed project would result in significant cumulative impacts.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM PS-5 As future court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- **Noise:** Barriers and setbacks placed on school sites.
- **Traffic:** Traffic devices for circulation.
- **Lighting:** Provision of hoods and deflectors on lighting fixtures for stadium lights

The implementation of the mitigation measure identified above would reduce impacts associated with other recreational facilities to less than significant.

3.8 - Utilities and Service Systems

Wastewater Treatment – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

The potential long-term impacts related to waste discharge requirements of the existing and planned wastewater treatment facilities are categorized into two time frames and the assessment of both time frames include a full evaluation of the potential impacts that could occur with the buildout of the proposed General Plan Update. The first time frame includes the year 2025 and the potential buildout of the land uses that are included in the 2025 Fresno General Plan. The City of Fresno 2006

Wastewater Collection System Master Plan evaluated existing facilities and the need for additional facilities to accommodate the potential land uses proposed in the 2025 Fresno General Plan. After determining the potential impacts that could occur from the 2025 Fresno General Plan land uses, the second time frame includes full buildout in 2056 and the potential additional waste discharge impacts from the development of full buildout under the General Plan Update.

The Regional Water Quality Control Board has established a Waste Discharge Requirement Order (WDR) for the Regional Facility. The WDR for the Regional Facility establishes limits for the average dry weather flow discharge. The current permitted average dry weather flow discharge is 94 MGD. The Regional Facility's current average dry weather flow is approximately 68 MGD.

Based on the City of Fresno 2006 Wastewater Collection System Master Plan that took into account the 2025 General Plan land uses, the Master Plan describes a build-out dry weather base flow of 150 MGD. The Master Plan identified that the 150 MGD includes 14.2 MGD from the City of Clovis, which is a constant amount of treatment capacity dedicated to the City of Clovis based on current agreements. The remaining 135.8 MGD would be treated at the Regional Facility (110.6 MGD) and North Facility (1.2 MGD) and a portion of the total wastewater flow is planned to be treated at a future planned facility in the Southeast Development Area (24 MGD). Currently, the permitted discharge from the existing facilities is 94.71 MGD. Since, the dry weather base flow to the treatment plants is projected to be 150 MGD from development that would occur through approximately 2025, the current wastewater treatment requirements and waste discharge requirements would be exceeded and a potential significant impact would occur. This significant impact would occur due to the projected exceedance at the Regional Facility of 16.6 MGD (110.6 MGD – 94 MGD) and at the North Facility of 0.49 (1.2 MGD – 0.71 MGD). In addition, a new waste discharge permit for new wastewater treatment facilities would be required for the additional 24 MGD of treated wastewater that is currently planned for the Southeast Development Area.

The land use changes between the 2025 Fresno General Plan to the City of Fresno General Plan Update are projected to increase dry weather base flows to the treatment plants by an additional 33.6 MGD. The current wastewater treatment requirements and waste discharge requirements would be further exceeded, and a potential significant impact would occur. This significant effect is projected to occur at the Regional Facility. The wastewater treatment requirements and waste discharge requirements at the North Facility are anticipated to remain at 1.2 MGD, which is the same as under the development scenario of approximately the year 2025.

In addition to wastewater treatment requirements and waste discharge requirements associated with the wastewater treatment plant, the City is also planning to use the treated water for recycled water use and for groundwater recharge. Both of these proposed uses of treated water would require its own waste discharge permit from the Regional Water Quality Control Board.

Part of the City of Fresno 2012 Recycled Water Master Plan includes groundwater recharge project alternatives. Groundwater recharge projects provide a significant opportunity for improving the City's long-term sustainable water supply. Specific groundwater recharge projects and locations have not yet been identified. Current California Department of Public Health requirements for

groundwater recharge with recycled water indicate approximately four times as much diluent water as recycled water is required for ground water recharge. Diluent water would be obtained from surface water via the Fresno Irrigation District or storm water from the Fresno Metropolitan Flood Control District. A six-month ground water travel time is required between groundwater recharge sites and the nearest drinking water well. Recycled water used for groundwater recharge must meet Title 22 requirements for tertiary recycled water, including filtration and disinfection and nitrification/denitrification treatment (Carollo, 2012).

Policies PU-7-a through PU-8h were identified in the General Plan Update in order to reduce the potential effect associated with wastewater treatment requirements and waste discharge requirements. With the implementation of these policies, the implementation of the General Plan Update would still result in potential significant effects associated with wastewater treatment requirements and waste discharge requirements.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM USS-1 The City shall develop and implement a wastewater master plan update.

MM USS-2 Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements.

- Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased.
- Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.

MM USS-3 Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After approximately the year 2025, the City shall construct the following improvements.

- Construct an approximately 24 MGD Wastewater Treatment Facility within the Southeast Development Area and obtain revised waste discharge permits as the generation of wastewater is increased.
  Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased.

The implementation of the mitigation measures identified above would reduce impacts associated with wastewater treatment to less than significant.

Wastewater Treatment – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

Public utility districts and other municipalities exist near or adjacent to the planning area and include the City of Clovis and Malaga Utility District. These entities have wastewater treatment facilities that could cause significant environmental impacts. However, the operation of these treatment facilities would be required to comply with the same wastewater treatment requirements and RWQCB waste discharge requirements explained above. Since the proposed project would result in potential significant impacts associated with wastewater treatment requirements and waste discharge requirements, the project's contribution to potential cumulative impacts are considerable and would be a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM USS-1 The City shall develop and implement a wastewater master plan update.

MM USS-2 Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements.

- Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased.
- Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.

MM USS-3 Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After approximately the year 2025, the City shall construct the following improvements.

- Construct an approximately 24 MGD Wastewater Treatment Facility within the Southeast Development Area and obtain revised waste discharge permits as the generation of wastewater is increased.
- Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased.

The implementation of the mitigation measures identified above would reduce impacts associated with wastewater treatment to less than significant.

Water or Wastewater Treatment Facilities – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project could 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.

As discussed in Impact USS-1 in the Draft EIR, the implementation of the General Plan Update will result in the need for the expansion and new wastewater treatment facilities to serve future land uses and population. In addition, according to the City of Fresno Metropolitan Water Resources Management Plan Phase 2, the expansion and new surface water treatment facilities will be needed to increase water supplies within the Planning Area. Therefore, development in accordance with the General Plan Update would result in a significant impact on the existing wastewater treatment facilities and water supplies.

