

**Exhibit I  
Draft EIR  
Findings of Fact**

# **FINDINGS OF FACT**

**2740 WEST NIELSEN AVENUE OFFICE/WAREHOUSE PROJECT  
FRESNO, CALIFORNIA**

**LSA**

September 2023

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# **FINDINGS OF FACT**

## **2740 WEST NIELSEN AVENUE OFFICE/WAREHOUSE PROJECT FRESNO, CALIFORNIA**

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Project No. SNN2102



September 2023

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## INTRODUCTION

The following Findings of Fact are based in part on the information contained in the 2740 West Nielsen Office/Warehouse Project (Development Permit Application No. P21-02699 and Tentative Parcel Map Application No. P21-05930) Recirculated Draft and Final Environmental Impact Report (State Clearinghouse #2022050265) that was prepared by the City of Fresno (City) acting as lead agency pursuant to the California Environmental Quality Act (CEQA). Hereafter, unless specifically identified, the Notice of Preparation (NOP), Notices of Availability and Completion (NOA/NOC), Recirculated Draft Environmental Impact Report (Recirculated Draft EIR), Appendices, Technical Studies, Final Environmental Impact Report containing Responses to Comments and textual revisions to the Recirculated Draft EIR (in the Final Environmental Impact Report), and Mitigation Monitoring and Reporting Program (MMRP) will be referred to collectively herein as the “EIR.” These Findings are based on the entire record before the Planning Commission, including the EIR. The EIR is hereby incorporated by reference and is available for review at the City of Fresno, 2600 Fresno Street, Fresno, California, and electronically on the City’s website at: <https://www.fresno.gov/darm/planning-development/plans-projects-under-review>.

The purpose of these Findings is to satisfy the requirements of Sections 15091 and 15092 of the CEQA Guidelines, associated with approval of proposed 2740 West Nielsen Office/Warehouse Project (Development Permit Application No. P21-02699 and Tentative Parcel Map Application No. P21-05930) (herein referred to as the proposed project).



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## PROCEDURAL FINDINGS

On September 9, 2022, the City circulated an NOP notifying responsible agencies and interested parties that an EIR would be prepared for the proposed project and indicated the environmental topics anticipated to be addressed in the EIR. The NOP was sent to the State Clearinghouse, responsible agencies, interested parties, and organizations likely to be interested in the potential impacts of the proposed project. A scoping session was held virtually on September 22, 2022, to solicit feedback regarding the scope and content of the EIR. Comments received by the City on the NOP were considered during preparation of the Draft EIR.

The Draft EIR was made available for public review on February 24, 2023, and was distributed to local and State responsible and trustee agencies. The Draft EIR and an announcement of its availability were posted electronically on the City's website at: <https://www.fresno.gov/darm/planning-development/plans-projects-under-review>. The NOA for the Draft EIR was submitted to the State Clearinghouse, provided to all individuals and organizations who made a written request for notice, and filed with the Fresno County Clerk. In addition, the City issued a Recirculated Draft EIR on April 4, 2023, that included Chapters 6.0 and 7.0, which were previously omitted from the Draft EIR. No other changes were made to the Draft EIR.

The CEQA-mandated 45-day public comment period ended on May 19, 2023. The City accepted and responded to all comments received between February 24, 2023, and May 19, 2023 for both the Draft EIR and Recirculated Draft EIR.

Following public review of the Draft EIR, a Final EIR was prepared. The Final EIR was made available in September 2023 and consists of the following items:

- The Recirculated Draft EIR released on April 4, 2023.
- Responses to Comments; and
- Text revisions to the Recirculated Draft EIR.

As required by CEQA Guidelines Section 15088(b), public agencies that commented on the Recirculated Public Review Draft EIR were provided at least 10 days to review the proposed responses contained in the Final EIR prior to the date for consideration of the Final EIR for certification.

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## RECORD OF PROCEEDINGS

In accordance with Public Resources Code (PRC) Section 21167.6(e), the record of proceedings for the City's decision on the project includes the following documents, which are incorporated by reference and made part of the record supporting these Findings:

- City staff reports and all attachments;
- The Recirculated Draft EIR and all appendices to the Recirculated Draft EIR;
- The Final EIR and all appendices to the Final EIR;
- All notices required by CEQA and presentation materials related to the project;
- All comments submitted by agencies or members of the public during the comment period on the NOP, the Draft EIR, and the Recirculated Draft EIR;
- All studies conducted for the project and contained or referenced in the Recirculated Draft EIR and the Final EIR;
- All documents cited or referenced in the Recirculated Draft EIR and the Final EIR;
- All public reports and documents related to the project prepared for the City and other agencies;
- All other documents related to the project;
- The MMRP for the project; and
- Any additional items not included above if otherwise required by law.

