Exhibit P
Resolution of the Council of the City of Fresno, California, Certifying Environmental Impact Report SCH. No. 2025050309

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RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH NO. 2025050309 AS RELATED TO THE TOWER DISTRICT SPECIFIC PLAN AND RELATED PLAN AMENDMENTS P25-03198, P25-03196, P25-03197, P25-03200, AND P25-3201 AND RELATED REZONE P25-03202; ADOPTING FINDINGS OF FACT AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(A) AND CEQA GUIDELINES SECTION 15091, APPROVING A MITIGATION MONITORING PROGRAM AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081.6 AND CEQA GUIDELINES SECTION 15097, ADOPTING THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(B) AND CEQA GUIDELINES SECTION 15093, AS RELATED TO THE ADOPTION OF THE TOWER DISTRICT SPECIFIC PLAN, THE TOWER DISTRICT SPECIFIC PLAN DESIGN STANDARDS AND GUIDELINES, AND RELATED PLAN AMENDMENTS, AND REZONES.

WHEREAS, pursuant to Fresno Municipal Code Section 15-4902-B, the Council of the City of Fresno adopted Resolution No. 2024-270 initiating the Tower District Specific Plan, corresponding amendments to the Fresno General Plan Planned Land Use Map (Figure LU-1) and Zoning Map, Tower District Design Standards and Guidelines, and the repeal of the 1991 Tower District Specific Plan and the Tower District Design Guidelines (2005); and

WHEREAS, the above actions shall be described collectively as the "Tower District Specific Plan Actions" or the "Project"; and

WHEREAS, the Director of Planning and Development determined that an environmental impact report (EIR) shall be prepared for the Tower District Specific Plan Actions, and the City contracted with a professional environmental consultant to conduct

Date Adopted:

Date Approved:

Effective Date:
City Attorney Approval: _____

Resolution No. _____

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the requisite studies and analyses of the potential environmental impact and proposed mitigation measures, as applicable, for the Fresno General Plan; and

WHEREAS, on May 7, 2025, the Planning and Development Department duly issued and circulated a Notice of Preparation, pursuant to CEQA Guidelines Section 15082 and Public Resources Code Section 21080.4; and

WHEREAS, on May 27, 2025, the Planning and Development Department held a scoping meeting pursuant to CEQA guidelines Section 15802(c) and Public Resources Code Section 21080.4 attended by members of the public and at which written and verbal comments were submitted; and

WHEREAS, on August 15, 2025, Planning and Development Department staff exercising their independent judgement, completed the draft environmental impact report (hereinafter Draft EIR), and the City provided due public Notice of Availability of the Draft EIR for public comments pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087; and

WHEREAS, on August 15, 2025, the City issued a Notice of Completion pursuant to Public Resources Code Section 21161 and CEQA Guidelines Section 15085; and,

WHEREAS, on August 15, 2025, a public Notice of Availability of the Draft EIR was posted in the office of the Fresno County Clerk pursuant to Section 15087(d) of the CEQA Guidelines; and

WHEREAS, for at least forty-five days following the date of publication of the Notice of Availability, the public was given opportunity to comment, in writing, on the adequacy of the Draft EIR as an informational document; and

WHEREAS, the City caused the preparation of a Final EIR (SCH No. 2025050309), completed by November 7, 2025, pursuant to CEQA Guidelines Sections 15088, 15089, and 15132, which included the Draft EIR, responses to public comments on the Draft EIR, minor corrections, and all appendices; and

WHEREAS, on November 5, 2025 the Planning Commission held a duly noticed public hearing at which the Commission considered the adequacy of proposed EIR as an informational document and voted to recommend to the City Council certification of the EIR; and

WHEREAS, pursuant to CEQA Guidelines Section 15132 the Final EIR is required to be completed in compliance with CEQA; and

WHEREAS, pursuant to Section 21092.5 of CEQA, the City provided written responses to comments to all public agencies as well as private parties that commented on the Draft EIR; and

WHEREAS, on November 20, 2025, the City Council conducted a public hearing and considered the record of proceedings for the EIR, which includes, but is not limited to the following:

(1) The Notice of Preparation for the Project (the "NOP"), and all other public notices issued by the City in connection with the Project;
(2) The Final EIR dated November 2025**;**
(3) The Draft EIR dated August 2025**;**
(4) All written comments submitted by agencies or members of the public during any public review comment period on the Draft EIR.
(5) All written and verbal public testimony presented during a noticed public hearing for the Project (consistent with City Council policy) at which such

testimony was taken, including without limitation, the Report to Council, including all attachments, any all presentations by City staff, the City's consultants, the public, and any other interested party; and

(6) The Mitigation Monitoring and Reporting Program for the Project (MMRP) included as Attachment 2;

(7) The reports, studies and technical memoranda included and/or referenced in the Draft EIR and the Final EIR and/or their appendices;

(8) All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and the Final EIR;

(9) All Ordinances and Resolutions presented to and/or adopted by the City in connection with the Project; and all documents incorporated by reference therein, specifically including, but not limited to, this Resolution and all of its exhibits, the Plan Amendment resolutions, Plan Amendment ordinance bills, and the Rezone ordinance bill;

(10) Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies and the professional qualifications of its staff members;

(11) Any documents expressly cited in this Resolution and its exhibits, the Report to Council, the Final EIR, or the Draft EIR; and

(12) Any other relevant materials required to be in the record of proceedings under Section 21167.6(e) of the Public Resources Code; and

WHEREAS, the City Council concluded the public comment portion of the hearing on November 20, 2025, deliberated the matter on the same day; and

WHEREAS, on November 20, 2025**,** the City Council considered and discussed the adequacy of the proposed Final EIR as an informational document and applied its own independent judgement and analysis to the review and hereby desires to take action to certify the Final EIR, as having been completed in compliance with CEQA, based on the findings found herein; and

WHEREAS, notice of the November 20, 2025, City Council hearing was properly noticed at least 10 days before the hearing, by publication in the Fresno Bee; and

WHEREAS, CEQA Guidelines require the following for certification of a Final EIR;

SECTION 15090. CERTIFICATION OF THE FINAL EIR

(a) Prior to approving a project the lead agency shall certify that:

(1) The Final EIR has been completed in compliance with CEQA;

(2) The Final EIR was presented to the decision making body of the lead agency and that the decision making body reviewed and considered the information contained in the Final EIR prior to approving the project; and

(3) The Final EIR reflects the lead agency's independent judgement and analysis

SECTION 15091. FINDINGS

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(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.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitutes the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

SECTION 15092. APPROVAL

(a) After considering the Final EIR and in conjunction with making findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project.

(b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:

(1) The project as approved will not have a significant effect on the environment, or

(2) The agency has:

(A). Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and

(B). Determined that any remaining significant effects on the environment found to be unavoidable as shown in findings under Section 15091 are acceptable due to the overriding concerns as described in Section 15093.

(c) With respect to a project which includes housing development, the public agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation.

SECTION 15093. STATEMENT OF OVERRIDING CONSIDERATIONS

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

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

(1). Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

(2). Findings. Council finds based upon the substantial evidence in the record of proceedings, and its independent judgement and analysis that:

(a). Compliance with CEQA. The Final EIR, dated November 2025, in Attachment 1: Final EIR to this Resolution which is attached hereto and incorporated herein by this reference, includes the Draft EIR SCH No. 2025050309 dated August 2025 and all related appendices, the Response to Comments, the Revisions, the Mitigation Monitoring and Reporting Program (MMRP) in Attachment 2, and all related appendices, in compliance with the requirements of the California Environmental Quality Act (CEQA).

(b). Ratifications of Findings and Analysis in the Final EIR. In making the findings in this Resolution, the City ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions in the Final EIR relating to environmental impacts and mitigation measures.

(c). Findings Regarding Significant Effects that Can be Mitigated to Less Than Significant. Council adopts the statements and findings in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section V) to this Resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that can be mitigated to a less than significant level through the imposition of mitigation measures. These significant effects are identified in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section V). These avoidable significant effects will be reduced to a less than significant effect with the changes that have been required in, or incorporated into, the Project through the imposition of mitigation measures as described in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section V). These mitigation measures identified in Attachment 3: Findings of Fact and

Statement of Overriding Considerations (Section V) will be imposed pursuant to the MMRP in Attachment 2. All mitigation measures in the MMRP are feasible.