The Regional Facility located southwest of the City near the intersection of Jensen and Cornelia Avenues would require an approximately 70 MGD expansion to accommodate anticipated demand by approximately the year 2025. An additional expansion of 9.6 MGD is anticipated for approximately after the year 2025. The capacity of the existing North Facility is anticipated to require expansion from 0.71 MGD to 1.2 MGD by approximately the year 2025. The development of a new 24 MGD wastewater treatment facility is planned to be located within the Southeast Development Area to accommodate future growth.

Additionally, the City of Fresno owns and operates two surface water treatment facilities, the Northeast Surface Water Treatment Facility (NESWTF) and the T-3 SWTF. Based on current projections, the City anticipates the need to increase the existing capacity (30 MGD = 33,604 AF/year) of the Chestnut SWTF by an additional 30 MGD (33,604 AF/year). In addition, the City anticipates the need to construct a new 80 MGD (89,611 AF/year) SWTF near the intersection of Olive and Armstrong Avenues in the southeastern portion of the Planning Area and a possible new 20 MGD (22,403 AF/year) SWTF near the intersection of Church and Marks Avenue in the southwestern portion of the Planning Area (West Yost Associates, 2011). With the additional anticipated surface water treatment capacity of 160 MGD (179,222 AF/year), there would still need to be additional new or expanded surface water treatment or recharge facilities to accommodate the remaining 5,478 AF/year of available surface water supplies from FID and USBR which consists of 184,700 AF/year.

In addition to treatment facilities, the implementation of the proposed General Plan Update would result in significant impacts on existing wastewater collection system and water conveyance facilities. The existing wastewater collection system has several junction locations where flow distribution between downstream sewers can potentially be controlled. An analysis of the collection system identified four potentially deficient pipe segments totaling 4,730 feet. According to the City of Fresno, the results should be considered preliminary until the sewer model input parameters are better defined.

The 2006 Wastewater Master Plan defines a number of capital improvement program (CIP) projects to increase system capacity to accommodate 2025 General Plan buildout flows. Some of the projects have been implemented and so are now existing sewers, while other projects have yet to be implemented. The results of preliminary wastewater collection system modeling indicate that the remaining capacity improvement projects included in the 2006 Wastewater Master Plan CIP can be expected to provide sufficient sewer capacity to accommodate General Plan Update buildout wastewater flows for those particular sewers. However, there other areas within the wastewater collection system where the General Plan Update buildout wastewater flow is expected to exceed the existing sewer capacity, and the sewer is not part of a 2006 Wastewater Master Plan CIP capacity improvement project. Thus, additional capacity improvement projects beyond those provided for in the 2006 Wastewater Master Plan would be required in order to accommodate General Plan Update buildout wastewater flows. Accordingly, the implementation of the General Plan Update could result in significant impacts on the 28 sewer pipeline segments.

The construction of expanded and new wastewater treatment facilities and surface water treatment facilities, recharge facilities, wastewater collection system facilities, and water infrastructure facilities could result in short-term environmental effects. These temporary effects include traffic, air emissions, greenhouse gas emissions, and noise from construction equipment and vehicles as well as water quality effects during construction. Depending on the specific location of the expanded or new facilities, additional construction impacts that could result in long-term effects are related to aesthetics, agricultural resources, biological resources, and cultural resources.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM USS-4 A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented subject to approval by the City prior to construction. The plan shall identify hours of construction and for deliveries, include haul routes, identify access and parking restrictions, plan for notifications, identify pavement markings and signage, and a plan for coordination with emergency service providers and schools.

Implementation of Mitigation Measures AQ-1 through AQ-5, AES-1 through AES-5, BIO-1 through BIO-9, and CR-1 through CR-4 is required.

MM USS-5 Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.

- **C**onstruct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update Phase 2 Report, January 2012 (2012 Metro Plan Update).
- Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

MM USS-6 Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.

- Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27-inches to 42-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP.
- Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33-inches to 60-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP.
- North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48-inches to 66-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1.
- Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24-inches to 36-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP.

MM USS-7 Prior to exceeding capacity within the existing 28 pipeline segment shown on Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided.

MM USS-8 Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.

- Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

- Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 95.9 miles of 16-inch transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

MM USS-9 Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.

- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.
- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.

The implementation of the mitigation measures identified above would reduce impacts associated with water and wastewater treatment facilities to less than significant.

Water or Wastewater Treatment Facilities – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project could 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.

Public utility districts, water districts, and other municipalities exist near or adjacent to the Planning Area and include the City of Clovis, Pinedale Public Utility District, Pinedale County Water District, Malaga Water District, and Bakman Water Company. These entities could have construction projects of new water or wastewater treatment facilities or other urban development that could cause similar

significant environmental impacts as discussed above. Since the proposed project would result in potential significant environmental effects from the construction of expanded and new treatment facilities and sewer and water conveyance facilities, the project's contribution to cumulative environmental impacts would be considerable, and the project would result in a significant cumulative environmental impact.

As cumulative development occurs outside of the Planning Area, these developments may not result in additional demands on the existing treatment facilities and conveyance facilities. The City of Clovis is the only entity outside of the Planning Area that contributes wastewater to the Regional Facility. This contribution is currently limited to 9.3 MGD, and there is no additional capacity within the current or future expansion of the Regional Facility that is planned to be allocated to the City of Clovis. Currently, the sewer and water conveyance facilities serve areas within the Planning Area and no areas outside of the Planning Area. Cumulative development outside of the Planning Area is not expected to impact existing or future water or sewer facilities. Therefore, as identified above, the implementation of the General Plan Update would result in a significant impact on water and sewer facilities. This impact is also considered a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM USS-4 A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented subject to approval by the City prior to construction. The plan shall identify hours of construction and for deliveries, include haul routes, identify access and parking restrictions, plan for notifications, identify pavement markings and signage, and a plan for coordination with emergency service providers and schools.

Implementation of Mitigation Measures AQ-1 through AQ-5, AES-1 through AES-5, BIO-1 through BIO-9, and CR-1 through CR-4 is required.

MM USS-5 Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.

- **C**onstruct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update Phase 2 Report, January 2012 (2012 Metro Plan Update).
- Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

MM USS-6 Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.

- Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27-inches to 42-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP.
- Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33-inches to 60-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP.
- North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48-inches to 66-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1.
- Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24-inches to 36-inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP.