The documents constituting the record of proceedings are available for review by responsible agencies and interested members of the public during normal business hours at the City's offices at 2600 Fresno Street, Room 3043, Fresno, California.

The Recirculated Draft EIR and Final EIR are incorporated into these Findings in their entirety, unless and only to the extent that these Findings expressly do not incorporate by reference the Recirculated Draft EIR and Final EIR. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, and the comparative analysis of alternatives.

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## FINDINGS REQUIRED UNDER CEQA

The Recirculated Draft EIR identified a number of less than significant impacts associated with the project that do not require mitigation. The Recirculated Draft EIR also identified a number of significant and potentially significant environmental effects (or impacts) that may be caused in whole or in part by the project. All of these significant effects can be fully avoided or substantially lessened through the adoption of feasible mitigation measures.

The findings of the City with respect to the project's significant effects and mitigation measures are set forth in the EIR and these Findings of Fact. The Summary of Findings does not attempt to replicate or restate the full analysis of each environmental impact contained in the EIR. Please refer to the Recirculated Draft EIR and Final EIR for more detail.

The following provides a summary description of each potentially significant impact, describes the applicable mitigation measures identified in the Final EIR and adopted by the City, and states the findings of the City regarding the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Recirculated Draft EIR and Final EIR and associated record (described herein), both of which are incorporated by reference. The City hereby ratifies, adopts, and incorporates the analysis and explanation in the record into these Findings, and ratifies, adopts, and incorporates into these Findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these Findings.

To the extent any of the mitigation measures are within the jurisdiction of other agencies, the City finds those agencies can and should implement those measures within their jurisdiction and control (CEQA Guidelines, Section 15091[a][2]).

### AESTHETICS

#### Environmental Effects of the Project Found to Have No Impact on the Environment or to Have a Less Than Significant Impact on the Environment

- **Threshold 4.1.1:** *The proposed project would not have a substantial adverse effect on a scenic vista.*
- **Threshold 4.1.2:** *The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.*
- **Threshold 4.1.3:** *The proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a publicly accessible vantage point). Due to the location of the project in an urbanized area, the project would not conflict with applicable zoning and other regulations governing scenic quality.*

## Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- **Threshold 4.1.4:** *The project would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 California Code of Regulations [CCR] § 15091(a)(1)).

**Rationale for the Finding:** Implementation of the proposed project would result in an increase of nighttime lighting levels over current levels in the project area, associated with parking lot lights and security-related lighting in the project site. While compliance with California Building Code (CCR Title 24) standards would minimize the proposed project's light and glare impacts, the proposed project's lighting systems could constitute substantial new sources of light relative to baseline conditions if the project's lighting systems are significantly more intense than existing lighting sources or if they are not appropriately shielded to prevent light diffusion. Additionally, the proposed project could create a substantial new source of glare if highly reflective building materials are used.

All exterior lighting at the project site would be pointed downward toward the project site to minimize lighting levels at nearby uses. In addition, the proposed project would be required to comply with Article 25, Performance Standards, of the Zoning Ordinance, which includes standards related to lighting and glare. Further, Mitigation Measures AES-1 through AES-3 would ensure that the proposed project's lighting systems do not create a substantial new source of light by requiring shielding mechanisms to direct light away from nearby uses. As a result, any new sources of light resulting from the proposed project would not be substantial in the context of existing lighting sources. Implementation of Mitigation Measure AES-4 would ensure that the proposed project's lighting systems do not create a substantial new source of light by imposing a cap on the intensity of lighting systems based on the average intensity of the surrounding streets.

Additionally, while the project does not propose use of highly reflective glass elements or building materials, Mitigation Measure AES-5 requires materials used on building façades to be nonreflective. Therefore, any new source of glare would not be substantial.

Accordingly, with the incorporation of Mitigation Measures AES-1 through AES-5, the project's potential impacts would be less than significant.