To the extent that any of the mitigation measures are within the responsibility and jurisdiction of another public agency and of the City, those mitigation measures can and will be adopted and imposed by the other agency based on state and/or federal law, communications by those agencies, and/or existing policies and/or intergovernmental relationships with those agencies

(d). Findings Regarding Unavoidable Significant Impacts. Council adopts the statements and findings in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section V) to this Resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that cannot be mitigated to a less than significant level through the imposition of mitigation measures. These significant effects are identified in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section V).

Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR for the significant impacts identified in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section V) including considerations based upon the findings in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section VII) to this Resolution, and the findings in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section VI) regarding the

proposed alternatives. Therefore, those impacts are found to be significant and unavoidable.

(e). Finding Regarding Insignificant Impacts. Any and all potential significant impacts discussed in the Final EIR that are not subject to paragraph 2(c) or 2(d) above, as either an avoidable significant impact, or as an unavoidable significant impact, are insignificant impacts to the environment.

(f). Alternatives. The City Council adopts the Statement of Findings on Project Alternatives in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section VI) to this Resolution, which is attached hereto and incorporated herein by this reference.

(3). Final EIR Reviewed and Considered. The Council certifies that the Final EIR:

(a). Has been completed in compliance with CEQA;

(b). Was presented to the Council and that the Council has reviewed and considered the information contained in the Final EIR prior to approval of the Project and all other information contained therein has substantially influenced all aspects of the decision by the Council; and

(c). Reflects Council's independent judgement and analysis.

(4). Statement of Overriding Considerations. The Council adopts the Statement of Overriding Considerations in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section VII) to this Resolution which is attached hereto and incorporated herein by this reference. Council finds that each of the Significant and Unavoidable Impacts identified in Attachment 3: Findings of Fact and Statement of Overriding Considerations (Section V) may be considered acceptable.

(5). Mitigation Monitoring. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, the Mitigation

Monitoring and Reporting Program (MMRP) in Attachment 2, which sets forth specific monitoring actions, timing requirements and monitoring/verification entities for each mitigation measure contained in the Final EIR and which is attached hereto and incorporated herein by this reference, is hereby adopted to ensure that all mitigation measures adopted for the Tower District Specific Plan are fully implemented.

(6). Location and Custodian of Documents. The record of project approval shall be kept in the office of the City Clerk, City of Fresno, City Hall, 2600 Fresno Street, Fresno California 93721 which shall be held by the City Clerk as the custodian of the documents; all other record of proceedings shall be kept with the Planning and Development Department and the Planning Director shall be the custodian of the documents.

(7). Certification. Based on the above facts and findings, the Council of the City of Fresno certifies the Final EIR in Attachment 1: Final EIR for the Tower District Specific Plan Actions as accurate and adequate. The City Council further certifies that the Final EIR was completed in compliance with CEQA and the CEQA Guidelines. The Director of Planning and Development is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines within five (5) working days of adoption of this resolution.

* * * * * * * * * * * * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

By: _____
Kristi M Costa Date
Supervising Deputy City Attorney

Attachments:

- Attachment 1: Final EIR
- Attachment 2: Mitigation Monitoring and Reporting Program
- Attachment 3: Findings of Fact and Statement of Overriding Considerations

Exhibit P
Attachment 1: Final EIR: Draft EIR + Response to Comments
EIR Appendices available here:
https://fresno-tower-cityoffresno.hub.arcgis.com/pages/documents

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PUBLIC REVIEW DRAFT
ENVIRONMENTAL IMPACT REPORT

TOWER DISTRICT SPECIFIC PLAN UPDATE

FRESNO, CALIFORNIA

City of Fresno
Planning and Development Department
2600 Fresno Street
Fresno, California 93721

State Clearinghouse Number: 2025050309

LSA

August 2025

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PUBLIC REVIEW DRAFT
ENVIRONMENTAL IMPACT REPORT

TOWER DISTRICT SPECIFIC PLAN UPDATE

FRESNO, CALIFORNIA

Submitted to:

City of Fresno Planning and Development Department
2600 Fresno Street
Fresno, California 93721

Prepared by:

LSA
2565 Alluvial Avenue, Suite 112
Clovis, California 93611
(559) 490-1210

Project No. 20241643

LSA

August 2025

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I: TRANSPORTATION MEMORANDUM
J: NATIVE AMERICAN TRIBAL CONSULTATION
K: WATER SUPPLY ASSESSMENT