MM USS-7 Prior to exceeding capacity within the existing 28 pipeline segment shown on Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection

system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided.

MM USS-8 Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.

- Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.
- Construct 95.9 miles of 16-inch transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2012 Metro Plan Update.

MM USS-9 Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.

- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.
- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.

The implementation of the mitigation measures identified above would reduce impacts associated with water and wastewater treatment facilities to less than significant.

Stormwater Drainage Facilities – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project could 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.

Storm drainage facilities within the Planning Area as well as within Clovis are planned, implemented, operated, and maintained by the FMFCD. The existing and planned storm drainage facilities are documented in the Storm Drainage and Flood Control Master Plan (SDFCMP), which is developed and updated by FMFCD. The master plan drainage system for the Planning Area consists of 130 individual drainage areas or urban watersheds. The majority of the Planning Area is located within one of the individual drainage areas or urban watersheds. There are portions of the southeastern and western portions of the Planning Area that are not within an individual drainage area or watershed.

In 2007, the FMFCD approved the 2004 District Services Plan (Services Plan) that included flood control, local stormwater drainage, water conservation, and recreational uses within its service area. A Master EIR was prepared for the 2004 Services Plan, certified in 2007, and identified various programs including the local stormwater drainage program. This program includes facilities to accommodate future growth in accordance with land use plans approved in 2007 (i.e., the City of Fresno 2025 General Plan). These facilities include conveyance systems such as streets and gutters, storm drain inlets, storm drain pipelines, detention and retention basins, pump stations, and outfall facilities that collect and drain runoff from developed land areas. The Master EIR identified the potential environmental effects associated with the construction and operation of these future stormwater drainage facilities to adequately accommodate growth in accordance with the 2025 General Plan.

The implementation of the General Plan Update objectives and policies identified in Sections Hydrology and Water Quality (Section 5.9), Biological Resources (Section 5.4), Public Services (Section 5.13), Agricultural Resources (Section 5.2), and Air Quality (Section 5.3) of the Draft EIR would reduce the potential significant effects from the construction and operation of the future storm water drainage facilities. However, even with the implementation of these objectives and policies, the potential significant impacts would remain.

The remaining environmental issues, except for greenhouse gas emissions, were addressed within the Master EIR published in 2004 as well as the as the Notice of Preparation (NOP) and Initial Study (IS/NOP) that was published in 1999 and again with the draft and final versions of the Master EIR. Each of the remaining environmental issues would result in either no impact or a less than significant impact. The implementation of future storm water drainage facilities could increase greenhouse gas emissions, primarily during construction activities. However, construction of the proposed facilities is not expected to result in a substantial increase in greenhouse gas emissions because the emissions would be temporary and would cease after construction is completed. Operation of the facilities would include infrequent vehicle trips associated with routine inspections and possibly maintenance of the basins. These operational activities would not conflict with the state's ability to meet the Assembly Bill (AB) 32 goals for the year 2020, and therefore, would result in a less than significant impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(2), changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding and such changes have been adopted by such other agency or can and should be adopted by such other agency.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

The following mitigation measures are from the Master EIR for the 2004 District Services Plan that identified specific measures to reduce potential environmental effects associated with the future construction and operation of storm water drainage facilities. The mitigation measures below are anticipated to be required for to reduce construction and operational impacts associated with drainage facilities that accommodate land uses proposed under the General Plan Update.

MM USS-10 Maintain operational intermittent flows during the dry season within define channel capacity and downstream capture capabilities for recharge.

MM USS-11 (a) The FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland

hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required.

(b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters (as part of the FMFCD's CDFG Memorandum of Understanding (MOU), Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet "no net policy", the permits shall require replacement of wetland habitat at a 1:1 ratio.

(c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:

(i) Specific location, size, and existing hydrology and soils within the wetland creation area.

(ii) Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.

(iii) A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met, 2) to specify monitoring methodology, 3) to identify as far as is possible, specific remedial actions that will be required by Fresno Metropolitan Flood Control District in order to achieve the success criteria, and 4) to document the degree of success achieved in establishing wetland vegetation.

(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are

being carried out and how these shall be adjusted if necessary. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.

Or

(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, the FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.

MM USS-12 (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, the FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants then no further action required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.

(b) Based on the results of the survey, prior to design approval, the FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:

- The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).
- The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.
- The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population.

(c) Prior to design approval, the FMFCD in consultation with the CDFG and/or the USFWS, shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.

MM USS-13 (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, the FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans.

(b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp.

(c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Alternatively, mitigation shall be the purchase of mitigation credit through an accredited mitigation bank.

MM USS-14 (a) During facility design and prior to initiation of construction activities, the FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.

(b) The FMFCD shall avoid and protect all potential identified VELB habitat where feasible.

(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.

MM USS-15 Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, the FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.

MM USS-16 (a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin.

If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.

(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.

Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby.

MM USS-17 (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFG on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River.

(b) Riparian vegetation on the levee shading the main channel that is removed or damaged as a result of levee raising shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within the levees, detention ponds or channels shall be approved by the FMFCD and State Reclamation Board.

MM USS-18 (a) Prior to final design approval of all elements of the District Services Plan, the FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, the FMFCD shall implement the following.

(b) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, the FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.

(c) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or the FMFCD shall replace these facilities.

MM USS-19 (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.

(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.

(c) Off-road trucks should be equipped with on-road engines if possible.

(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.

MM USS-20 Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with the Fresno Metropolitan Flood Control District to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the additional capacity is provided.

The implementation of the mitigation measures identified above would reduce impacts associated with stormwater drainage facilities to less than significant.

Stormwater Drainage Facilities – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project could require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant cumulative environmental effects.

The FMFCD extends beyond the current boundaries of the spheres-of-influences for the City of Fresno and City of Clovis, but does not include the portion of the Planning Area that encompasses the southern portion of SEDA. Construction projects that are located immediately adjacent to the FMFCD boundary could cause similar significant environmental impacts as discussed above. Since the proposed project would result in potential significant environmental effects from the construction of new storm water drainage facilities, the project's contribution to cumulative

environmental impacts would be considerable, and the project would result in a significant cumulative environmental impact. In addition, future cumulative development could contribute additional storm water within the Planning Area and therefore result in additional impacts to existing drainage areas. The proposed project's contribution of storm water impacts to existing drainage areas is considerable and would result in a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Pursuant to CEQA Guidelines Section 15091 (a)(2), changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding and such changes have been adopted by such other agency or can and should be adopted by such other agency.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

The following mitigation measures are from the Master EIR for the 2004 District Services Plan that identified specific measures to reduce potential environmental effects associated with the future construction and operation of storm water drainage facilities. The mitigation measures below are anticipated to be required for to reduce construction and operational impacts associated with drainage facilities that accommodate land uses proposed under the General Plan Update.