- **Threshold 4.1.5:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would contribute to a significant cumulative impact with respect to aesthetics.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** Although the project and other projects in the project area would increase the amount of nighttime light and glare in Fresno, all projects are subject to Article 25, Performance

Standards, of the Zoning Ordinance, which includes standards related to lighting and glare. Additionally, the project's contribution of the illumination of the night sky would be less than significant with implementation of Mitigation Measures AES-1 through AES-5. As such the proposed project would not contribute to cumulative aesthetic impacts in the study area. Therefore, the combined increase in light and glare would not be substantial. With the implementation of Mitigation Measures AES-1 through AES-5, the project would not make a considerable contribution to cumulative light and glare impacts.

#### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

#### AIR QUALITY

#### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.2.4:** *The project would not result in significant odors that could adversely affect a substantial number of people.*

#### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- **Threshold 4.2.1:** *The project would not conflict with or obstruct implementation of the applicable air quality plan.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** For a project to be consistent with San Joaquin Valley Air Pollution Control District (SJVAPCD) air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. In addition, emission reductions achieved through implementation of offset requirements are a major component of the SJVAPCD air quality plans. Construction of the proposed project is anticipated to occur in two phases occurring over a total 24-month period, starting in the third quarter of 2023 and ending in 2025, and would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance. Implementation of Mitigation Measure AIR-1, which requires the implementation of measures required under SJVAPCD's Regulation VIII, would further reduce construction dust impacts. In addition, long-term operational emissions associated with the proposed project, including area, energy, and mobile-source emissions, would also not exceed SJVAPCD established significance thresholds. Therefore, impacts related to the proposed project's potential to conflict with or obstruct implementation of the applicable air quality plan would be less than significant with implementation of Mitigation Measure AIR-1.

- **Threshold 4.2.2:** *Implementation of the proposed project would not result in a cumulatively considerable net increase of criteria pollutants for which the project region is non-attainment under an applicable federal or State ambient air quality standard.*



**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** Construction emissions for the proposed project would not exceed the SJVAPCD annual threshold for construction emissions. In addition to the construction period thresholds of significance, the SJVAPCD has implemented Regulation VIII measures for dust control during construction. These control measures are intended to reduce the amount of particulate matter less than or equal to 10 microns in diameter (PM<sub>10</sub>) emissions during the construction period. Implementation of the fugitive dust control measures outlined in Mitigation Measure AIR-1 would ensure that the proposed project complies with Regulation VIII and further reduces the short-term construction period air quality impacts.

- **Threshold 4.2.3:** *Implementation of the proposed project would expose sensitive receptors to substantial pollutant concentrations.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** To determine the potential health risk associated with the exhaust of diesel-powered trucks and equipment and construction activities to people living and working near the proposed project, a Health Risk Assessment (HRA) for the proposed project was prepared for the proposed project. To reduce the potential health risks for nearby sensitive receptors, implementation of Mitigation Measure AIR-2 would be required to reduce substantial pollutant concentrations during project construction by requiring the use of Tier 4 construction equipment. Once operational, although the health risks would be below SJVAPCD thresholds, since the project area is already at an elevated risk level, Mitigation Measure AIR-3 requires the proposed project to provide the infrastructure for AC and/or DC chargers for electric heavy-duty trucks, which would further reduce emissions. With implementation of Mitigation Measures AIR-2 and AIR-3, the proposed project's potential air quality impacts from construction and operation would not expose sensitive receptors to substantial pollutant concentrations.

- **Threshold 4.2.5:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would contribute to a significant cumulative impact with respect to air quality.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** If the proposed project's annual emissions of construction- or operation-related criteria air pollutants exceed any applicable threshold established by the SJVAPCD, the proposed project would result in a considerable contribution to a cumulatively significant impact. With implementation of Mitigation Measure AIR-1, the proposed project would not generate significant construction or operational emissions. In addition, with implementation of Mitigation Measures AIR-2 and AIR-3, health risk levels to nearby residents from project construction- and operation-related emissions would be well below the SJVAPCD's thresholds. Cumulative impacts would be considered less than significant.

## Environmental Effects of the Project That Cannot Be Mitigated to a Level Less than Significant

- None.

## BIOLOGICAL RESOURCES

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.3.2:** *The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.*
- **Threshold 4.3.3:** *The project would not have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.*
- **Threshold 4.3.4:** *The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.*
- **Threshold 4.3.5:** *The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.*
- **Threshold 4.3.6:** *The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- **Threshold 4.3.1:** *The project would 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.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** The project site contains suitable nesting habitat for a few urban-adapted native avian species. The on-site trees and shrubs have the potential to support nesting birds such as northern mockingbird or mourning dove. In addition, the project site also has the potential to support the ground-nesting and disturbance-tolerant killdeer. Nearly all native birds are protected by the Federal Migratory Bird Treaty Act, the California Migratory Bird Protection Act, and the California Fish and Game Code. Construction activities that occur during the nesting bird season (typically February 1 through August 31) have potential to result in the mortality/disturbance of nesting birds.