LIST OF ABBREVIATIONS AND ACRONYMS

°F	degrees Fahrenheit
µg/m^3	micrograms per cubic meter
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ADT	average daily traffic
ADU	accessory dwelling unit
AH	Apartment House
AIRFA	American Indian Religious Freedom Act
ALUC	Airport Land Use Commission
APE	Area of Potential Effects
APS	Alternative Planning Strategy
AQMP	Air Quality Management Plan
ATP	Active Transportation Plan
BAU	business-as-usual
BRE	Biological Resource Evaluation
BSA	Biological Study Area
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
CalEPA	California Environmental Protection Agency
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
California Register	California Register of Historical Resources
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CAT	climate action team

CC	Commercial Community
CCAA	California Clean Air Act
CCAP	Climate Change Action Plan
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFD	Community Facilities District
CFR	Code of Federal Regulations
CG	Commercial General
CH_4	methane
City	City of Fresno
CLG	Certified Local Government
CMS	Commercial Main Street
CMX	Corridor/Center Mixed Use
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CPUC	California Public Utilities Commission
CWHR	California Wildlife Habitat Relationships
dB	decibels
dBA	A-weighted sound level
District	City of Fresno Tower District
DOC	California Department of Conservation
DPR	California Department of Parks and Recreation
DTSC	California Department of Toxic Substances Control
DWR	California Department of Water Resources

EIR	Environmental Impact Report
EO	Executive Order
ESA	federal Endangered Species Act
EV	electric vehicle
FAR	Floor Area Ratio
FAX	Fresno Area Express
FCOG	Fresno Council of Governments, also Fresno COG
FHWA	Federal Highway Administration
FIP	Federal Implementation Plan
FMFCD	Fresno Metropolitan Flood Control District
FRA	Federal Railroad Administration
Fresno COG	Fresno Council of Governments, also FCOG
FTA	Federal Transit Administration
FUSD	Fresno Unified School District
GAMAQI	SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts*
GHGs	greenhouse gases
GHGRx	Greenhouse Gas Reduction Exchange
GWP	global warming potential
HCD	California Department of Housing and Community Development
HFCs	hydrofluorocarbons
HI	Hazard Index
HOA	Home Owners Association
HP	helipad
HRA	health risk assessment
HSC	Health and Safety Code
HVAC	heating, ventilation, and air conditioning
IL	Light Industrial
in/sec	inches per second
IPCC	Intergovernmental Panel on Climate Change
LCFS	Low Carbon Fuel Standard
LCI	Governor's Office of Land Use and Climate Innovation

L_{dn}	day-night average level
L_{eq}	equivalent continuous sound level
LEV	Low-Emission Vehicle
L_{max}	maximum instantaneous sound level
LOS	level of service
LPG	liquefied petroleum gas
MBTA	Migratory Bird Treaty Act
MEI	maximally exposed individual
MICR	maximum individual cancer risk
MLD	Most Likely Descendant
MMT	million metric tons
MPOs	Metropolitan Planning Organizations
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Repatriation Act
NAHC	Native American Heritage Commission
National Register	National Register of Historic Places
NCCP	Natural Community Conservation Plan
NCCP/HCP	Natural Community Conservation Plan/Habitat Conservation Plan
NF_3	nitrogen trifluoride
NHPA	National Historic Preservation Act of 1966
NMX	Neighborhood Mixed-Use
NO_2	nitrogen dioxide
NOC	Notice of Completion
NOP	Notice of Preparation
NO_X	nitrogen oxides
NPPA	Native Plant Protection Act
NPS	National Park Service
O	Office
O_3	ozone
OEHHA	California Office of Environmental Health Hazard Assessment

OHP	California Office of Historic Preservation
OHWM	ordinary high water mark
OITC	Outdoor/Indoor Transmission Class
OPR	Office of Planning and Research
Pb	lead
PFCs	perfluorocarbons
PG&E	Pacific Gas and Electric Company
PI	Public and Institutional
PM	particulate matter
$PM_{2.5}$	particulate matter less than 2.5 microns in size
PM_{10}	particulate matter less than 10 microns in size
PMP	Parks Master Plan
ppb	parts per billion
PPV	peak particle velocity
PR	Park and Recreation
PRC	Public Resources Code
project	Tower District Specific Plan Update, also Specific Plan Update
RM-1	Residential Multi-Family, Medium High Density
RM-2	Residential Multi-Family, Urban Neighborhood
RM-3	Residential Multi-Family, High Density
RMS	root-mean-square
ROGs	reactive organic gases
RPS	Renewables Portfolio Standard
RS-4	Residential Medium Low Density
RS-5	Residential Single-Family, Medium Density
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
SF_6	sulfur hexafluoride
SHPO	State Historic Preservation Office