MM USS-10 Maintain operational intermittent flows during the dry season within define channel capacity and downstream capture capabilities for recharge.

MM USS-11 (a) The FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required.

(b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair

or reduce the reach of such waters (as part of the FMFCD's CDFG Memorandum of Understanding (MOU), Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet "no net policy", the permits shall require replacement of wetland habitat at a 1:1 ratio.

(c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:

(i) Specific location, size, and existing hydrology and soils within the wetland creation area.
(ii) Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.
(iii) A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met, 2) to specify monitoring methodology, 3) to identify as far as is possible, specific remedial actions that will be required by Fresno Metropolitan Flood Control District in order to achieve the success criteria, and 4) to document the degree of success achieved in establishing wetland vegetation.

(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.

Or

(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, the FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.

MM USS-12 (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, the FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants then no further action required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.

(b) Based on the results of the survey, prior to design approval, the FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:

- The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).
- The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.
- The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population.

(c) Prior to design approval, the FMFCD in consultation with the CDFG and/or the USFWS, shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.

MM USS-13 (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, the FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans.

(b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp.

(c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Alternatively, mitigation shall be the purchase of mitigation credit through an accredited mitigation bank.

MM USS-14 (a) During facility design and prior to initiation of construction activities, the FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.

(b) The FMFCD shall avoid and protect all potential identified VELB habitat where feasible.

(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.

MM USS-15 Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, the FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.

MM USS-16 (a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin.

If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.

(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be

monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.

Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby.

MM USS-17 (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFG on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River.

(b) Riparian vegetation on the levee shading the main channel that is removed or damaged as a result of levee raising shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within the levees, detention ponds or channels shall be approved by the FMFCD and State Reclamation Board.

MM USS-18 (a) Prior to final design approval of all elements of the District Services Plan, the FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, the FMFCD shall implement the following.

(b) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, the FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.

(c) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to

prevent permanent displacement shall be implemented in the final project design or the FMFCD shall replace these facilities.

MM USS-19 (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.

(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.

(c) Off-road trucks should be equipped with on-road engines if possible.

(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.

MM USS-20 Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with the Fresno Metropolitan Flood Control District to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the additional capacity is provided.

The implementation of the mitigation measures identified above would reduce impacts associated with stormwater drainage facilities to less than significant.

Water Supplies – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project would not have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

Based on the 2010 UWMP, projected water demand is based on a per capita target. For the years of 2020 and after, the per capita target is 250 gpcd. The projected water demand for the City of Fresno in the Year 2035, based on a population of 780,600, is 218,596 AF/year. The projected water demand for the City at full buildout of the General Plan Update, based on a population of 970,000, is 271,594 AF/year.

The water supplies identified above (269,700 AFY) are adequate to accommodate the demand in 2035 (i.e., 218,596 AF/year), but not the demand at buildout of the General Plan Update (i.e., 271,594 AF/year). Therefore, implementation of the General Plan and Development Code Update would not have sufficient water supplies available to serve buildout of the project and would result in a significant impact related to water supplies. To reduce potential impacts on water supply, the General Plan Update includes Objective PU-8 and Policies PU-8-a through PU-8-g.

The implementation of the above policies would reduce the potential impact on water supplies; however, the impact on water supplies will remain significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measure USS-5 is required prior to approximately the year 2025.

MM USS-21 Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the January 2012 City of Fresno Metropolitan Water Resources Management Plan.

The implementation of the mitigation measure identified above would reduce impacts associated with water supplies to less than significant.

Water Supplies – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project would not have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

The 2012 Kings Basin Integrated Regional Water Management Plan (IRWMP) was developed by the Kings Basin Water Authority, of which the City of Fresno is a member, to provide regional planning and management of water resources in the Kings Basin. The purpose of the Kings Basin IRWMP is provide a multi-agency, regional planning and management approach to maintaining a sustainable supply of the surface and groundwater resources for the water users within the basin (Kings Basin Water Authority, 2012). Other members of the Kings Basin Water Authority include: Alta Irrigation District, City of Clovis, City of Sanger, City of Dinuba, City of Reedley, City of Parlier, City of Kingsburg, City of Selma, City of Kerman, Fresno County, Tulare County, Consolidated Irrigation District, Fresno Irrigation District, Fresno Metropolitan Flood Control District, Kings County Water District, and Kings River Conservation District. The Kings Water Authority has promulgated a series of goals to maintain a sustainable water supply for the planning area.

The Kings Basin Water Authority has developed a project review process to identify projects, rank their ability to achieve the goals of the Authority as articulated in the Kings Basin IRWMP.

Participating agencies within the Kings Sub-basin vet projects with the Authority and funds are allocated to finance all or portions of projects that work to achieve the goals, including Goal RG1, reduce groundwater overdraft.

While not an instant panacea for the cumulative impacts to the availability of potable water in the Kings Basin, the coalition of water agencies that make up the Kings Water Authority and their stated goal to provide sustainable water supplies through education and providing funding for projects that work to achieve this goal through implementing the aforementioned strategies. This effort will be a long-term effort on of the Kings Basin Water Authority. Although the effort of the Kings Basin Water Authority would reduce potential impacts on water supplies, the implementation of the proposed General Plan and Development Update could contribute to impacts related to water supplies. This contribution of potential impacts is considered cumulatively considerable and a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measure USS-5 is required prior to approximately the year 2025.

MM USS-21 Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the January 2012 City of Fresno Metropolitan Water Resources Management Plan.

The implementation of the mitigation measure identified above would reduce impacts associated with water supplies to less than significant.

Wastewater Treatment Capacity – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project could 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.