Avoidance, conducting pre-construction surveys and establishing buffers would prevent or compensate for impacts on special-status bird species. Therefore, implementation of Mitigation

Measure BIO-1, which would require avoidance, conducting pre-construction surveys, and establishing buffers, would effectively mitigate any impacts on special-status species to less than significant levels. No other special-status species were determined to have a moderate or high probability of occurrence on the project site.

- **Threshold 4.3.7:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would contribute to a significant cumulative impact with respect to biological resources.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** The project would implement Mitigation Measure BIO-1 to reduce impacts on nesting birds, as described above. The proposed project is not expected to have a substantial adverse effect on any other special-status species. Thus, the project would not contribute to any significant cumulative impacts to biological resources, and cumulative impacts to these resources would be less than significant.

#### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

### CULTURAL AND TRIBAL RESOURCES

#### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- None.

#### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- **Threshold 4.4.1:** *The project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** No historical resources were identified within or adjacent to the project site. In the event that unknown resources are discovered during project construction, existing federal, State, and local laws and regulations would require construction activities to cease until such artifacts are properly examined and determined to not be of significance by a qualified professional. Implementation of Mitigation Measure CUL-1 would require consultation with a historical resources specialist to assess whether the discovered resource qualifies as a historical resource and to identify appropriate mitigation measures, if applicable. Therefore, potential impacts related to a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 would be less than significant with mitigation.

- **Threshold 4.4.2:** *The project would cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** No archaeological resources were identified in the project site. However, there is a potential for unknown archaeological resources to be discovered during construction of the proposed project. Mitigation Measure CUL-1 requires that if unknown archaeological resources are discovered during construction, work in the area would halt and a qualified archaeologist would be contacted and consulted regarding how to appropriately address the situation. This would minimize or eliminate any potential for an adverse change to the significance of any discovered archaeological resources. Therefore, adherence to the requirements of Mitigation Measure CUL-1 would reduce potential impacts from a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 to less than significant with mitigation.

- **Threshold 4.4.3:** *The project would disturb human remains, including those interred outside of formal cemeteries.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** Disturbance of human remains interred outside of formal cemeteries would result in a significant impact. If human remains are identified during project construction, Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98 shall apply, as appropriate. Mitigation Measure CUL-2 requires adherence to Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98. With implementation of Mitigation Measure CUL-2, potential impacts related to disturbance of any human remains, including those interred outside of formal cemeteries, would be less than significant with mitigation.

- **Threshold 4.4.4:** *The project would result in a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** While there is no evidence to suggest the presence of tribal cultural resources, if any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations would require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resource professional. In addition, Mitigation Measure CUL-1 requires that if unknown archaeological resources are discovered during construction, work in the area would halt and a qualified archaeologist would be contacted. Therefore, adherence to the requirements of Mitigation Measure

CUL-1 would reduce potential impacts related to the substantial adverse change in the significance of a tribal cultural resource to less than significant.

- **Threshold 4.4.5:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would contribute to a significant cumulative impact with respect to cultural resources.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** Archaeological and historical resources are recorded throughout of Fresno, and it is possible that previously unknown archaeological and historical resources also exist within the city. Mitigation Measure CUL-1 would ensure that the proposed project would not make a cumulatively considerable contribution to any cumulative impact on cultural resources. In addition, no known precontact or Native American human remains have been identified within or in the vicinity of the project site. There is a possibility that ground-disturbing activities associated with cumulative development may uncover previously unknown buried human remains. With implementation of Mitigation Measure CUL-2, potential impacts related to the potential disturbance of any human remains would be less than significant with mitigation. In addition, if tribal cultural resources are found during construction of the proposed project, compliance with applicable federal, State, and local laws and regulations and compliance with Mitigation Measure CUL-1 would reduce impacts to tribal cultural resources to less than significant.

#### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

### ENERGY

#### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.5.1:** *The project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.*
- **Threshold 4.5.2:** *The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*
- **Threshold 4.5.3:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would not contribute to a significant cumulative impact with respect to energy.*

#### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

## Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## GREENHOUSE GAS EMISSIONS

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.6.1:** *The project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.*
- **Threshold 4.6.2:** *The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*
- **Threshold 4.6.3:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would not contribute to a significant cumulative impact with respect to greenhouse gas emissions.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

## Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## HAZARDS AND HAZARDOUS MATERIALS

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.7.1:** *The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.*
- **Threshold 4.7.3:** *The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.*
- **Threshold 4.7.4:** *The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.*
- **Threshold 4.7.5:** *The project would not be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, and would not result in a safety hazard for people residing or working in the project area.*
- **Threshold 4.7.6:** *The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.*

- **Threshold 4.7.7:** *The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- **Threshold 4.7.2:** *The project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** Based on the Phase I Environmental Site Assessment (ESA) and Phase II ESA prepared for the proposed project, a Soil Management Plan (SMP) shall be prepared prior to construction to address soil management procedures that may arise based on historical use of the project site and the known total petroleum hydrocarbons and arsenic impacts. Therefore, implementation of Mitigation Measure HAZ-1, which would require preparation of an SMP, would effectively mitigate any impacts related to a significant hazard to the public or the environment to less than significant levels.

- **Threshold 4.7.8:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would contribute to a significant cumulative impact with respect to hazards and hazardous materials.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** Implementation of the proposed project in combination with other projects in the project area and larger region could increase hazard-related impacts (e.g., hazardous waste/material potential release, interference with emergency plan, wildland fires) in the project area; however, compliance with applicable federal, State, and local policies and implementation of Mitigation Measure HAZ-1 would reduce potential cumulative impacts to a less than significant level.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## HYDROLOGY AND WATER QUALITY

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.8.1:** *The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.*



- **Threshold 4.8.2:** *The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.*
- **Threshold 4.8.3:** *The project would not 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.*
- **Threshold 4.8.4:** *The project would not release of pollutants due to project inundation in a flood hazard, tsunami, or seiche zone.*
- **Threshold 4.8.5:** *The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (SGMA).*
- **Threshold 4.8.6:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would not contribute to a significant cumulative impact with respect to hydrology and water quality.*

#### **Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level**

- None.

#### **Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant**

- None.

### **NOISE**

#### **Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment**

- **Threshold 4.9.2:** *The proposed project would not generate excessive groundborne vibration or groundborne noise levels.*
- **Threshold 4.9.3:** *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, the proposed project would not expose people residing or working in the project area to excessive noise levels.*

#### **Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level**

- **Threshold 4.9.1:** *The proposed project would generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, State, or federal standards.*



**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** Although the project’s potential construction-related noise level increase would be below thresholds, to reduce noise levels at the nearest off-site sensitive residential use, Mitigation Measure NOI-1 would be required to ensure that all construction equipment, fixed or mobile, is equipped with properly operating and maintained mufflers consistent with manufacturers’ standards, which would reduce the potential impacts associated with construction equipment. Additionally, Mitigation Measure NOI-1 requires the project to designate a “disturbance coordinator” at the City who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem. In addition, once operational, Mitigation Measure NOI-2 would reduce potential impacts related to loading dock and delivery noise by prohibiting loading dock activities at the loading dock doors and trailer parking activities south of Building 1 during nighttime hours. Loading dock and parking activities at all other locations would be shielded by the proposed buildings and would not exceed the City’s nighttime noise standards.

- **Threshold 4.9.4:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would contribute to a significant cumulative impact with respect to noise.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** With implementation of Mitigation Measure NOI-1, the proposed project would not result in adverse noise impacts from construction activities. Although the proposed project may be under construction at the same time as one or more cumulative development projects, each project would be required to implement measures similar to those identified in Mitigation Measure NOI-1 in order to ensure that construction noise levels are reduced to the extent feasible and that construction activities comply with the City’s Noise Ordinance.

In addition, long-term operation of the proposed project would not create a significant increase in stationary-source noise, including noise associated with equipment and truck deliveries and truck loading and unloading activities, with implementation of Mitigation Measure NOI-2. Because cumulative development projects are not located immediately adjacent to the project site, permanent increases in noise generated by these projects would not combine with the noise levels generated by the proposed project to create a cumulatively considerable increase in ambient noise levels, and this impact would be less than significant with mitigation.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## TRANSPORTATION

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.10.1:** *The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.*
- **Threshold 4.10.2:** *The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b).*
- **Threshold 4.10.3:** *The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- **Threshold 4.10.4:** *The project would not result in inadequate emergency access.*
- **Threshold 4.10.5:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would not contribute to a significant cumulative impact with respect to transportation.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## UTILITIES AND SERVICE SYSTEMS