SIP	State Implementation Plan
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SLC	California State Lands Commission
SO_2	sulfur dioxide
SOI	sphere of influence
Specific Plan Area	Fresno Tower District Specific Plan Area
Specific Plan Update	Fresno Tower District Specific Plan Update
SR-	State Route
SSC	Species of Special Concern
SSJVIC	Southern San Joaquin Valley Information Center
STC	Sound Transmission Class
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
T-BACTs	best available control technologies for toxics
TAC	toxic air contaminant
TCRs	tribal cultural resources
UPRR	Union Pacific Railroad
USACE	United States Army Corps of Engineers
USC	United States Code
USEPA	United States Environmental Protection Agency
VdB	vibration velocity decibels
VMT	vehicle miles traveled
VOCs	volatile organic compounds
ZEV	zero-emission vehicle

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1.0 EXECUTIVE SUMMARY

1.1 PURPOSE

This Draft Environmental Impact Report (EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the Tower District Specific Plan Update (Specific Plan Update), also referred to as the proposed project. This Draft EIR has been prepared in conformance with CEQA (California Public Resources Code, Section 21000, et seq.); the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, et seq.); and procedures for implementing CEQA as adopted by the City of Fresno.

The purpose of this Draft EIR is to inform public agency decision-makers, representatives of affected and responsible agencies, the public, and other interested parties of the potential environmental effects that may result from implementation of the Specific Plan Update (proposed project). In addition to identifying potential environmental effects, this EIR also identifies methods by which these impacts can be mitigated, reduced, minimized, or avoided. A program EIR is an EIR that may be prepared on a series of actions that can be characterized as one large project and are related either (1) geographically; (2) as logical parts in the chain of contemplated actions; (3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of continuing a program; or (4) as individual actions carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways. Later activities in the program must be examined in light of the program EIR to determine whether an additional environmental document must be prepared.

1.2 PROJECT SUMMARY

The following provides a summary of the project location, project description, project objectives, potential significant and unavoidable impacts that could result from the proposed project, and a list of the agencies responsible for implementation of the Specific Plan Update and approvals required for subsequent projects.

1.2.1 Project Location

The City of Fresno is located in Fresno County in the central San Joaquin Valley, approximately 200 miles north of Los Angeles and 170 miles south of Sacramento. The Tower District (District) is an approximately 1,869-acre area located immediately north of Downtown Fresno and the State Route (SR) 180 freeway, and one mile east of the SR-99 corridor. To the north of Fresno is Madera County, to the northeast and adjacent to Fresno is the City of Clovis, and unincorporated land is located to the east, south, and west of Fresno.

The Tower District Specific Plan Area (Specific Plan Area) for the proposed project encompasses the Tower District, which is centrally located within Fresno and is home to approximately 20,200 residents. The District is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. The

District is the geographic area for which the Specific Plan Update establishes policies conservation, future growth, and change, and conservation.

1.2.2 Project Description

The proposed project would update the 1991 Tower District Specific Plan (1991 Specific Plan) to respond to both continuing and new issues in the Tower District. Recent decades have led to greater emphasis on housing availability and affordability, expanding recreational opportunities, and calming auto-oriented roadways. At the same time, the Specific Plan Update maintains the guiding principles from the 1991 Specific Plan and continues the focus on neighborhood character, walkability, and historic resources.

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. The Specific Plan Update establishes a shared set of goals, objectives, policies, and implementing actions for both neighborhood conservation and the future growth and change of the Specific Plan Area. The Specific Plan Update also aids in implementing the broader goals and policies for the City of Fresno outlined in the General Plan in a manner that can better meet the needs of the District. This update is intended to streamline development within the Specific Plan Area by updating the Specific Plan's environmental analysis pursuant to CEQA requirements, and by providing a current regulatory framework and applicable mitigation measures.