As discussed in Section 5.15-2, the City of Fresno owns and operates two wastewater treatment facilities. They are the Fresno/Clovis Regional Wastewater Reclamation Facility and the North Fresno Wastewater Reclamation Facility. The Regional Facility currently has a capacity of 80 MGD. The North Facility has a capacity of 0.71 MGD. The implementation of the proposed General Plan Update is projected to increase demand to require an expansion of the Regional Facility by 70 MGD to accommodate growth associated with the 2025 General Plan which is equivalent to the current growth projection for the year 2035 and an additional expansion of 33.6 MGD that would occur at the Regional Facility (9.6 MGD) and at the water treatment plant at the SEDA (24 MGD) by buildout of the General Plan Update. The proposed General Plan Update is projected to increase demand due to future growth associated with the year 2035. This demand would require an expansion of the North Facility by 0.49 MGD. No additional increase in capacity at the North Facility would be required to accommodate development between the year 2035 and buildout of the General Plan Update.

Therefore, the existing wastewater treatment capacity at the Regional Facility and North Facility is not adequate to serve the future development anticipated under the General Plan Update. Therefore, the proposed project would result in significant impacts to existing wastewater treatment capacity.

The General Plan Update includes the following policies designed to reduce water quality impacts that may be associated with wastewater treatment operations and discharges.

Policy PU-6-a Treatment Capacity and Cost Recovery. Prepare for and consider the implementation of increased wastewater treatment and reclamation facility capacity in a timely manner to facilitate planned urban development within the Metropolitan Area consistent with this General Plan. Accommodate increase in flows and loadings from the existing community with the capital costs and benefits allocated equitably and fairly between existing users and new users, as authorized by law.

Policy PU-6-b Consider Capacity in Plan Amendments. Monitor wastewater treatment plant flows and loadings to the extent feasible. Consider the effects on wastewater treatment capacity and availability of potable water when evaluating General Plan amendment proposals, specific plans, and Quarter Section Plans.

Objective PU-7 Promote reduction in wastewater flows and develop facilities for beneficial reuse of reclaimed water and biosolids for management and distribution of treated wastewater.

Policy PU-7-a Reduce Wastewater. Identify and consider implementing water conservation standards and other programs and policies, as determined appropriate, to reduce wastewater flows.

Policy PU-7-b Reduce Stormwater Leakage. Reduce storm water infiltration into the sewer collection system, where feasible, through a program of replacing old and

deteriorated sewer collection pipeline; eliminating existing stormwater sewer cut-ins to the sanitary sewer system; and avoiding any new sewer cut-ins except when required to protect health and safety.

Policy PU-7-c Biosolid Disposal. Investigate and implement economically effective and environmentally beneficial methods of biosolids handling and disposal.

Policy PU-7-d Wastewater Recycling. Pursue the development of a recycled water system and the expansion of beneficial wastewater recycling opportunities, including a timely technical, practicable, and institutional evaluation of treatment, facility siting, and water exchange elements.

Policy PU-7-e Infiltration Basins. Continue to rehabilitate existing infiltration basins, and if determined appropriate, pursue acquiring additional sites for infiltration basins, as needed.

Policy PU-7-f Food and Drink Industry. Ensure adequate provision of facilities for the appropriate management of wastewater from wineries, food processing and beverage facilities, including conformance with Waste Discharge Requirements issued by the Regional Water Quality Control Board.

Public utility districts and other municipalities exist near or adjacent to the planning area and include the City of Clovis, the Pinedale Public Utility District, Pinedale County Water District, and Malaga Utility District. These entities have wastewater treatment facilities that may not be adequate to serve future populations. As a result, there could be significant impacts associated with wastewater treatment capacity. Since the existing treatment facilities are not adequate to accommodate full buildout of the proposed General Plan Update, the project's contribution to potential cumulative wastewater treatment capacity would be considerable and result in a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures USS-1 through USS-3 is required

The implementation of the mitigation measures identified above would reduce impacts associated with wastewater treatment capacity to less than significant.

Wastewater Treatment Capacity – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project would 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.

Public utility districts and other municipalities exist near or adjacent to the planning area and include the City of Clovis, the Pinedale Public Utility District, Pinedale County Water District, and Malaga Utility District. These entities have wastewater treatment facilities that may not be adequate to serve future populations. As a result, there could be significant impacts associated with wastewater treatment capacity. Since the existing treatment facilities are not adequate to accommodate full buildout of the proposed General Plan Update, the project's contribution to potential cumulative wastewater treatment capacity would be considerable and result in a significant cumulative impact.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

Implementation of Mitigation Measures USS-1 through USS-3 is required

The implementation of the mitigation measures identified above would reduce impacts associated with wastewater treatment capacity to less than significant.

Landfill Capacity – Project Impact

Potentially Significant Impact

The Final EIR identifies that the project would not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

New residential, commercial, mixed use, and industrial land uses included within the boundaries of the proposed General Plan Update would increase the population by approximately 425,000 new residents. In addition, the buildout of the land uses identified in the General Plan Update includes the future development of approximately 60,626 single-family residential dwelling units, 84,538 multi-family residential dwelling units, 63.3 million square feet (msf) of commercial, 20.8 msf of mixed use, and 40.5 msf of industrial. The increase in growth and development as a result of the implementation of the General Plan Update could result in an increase of solid waste to transfer

centers, landfills, and could contribute to an increased demand for solid waste services throughout the Planning Area.

Development under the General Plan Update would result in the generation of approximately 973 additional tons of solid waste. Based on the estimated closure dates of the American Avenue Landfill in 2031, Clovis Landfill in 2047, and Coalinga Landfill in 2029, there is a potential for additional landfill capacity needed to accommodate the additional development anticipated under the General Plan Update. Therefore, development under the General Plan Update could result in a significant impact on landfill capacity.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM USS-22 Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.

The implementation of the mitigation measure identified above would reduce impacts associated with landfill capacity to less than significant.

Landfill Capacity – Cumulative Impact

Potentially Significant Impact

The Final EIR identifies that the project would not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

Future development associated with buildout of the proposed General Plan Update and associated cumulative projects within Fresno County that contribute waste to landfills within the County of Fresno could impact the landfill capacity and recycling facility capacities. Since the proposed project could contribute to the impact on the capacity of the landfills within the County or other recycling facilities, the project's contribution to the landfill and/or recycling facility capacity impact would be considerable and would be cumulatively significant.

Finding

Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Facts in Support of Finding

The potentially significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the Final EIR and incorporated into the project.

MM USS-22 Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.