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- **Threshold 4.11.1:** *The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.*
- **Threshold 4.11.2:** *The project would have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.*
- **Threshold 4.11.3:** *The project would result in a determination by the wastewater treatment provider that 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.*

- **Threshold 4.11.4:** *The project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.*
- **Threshold 4.11.5:** *The project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste.*
- **Threshold 4.11.6:** *The proposed project, in combination with past, present, and reasonably foreseeable projects, would not contribute to a significant cumulative impact with respect to aesthetics.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## AGRICULTURE AND FORESTRY RESOURCES

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- *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.*
- *Conflict with existing zoning for agricultural use or a Williamson Act contract.*
- *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).*
- *Result in the loss of forest land or conversion of forest land to non-forest use.*
- *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## GEOLOGY AND SOILS

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- *Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
  - *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
  - *Strong seismic ground shaking.*
  - *Seismic-related ground failure, including liquefaction.*
  - *Landslides.*
- *Result in substantial soil erosion or the loss of topsoil.*
- *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.*
- *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.*
- *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.*

**Finding:** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (14 CCR § 15091(a)(1)).

**Rationale for the Finding:** No paleontological resources or unique geological features are known to exist within or near the project site, and the proposed project is not expected to alter or destroy a paleontological resource, site, or unique geologic feature. However, as required by Mitigation Measure GEO-1, 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. Mitigation Measure GEO-1 would reduce potential impacts related to the project's potential to

directly or indirectly destroy a unique paleontological resource or site or unique geologic feature to less than significant with mitigation.

#### **Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant**

- None.

### **LAND USE AND PLANNING**

#### **Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment**

- *Physically divide an established community.*
- *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.*

#### **Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level**

- None.

#### **Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant**

- None.

### **MINERAL RESOURCES**

#### **Environmental Effects of the Project Found to Have No Impact on the Environmental or Have a Less Than Significant Impact on the Environment**

- *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.*
- *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.*

#### **Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level**

- None.

#### **Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant**

- None.

## POPULATION AND HOUSING

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).*
- *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## PUBLIC SERVICES

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- *Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*
  - *Fire protection?*
  - *Police protection?*
  - *Schools?*
  - *Parks?*
  - *Other public facilities?*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## RECREATION

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- *Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.*
- *Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## WILDFIRE

### Environmental Effects of the Project Found to Have No Impact on the Environment or Have a Less Than Significant Impact on the Environment

- *Substantially impair an adopted emergency response plan or emergency evacuation plan.*
- *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.*
- *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.*
- *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.*

### Environmental Effects of the Project That Are Potentially Significant, but That Can Be Mitigated to a Less Than Significant Level

- None.

### Environmental Effects of the Project That Cannot Be Mitigated to a Level Less Than Significant

- None.

## MITIGATION MONITORING

An MMRP was prepared for the project and approved by the City (PRC Section 21081.6, Subd. [a][1]; CEQA Guidelines Section 15097). The City will use the MMRP to track compliance with the project mitigation measures. The MMRP will remain available for public review during the compliance period.

## SIGNIFICANT IRREVERSIBLE ENVIRONMENT EFFECTS

The State CEQA Guidelines (Section 15126) require a discussion of the significant irreversible environmental changes that would be involved in a project should it be implemented. The irreversible and irretrievable commitment of resources is the permanent loss of resources for future or alternative purposes. Irreversible and irretrievable resources are those that cannot be recovered or recycled or those that are consumed or reduced to unrecoverable forms.

CEQA requires that EIRs assess whether the proposed project would result in significant irreversible changes to the physical environment. The CEQA Guidelines discuss three categories of significant irreversible changes that should be considered. Each is addressed below.

As mandated by the CEQA Guidelines, an EIR must address any significant irreversible environmental change that would result from project implementation. According to Section 15126.2(d) of the CEQA Guidelines, such a change would occur if one of the following scenarios is involved:

- The project would involve a large commitment of nonrenewable resources;
- Irreversible damage would result from environmental accidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project would result in the wasteful use of energy).

The environmental effects of the proposed project are thoroughly discussed in Section 4.0, Evaluation of Environmental Impacts, and summarized in the Executive Summary. Implementation of the project would require the long-term commitment of natural resources, as discussed below.