The implementation of the mitigation measure identified above would reduce impacts associated with landfill capacity to less than significant.

SECTION 4: FEASIBILITY OF PROJECT ALTERNATIVES

CEQA requires that an EIR include an analysis of a reasonable range of feasible alternatives to a proposed project capable of avoiding or substantially lessening any significant adverse environmental impact associated with the project. The discussion of alternatives is required to include the "No Project" alternative. CEQA requires further that the City of Fresno identify an environmentally superior alternative. If the "No Project" alternative is the environmentally superior alternative, an environmentally superior alternative must be identified from among the other alternatives. (CEQA Guidelines, section 15126.6.)

As set forth in these Findings, the implementation of the proposed General Plan and Development Code Update will result in significant and unavoidable impacts.

The City of Fresno reviewed a range of potential alternatives to the proposed project. The range of alternatives was determined based on, in part, the basic objectives of the proposed project. These objectives include:

1. Increase opportunity, economic development, business and job creation.
2. Support a successful and competitive Downtown.
3. Emphasize conservation, successful adaptation to climate and changing resource conditions, and performance effectiveness in the use of energy, water, land, buildings, natural resources, and fiscal resources required for the long-term sustainability of Fresno.
4. Emphasize achieving healthy air quality and reduced greenhouse gas emissions.
5. Support agriculture as an integral industry and sustainable food production system.
6. Protect, preserve, and enhance natural, historic, and cultural resources.
7. Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.
8. Develop "complete neighborhoods" and districts with a compact and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, public and commercial services to provide a sense of place and that meet daily needs within walking distance.
9. Promote a city of healthy communities and improve quality of life in existing neighborhoods.
10. Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno.
11. Emphasize and plan for all modes of travel on local and major streets in Fresno.

12. Resolve existing public infrastructure and service deficiencies, make full use of existing infrastructure, and invest in improvements to increase competitiveness and promote economic growth.
13. Emphasize the City as a role model for growth management planning, regional cooperation, collaborative planning, efficient processing and permit streamlining, public-private partnerships and shared financing, sustainable urban development policies, environmental quality, and a strong economy, and work with other jurisdictions and institutions to further these values throughout the region.
14. Provide a network of safe, well-maintained parks, open spaces, athletic facilities, and walking and biking trails connecting the city's districts and neighborhoods to attract and retain a broad range of individuals, benefit the health of residents, and provide the level of public amenities required to encourage and support development of higher density urban living and transit use.
15. Improve Fresno's visual image and enhance its form and function through urban design strategies and effective maintenance.
16. Protect and improve public health and safety.
17. Recognize, respect, and plan for Fresno's cultural, social, and ethnic diversity, and foster an informed and engaged citizenry.
18. Retain the existing sphere-of-influence.
19. Provide project development direction for future annexations within the existing sphere-of-influence.
20. Encourage development within urban infill areas.

The various alternatives that were reviewed were classified as Alternatives Considered But Rejected (see Section 4.1 below) and Alternatives Considered and Evaluated (see Section 4.2 below). Following is a discussion of each alternative.

4.1 - Alternatives Considered But Rejected

Following are the alternatives to the proposed General Plan and Development Code Update that were considered but rejected. As discussed below, Concept Alternative A was rejected from further consideration. Concept Alternatives B through E are similar to the Growth Area Expansion that is evaluated in Section 4.2.3, below.

4.1.1 - The Boulevard Plan – Concept Alternative A

This alternative is known as Concept Alternative A from the Alternatives Report that was prepared for the General Plan Citizens Committee in March 2012. This plan is similar, but different than the proposed project. This alternative provides a slightly higher gross density (9.4 dwelling units per

acre) compared to the proposed project (9.12 dwelling units per acre). The number of residential units associated with this alternative is anticipated to be slightly more under buildout conditions compared to the proposed project. The amount of non-residential development is assumed to be the same as the proposed project. As a result, this alternative would result in higher densities and potentially a greater number of residential units. An increase in the number of residential units when factoring in the same amount of other development as the proposed project would result in greater environmental effects. These greater effects could be aesthetics (visual character and lighting), air emissions, greenhouse gas emissions, noise, public services, traffic, and utilities in the areas with greater residential densities compared to the proposed project. This alternative would not avoid a significant and unavoidable effect of the proposed project. This alternative could meet all of the project objectives. However, since this alternative would not avoid a significant and unavoidable environmental effect of the proposed project, this alternative meets one of the factors identified above to eliminate an alternative from detailed consideration as discussed in Section 15126.6 (c) of the CEQA guidelines.

4.1.2 - The Growth Areas Plan – Concept Alternative B

This alternative is known as Concept Alternative B from the Alternatives Report that was prepared for the General Plan Citizens Committee in March 2012. This alternative includes more housing units and a lower gross density (7.5 dwelling units per acre) compared to the proposed project (9.12 dwelling units per acre). With a lower density and greater number of units, this alternative would result in more residential acreage compared to the proposed project; however, the amount of non-residential development is assume to be the same, but more dense than the proposed project. Development of this alternative could result in less environmental effects due to lower residential densities, but greater environmental effects due to a greater amount of residential units. A similar increase in residential development (i.e., four percent more than the proposed project) is evaluated in Section 7.3.3 (Growth Area Expansion). The Growth Area Expansion also includes lower residential densities (i.e., 5.3 units per acre) compared to the proposed project. As a result, Section 4.2.3, below, includes an evaluation of an alternative that has similar components as this alternative.

4.1.3 - The Expanded SOI Plan – Alternative Concept C

This alternative is known as Concept Alternative C from the Alternatives Report that was prepared for the General Plan Citizens Committee in March 2012. This alternative is similar to the Growth Area Expansion that is evaluated in Section 4.2.3, below. This alternative includes a similar four percent increase in residential units and the same gross average residential density as the Growth Area Expansion. In addition, this alternative as well as the Growth Area Expansion would include a similar amount of non-residential development. Therefore, see Section 4.2.3, below, for an evaluation of an alternative with similar components as this alternative.

4.1.4 - The Hybrid Plan – Concept Alternative D

This alternative is known as Concept Alternative D from the Alternatives Report that was prepared for the General Plan Citizens Committee in March 2012. This alternative would result in a greater amount of residential development, less gross average residential density (6.7 units per gross acre),

and expand outside of the Planning Area. This alternative would result in similar components as the Growth Area Expansion Alternative discussed in Section 4.2.3, below. Both of these alternatives would expand the Planning Area and reduce the gross average residential density compared to the proposed project. Potential environmental effects associated with this alternative would be similar to the potential environmental effects associated with the Growth Area Expansion Alternative discussed in Section 4.2.3, below. Therefore, see Section 4.2.3, below, for an evaluation of an alternative with similar components as this alternative.

4.1.5 - BIA Alternative – Concept Alternative E

This alternative is known as Concept Alternative E that was included for consideration by the General Plan Citizens Committee in April 2012. This alternative includes similar development parameters as those that are evaluated in the Growth Area Expansion Alternative discussed in Section 4.2.3, below. The similar development parameters are gross average residential densities (5.3 units per gross acre), expansion of the Planning Area, and an approximately four percent increase in residential development compared to the proposed project. Therefore, see Section 4.2.3, below, for an evaluation of an alternative with similar components as this alternative.

4.2 - Alternatives Considered and Evaluated

An evaluation of four alternatives to the proposed project was provided in the Master EIR and is provided below. These alternatives represent a reasonable range of alternatives to the proposed project. This analysis includes alternatives that could feasibly accomplish most of the basic objectives of the proposed project and could avoid or substantially lessen one or more of the significant effects.

Following is a discussion of each of the alternatives to the proposed project that were further considered for analysis.

4.2.1 - No Project/No Development Alternative

Under the No Project/No Development Alternative (No Project Alternative), the Planning Area would remain unchanged and no new development would occur onsite. The Planning Area would continue to have 545,000 people and include 186,840 dwelling units. No additional land uses would be developed. The existing agricultural uses within the Planning Area would continue their operations.

Since this alternative would not include any additional development, no additional environmental effects would occur. The significant and unavoidable effects associated with the proposed project (aesthetics, agricultural resources, air quality, cultural resources, greenhouse gases, noise, traffic, and utility/service systems) would be eliminated with the implementation of this alternative. In addition, the effects that were found to be significant prior to mitigation under the proposed project (biological resources, hazards and hazardous materials, hydrology and water quality, and public services) would also be eliminated. Impacts that were found to be less than significant under the proposed project (geology and soils, land use and planning, and population and housing) would also be eliminated with this alternative. Both the proposed project and this alternative would result in a

similar no impact related to energy conservation. This alternative is considered environmentally superior to the proposed project; however, this alternative would not meet any of the project's objectives.

4.2.2 - No Project/Development in Accordance with the Existing General Plan

The No Project/Development in Accordance with the Existing General Plan would result in development occurring within the 106,027-acre Planning Area. This alternative would include a population of 790,000 people and a total of approximately 260,000 housing units. Substantially less non-residential development would be developed under this alternative compared to the proposed project. This alternative contemplated buildout of the Planning Area by the year 2025 and due to the economic recession during the past decade, the current estimate of buildout of this alternative is the year 2035. The projected residential density of new residential units after the year 2010 is 6.09 under this alternative.

Due to substantially less development under this alternative compared to the proposed project, environmental effects associated with this alternative would be less compared to the proposed project. This alternative would include approximately 180,000 less people and approximately 72,000 fewer residential units compared to the proposed project. This alternative would also include a lower gross residential density (6.09 units per acre) for new residences compared to the proposed project (9.12 units per acre).

With less development, this alternative would be able to reduce the significant and unavoidable effects associated with the proposed project (aesthetics, air quality, cultural resources, greenhouse gases, noise, traffic, and utility/service systems). Potential impacts to agricultural resources would be the same under this alternative compared to the proposed project because this alternative contemplates the removal of all existing farmland. Effects that were found to be significant prior to mitigation under the proposed project (biological resources [effects on species], hazards and hazardous materials, hydrology and water quality, and public services) would also be reduced under this alternative. Impacts that were found to be less than significant under the proposed project (i.e., geology and soils [soil erosion], land use and planning, and population and housing [displacement of housing]) would also be reduced with this alternative. Both the proposed project and this alternative would result in a similar impact related to agricultural resources as discussed above, biological habitat because a similar amount of disturbance within the Planning Area is assumed, seismic hazards, land use and planning, and energy conservation. This alternative is considered environmentally superior to the proposed project.

This alternative would not meet many of the basic objectives of the proposed project. This alternative would not include the development of "complete neighborhoods", promote healthy communities and improve quality of life, emphasize increase land use intensity and mixed use development, provide for a plan for all modes of travel on local and major streets, and encourage development within urban infill areas. Since this alternative does not meet many of the basic objectives of the proposed project, this alternative would meet one of the factors identified in Section 15126.6(c) of the CEQA guidelines to reject an alternative from further consideration.

4.2.3 - Growth Area Expansion

The Growth Area Expansion Alternative incorporates components that were identified in the Growth Area Plan, The Expanded SOI Plan, and The Hybrid Plan that were developed for the General Plan Citizens Committee in March 2012 and are discussed in Section 4.2, above. The Growth Area Expansion Alternative includes an average residential density of 5.3 units per gross acre for new residential development and an approximately four percent increase in new residential development compared to the proposed project. The total new residential development beyond the existing units in the year 2010 is approximately 151,000 dwelling units compared to the proposed project's 145,164 new residential units. With a decrease in density within the Planning Area, new residential communities would be required to be constructed outside of the Planning Area. These new communities would occur contiguous to the Planning Area boundary and within the current jurisdiction of the County of Fresno. Based on no new residential designations within the Planning Area compared to the proposed project, a four percent increase in new residential units compared to the proposed project, and a 5.3 units per gross acre for the approximately 151,000 new dwelling units, a total of approximately 15,000 acres would be required outside of the Planning Area. This new area would also accommodate uses that would support the residential communities. The total population that would be accommodated under this alternative would be approximately 988,000 people which would be approximately 18,000 more people and less than a two percent increase compared to the proposed project.