### Changes in Land Use Which Commit Future Generations

The proposed project would involve the development of land in the project site that is currently vacant, but formerly consisted of industrial warehouses that have been demolished. Although the proposed development would commit future generations to using the project site for developed uses rather than vacant land, such a commitment is consistent with planned industrial and employment for the project site, as identified in the City's General Plan. The General Plan has anticipated development in the project site that commits future generations, which was assessed under the General Plan EIR; the proposed project merely implements and carries out the vision of the General Plan (Recirculated Draft EIR, page 6-2).

### Irreversible Damage from Environmental Accidents

Construction activities associated with implementation of the proposed project would involve some risk of environmental accidents. However, as discussed in Section 4.7, Hazards and Hazardous



Materials, the accidental spills and soil contamination would be addressed by City, State, and federal agencies and would follow professional industry standards for safety and construction. Although there is a possibility for contaminated soil to be encountered during grading, excavation, and/or ground disturbance associated with implementation of the proposed project, it is likely that such contamination may have resulted from agricultural operations within the project site. However, the risks of accidental contamination from handling construction materials or transport of these materials off site would be reduced to a less than significant level through compliance with the many federal, State, and local regulations regarding the handling and disposal of such construction materials. Additionally, the heavy industrial land use proposed by the proposed project would not include any uses or activities that are likely to contribute to or be the cause of a significant environmental accident, such as industrial-related spills or leaks. As a result, the proposed project would not pose a substantial risk of environmental accidents (Recirculated Draft EIR, page 6-2).

### Consumption of Nonrenewable Resources

Approval and implementation of actions related to development of the project would result in an irretrievable commitment of nonrenewable resources such as energy and construction materials. As discussed in Section 4.5, Energy, the projected electricity and natural gas demands of the proposed project would be consistent with typical usage rates for industrial uses in the City of Fresno and would not result in a significant adverse impact related to the provision of electricity or natural gas. In addition, the proposed project would comply with Title 24 of the CCR, which requires conservation practices that would limit the amount of energy (California Energy Code Building Energy Efficiency Standards [Title 24, Part 6]) consumed through implementation of the proposed project, as well as with all California Green Building Standards Code (CALGreen Code) building efficiency standards (Title 24, Part 11) and mandatory nonresidential building requirements in the California Energy Code Building Energy Efficiency Standards (Title 24, Part 6) (as required by State law). Additionally, the project would also result in an increased demand for potable water and generation of wastewater. As discussed in Section 4.8, Hydrology and Water Quality, and Section 4.11, Utilities and Service Systems, the project site is included in the land use area covered by the City's 2020 Urban Water Management Plan (UWMP) and is designated as Heavy Industrial in the City's General Plan. Land use acreages and water demand in the 2020 UWMP were based on the City's General Plan land use designations for 2020 and buildout in 2056. As such, the acreage associated with the proposed project was assumed Industrial in the 2020 UWMP; therefore, it is assumed that demand for water was accounted for in the 2020 UWMP.

Although the construction and ongoing operation of the proposed project would involve the use of nonrenewable resources, through the inclusion of energy-conserving features of the proposed project and compliance with the General Plan and applicable standards and regulations, the proposed project would not represent an unjustified use of such nonrenewable resources (Recirculated Draft EIR, page 6-3).

### GROWTH INDUCEMENT

Section 15126.2(d) of the CEQA Guidelines requires that an EIR discuss the ways in which a proposed project or the construction of additional housing, either directly or indirectly, could foster economic or population growth in the surrounding environment.

As described in Section XVI, Population and Housing, of the Initial Study prepared for the EIR, the proposed project would include four office/warehouse buildings that would be configured for heavy industrial uses. The proposed project would not result in direct population growth as the use proposed is not residential and would not contribute to permanent residency on site. Further, the site is designated Heavy Industrial by the General Plan and would not generate employment growth beyond that anticipated in the General Plan. Therefore, the proposed project would not induce substantial unplanned population growth in an area, either directly or indirectly, and this impact would be considered less than significant.

As discussed in Section XV, Public Services, of the Initial Study, and Section 4.11, Utilities and Service Systems, of the Recirculated Draft EIR, the project site would be served by the City's public service or utility providers, including police protection services, fire prevention services, water, wastewater, telecommunications, electricity, and natural gas. The proposed project includes physical improvements to accommodate growth which would create an increased demand for public services and utilities within the project site. To address impacts to public services and utilities, the Project Applicant would be required to pay applicable impact fees in effect at the time the development application for the proposed project is submitted. City staff would review the site plan for the project to ensure the adequate provision of public services and utilities.

Development of the proposed project would involve construction activities that could generate some temporary employment opportunities. However, given the temporary nature of such opportunities, it is unlikely that construction workers would need to relocate to the City as a result of the proposed project. In addition, as discussed above, the site is designated Heavy Industrial by the General Plan and would not generate employment growth beyond that anticipated in the General Plan. Thus, the proposed project would not be considered growth-inducing from an employment perspective (Recirculated Draft EIR, page 6-1 and 6-2).

## PROJECT ALTERNATIVES

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA.

As noted under the heading “Findings Required under CEQA,” an alternative may be “infeasible” if it fails to achieve the lead agency’s underlying goals and objectives with respect to the project. Thus, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” of a project (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 417).

### ALTERNATIVES CONSIDERED IN THE EIR

The following alternatives to the project are evaluated in detail in the EIR, as described below:

- **Alternative 1: No Project Alternative:** Under the No Project Alternative, the project site would continue to be vacant. No modifications to existing site access or infrastructure would occur.
- **Alternative 2: Reduced Project Alternative:** The Reduced Project Alternative would reduce the size of Building 1 to 250,956 square feet and the project’s total square footage to 683,582 square feet. The building would have similar site access and infrastructure improvements as those identified for the proposed project.

#### Alternative 1: No Project Alternative

The No Project Alternative would avoid all of the less than significant impacts of the proposed project. However, the No Project Alternative would also not achieve any of the objectives of the proposed project. The No Project Alternative would not provide industrial warehousing that is consistent with the General Plan land use and zoning designation and that helps fulfil the unmet demands of businesses located in Fresno; provide a variety of new employment opportunities for the residents of Fresno and surrounding communities; develop new industrial businesses in proximity to major transportation infrastructure and similar type of businesses to minimize land use conflicts with surrounding existing uses; or promote sustainable development and operations.

#### Alternative 2: Reduced Project Alternative

The Reduced Project Alternative would reduce the overall size of the project by reducing the square footage of project components. The Reduced Project Alternative would provide industrial warehousing that is consistent with the General Plan land use and zoning designation and that helps fulfil the unmet demands of businesses located in the City; provide a variety of new employment opportunities for the residents of Fresno and surrounding communities; provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses; or promote sustainable development and operations. However, due to the reduced nature of the project under

this alternative, demands for industrial businesses in the city might not be completely fulfilled. Additionally, this alternative would result in reduced employment opportunities compared to the proposed project.

### Environmentally Superior Alternative

The No Project Alternative has the least impact to the environment because it would not result in any development or new physical impacts. While this alternative would lessen or avoid the impacts of the proposed project, the beneficial impacts of the proposed project—including creating job growth and providing new industrial development to meet demand of businesses in Fresno—would not occur. Further, none of the Project Objectives would be met, including providing industrial warehousing that is consistent with the General Plan land use and zoning designation and that helps fulfil the unmet demands of businesses located in the city; providing new employment opportunities for the residents of Fresno and surrounding communities; developing new industrial businesses in proximity to major transportation infrastructure and similar type of businesses to minimize land use conflicts with surrounding existing uses; or promoting sustainable development and operations. As such, this alternative is rejected as infeasible. In addition, under CEQA, if the No Project Alternative is the environmentally superior alternative, the EIR must identify an environmentally superior alternative from among the other alternatives (*CEQA Guidelines* Section 15126.6(e)(2)).

The Reduced Project Alternative would have less than significant impacts in most resource topics that would be comparable to the proposed project. The alternative would have potentially reduced construction-phase air quality and noise impacts, and reduced operational-phase air quality and noise impacts due its smaller size, and lesser aesthetic impacts due to reduced development in the site. Therefore, the Reduced Project Alternative is considered the environmentally superior alternative. The Reduced Project Alternative would achieve most of the Project Objectives by providing industrial warehousing that is consistent with the General Plan land use and zoning designation and that helps fulfil the unmet demands of businesses located in the city; providing a variety of new employment opportunities for the residents of Fresno and surrounding communities; providing new industrial development that is attractive and minimizes conflicts with the surrounding existing uses; and promoting sustainable development and operations. However, overall this alternative would not achieve all of the objectives of the proposed project to the same extent or degree because the reduced development of industrial uses would not help fully address the demand for industrial businesses in the city. Additionally, this alternative would result in reduced employment opportunities for the residents of Fresno and surrounding communities. As such, this alternative is rejected as infeasible.