This alternative would result in approximately 15,000 more acres of development compared to the proposed project and would result in a reduced density within the Planning Area. With a slight increase in the total amount of residential and non-residential development compared to the proposed project, this alternative would not be able to reduce the significant and unavoidable aesthetics, air quality, greenhouse gas, noise, and utility/service systems impacts associated with the proposed project. In addition, with more acres of development compared to the proposed project, the significant and unavoidable agricultural impacts associated with the proposed project would not be reduce, but would result in greater impacts. This alternative would also be inconsistent with the City's policies to retain the existing sphere-of-influence boundary and not prohibit urban development such as residential and commercial development to extend beyond the Planning Area proposed under the project. With a reduction of densities within the Planning Area, traffic volumes throughout the Planning Area could be reduced and levels of service on City of Fresno roadway segments as well as on roadway segment under the jurisdictions of the County of Fresno, City of Clovis, and Caltrans could be reduced. Although potential impacts on roadway segments could be reduced under this alternative, the impacts would remain significant and unavoidable on roadway segments under the jurisdictions of the County of Fresno, City of Clovis, and Caltrans, and the impacts under the jurisdiction of the City of Fresno could be reduce to less than significant. Similar to the finding with the implementation of the proposed project, potential traffic effects outside of the Planning Area and within the surrounding counties is speculative.

Effects that were found to be significant prior to mitigation under the proposed project (biological resources [effects on species], hazards and hazardous materials, hydrology and water quality, and public services) would not be reduced under this alternative because a slightly greater amount of

residential and non-residential development would occur under this alternative compared to the proposed project. Impacts that were found to be less than significant under the proposed project (geology and soils [soil erosion] and population and housing [displacement of housing]) would remain less than significant under this alternative. Both the proposed project and this alternative would result in a similar impact related to energy conservation. Since this alternative would result in greater impacts in a number of environmental issue areas compared to the proposed project, this alternative is not considered environmentally superior to the proposed project.

This alternative could meet many of the basic objectives of the proposed project. This alternative could include the development of "complete neighborhoods", promote healthy communities and improve quality of life, provide for a plan for all modes of travel on local and major streets, and encourage development within urban infill areas. However, this alternative would not emphasize increased land use intensity because this alternative would include a lower residential density for new residential units (5.3 units per gross acre) compared to the density under the proposed project (9.12 units per gross density). In addition, this alternative would not retain the existing sphere-of-influence and not prohibit urban development such as residential and commercial development to extend beyond the existing sphere-of-influence.

4.2.4 - Growth Area Reduction

The Growth Area Reduction Alternative would remove future development within the area known as the Southeast Development Area (SEDA), but would include this area as part of the Planning Area. Therefore, the Planning Area would remain 106,027 acres. With the removal of future development within SEDA, the existing rural uses including agricultural uses would remain. This alternative would accommodate approximately 850,000 people which would be approximately 120,000 less people compared to the proposed project. A total of approximately 286,000 residential units would be included under this alternative. This includes approximately 99,000 new residential units within the Planning Area at an average density of approximately 8.4 units per gross acre. This density would be less than the average density of 9.12 units per gross acre under the proposed project; however, since the residential densities in SEDA were higher than the average residential density for the proposed project, the average density of residential units would be less under this alternative. Outside of SEDA, the densities throughout the Planning Area under this alternative would be the same densities as proposed under the proposed project.

This alternative would result in approximately 7,700 less acres of development compared to the proposed project and would result in the same density in the remaining portions of the Planning Area. With a reduction of a substantial area for new land uses as well as a reduction of a substantial amount of development in SEDA of approximately 45,800 residential units and approximately 18 million square feet (obtained from Table 3-6 in Section 3 of this Master EIR), this alternative would result in substantially less environmental effects compared to the proposed project.

The implementation of this alternative could reduce impacts associated with the proposed project's significant and unavoidable environmental impacts. These reduced impacts would include reductions in aesthetics, agricultural resources, greenhouse gases, noise, traffic, and utility and

service systems. Although these impacts could be reduced, the implementation of this alternative would still result in significant and unavoidable impacts. Aesthetics impacts could remain significant and unavoidable due to development throughout the Planning Area. Agricultural resources would remain significant and unavoidable because development outside of SEDA would still remove agricultural resources. This alternative would generate a substantial amount of greenhouse gases that would continue to represent a significant and unavoidable impact. Noise levels would continue to substantially increase and exceed thresholds throughout the Planning Area and outside of SEDA. Traffic levels would be reduced in the vicinity of SEDA; however, impacts on roadway segments under the jurisdictions of the County of Fresno, City of Clovis, and Caltrans would still be significant and unavoidable. Similar to the finding with the implementation of the proposed project, potential traffic effects outside of the Planning Area and within the surrounding counties is speculative. Impacts associated with utility and service systems would be substantially reduced under this alternative; however, the significant and unavoidable impacts associated with the construction of new facilities to provide adequate services would remain.

Effects that were found to be significant prior to mitigation under the proposed project (biological resources [effects on species], hazards and hazardous materials, hydrology and water quality, and public services) would be reduced under this alternative because substantially less residential and non-residential development would occur under this alternative compared to the proposed project. Impacts that were found to be less than significant under the proposed project (geology and soils [soil erosion] and population and housing [displacement of housing]) would be less under this alternative and remain less than significant. Both the proposed project and this alternative would result in a similar impact related to energy conservation. Since this alternative would result in less impacts in a number of environmental issue areas compared to the proposed project, this alternative is considered environmentally superior to the proposed project.

This alternative could meet many of the basic objectives of the proposed project. This alternative could include the development of “complete neighborhoods”, promote healthy communities and improve quality of life, provide for a plan for all modes of travel on local and major streets, and encourage development within urban infill areas. This alternative would also emphasize increased land use intensity throughout the Planning Area and outside of SEDA similar to the proposed project. In addition, this alternative would retain the existing sphere-of-influence and not allow urban development such as residential and commercial development to extend beyond the existing sphere-of-influence. Based on the population growth projections presented in Table 3-5 in Section 3 of this Master EIR, development under this alternative would reach buildout in approximately the year 2043 based on a similar growth rate as the proposed project. This alternative would have 13 fewer years of growth compared to the proposed project.

4.3 - Environmentally Superior Alternative

CEQA requires that the City identify an Environmentally Superior Alternative. If the No Project Alternative is the Environmentally Superior Alternative as in this case, the City must identify an Environmentally Superior Alternative among the other alternatives considered in the EIR (CEQA

Guidelines, Section 15126.6). This alternatives analysis includes two different no project alternatives. Therefore, based on the evaluation of the two remaining alternatives, the Growth Area Reduction Alternative would reduce most of the environmental impacts of the proposed project and would be considered the Environmentally Superior Alternative.