The proposed project would also implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth. The Specific Plan Update would promote more mixed-use development along commercial corridors by re-designating a portion of Blackstone Avenue from neighborhood mixed use to corridor/center mixed-use and by re-designating a portion of Shields Avenue from office to neighborhood mixed-use areas, specifically on Blackstone Avenue and Shields Avenue. The Specific Plan Update would also expand the Apartment House (AH) Overlay zoning designation along Olive Avenue, from North Fruit Avenue to North Echo Avenue, and allow medium low density residential uses at Terrace Gardens, Porter Tract, and Wilson Island. Additionally, the existing Tower District Design Guidelines adopted in 2005 are proposed to be updated by the Tower District Design Standards and Guidelines as part of the proposed project. The updated Design Standards and Guidelines reflect the policy direction of the Specific Plan Update and are intended to result in compatible development.

1.2.3 Project Objectives

CEQA Guidelines Section 15124(b) states that an EIR project description must include "[a] statement of objectives sought by the proposed project. The statement of objectives should include the underlying purpose of the project." The project objectives are:

1. Enhance the livability and social diversity of the Tower District's residential neighborhoods and create housing opportunities that make the District inclusive and welcoming.

2. Nurture the mutually supportive relationship between the Tower District's residential neighborhoods and vibrant commercial areas.

3. Conserve and revitalize the Tower District's historic resources.

4. Shape the character of new development to complement the Tower District's character as a walkable place not dominated by the automobile.

5. Provide effective transportation access for pedestrians, bicyclists, motorists, and transit users, and emphasize the importance of pedestrian-friendly environments.

6. Increase opportunities for recreation within walking distance of Tower District residents.

7. Promote environmental sustainability and climate resilience

1.2.4 Significant and Unavoidable Adverse Impacts

The proposed project would result in a significant and unavoidable impact to Recreation.

1.2.5 Lead Agency, Responsible, and Trustee Agencies

The project applicant and lead agency for the proposed project is the City of Fresno. The City is the public agency that has the principal responsibility for certifying the EIR, approving or carrying out the project, or disapproving the project. Although the City is the CEQA Lead Agency for the project, other agencies also have discretionary authority related to components of the project and approvals or serve as a responsible and/or trustee agency in connection to the project. These agencies include:

- California Department of Transportation (Caltrans), including the Division of Aeronautics
- California Air Resources Board (CARB)
- California Department of Conservation (DOC)
- California Department of Fish and Wildlife (CDFW)
- California Department of Forestry and Fire Protection (CAL FIRE)
- California Department of Housing and Community Development (HCD)
- California Department of Parks and Recreation (DPR)
- California Department of Toxic Substances Control (DTSC)
- California Public Utilities Commission (CPUC)
- California State Office of Historic Preservation (OHP)
- California State Lands Commission (SLC)
- California State Water Resources Control Board (SWRCB)
- Central Valley Regional Water Quality Control Board (Central Valley RWQCB)
- Fresno Airport Land Use Commission (Fresno ALUC)
- Fresno Metropolitan Flood Control District (FMFCD)
- Fresno Irrigation District
- Fresno Unified School District (FUSD)
- San Joaquin Valley Air Pollution Control District (SJVAPCD)

1.3 SUMMARY OF PROJECT ALTERNATIVES

Below is a summary of the alternatives that were considered and evaluated in Chapter 6.0, Alternatives.

1.3.1 No Project Alternative

Under the No Project Alternative, the proposed Specific Plan Update would not be adopted. Development within the Specific Plan Area would continue to be implemented in accordance with the existing 1991 Specific Plan and land use and zoning changes allowed under the General Plan. Despite the lack of an update under the No Project Alternative, the distribution and location of projected growth within the Specific Plan Area would occur in a manner consistent with the City's General Plan and zoning documents. The identified improvements proposed in the Specific Plan Update for the Tower District would not be implemented. Land use and zoning changes would not be implemented, and any future development would be consistent with the current allowed land use and zoning designations. As described in Chapter 3.0, Project Description, the existing land use and zoning designations anticipate that the Specific Plan Area would result in an increase of 2,271 additional residential units, for a total of 9,607 residential units within the Tower District, as the 1991 Specific Plan and General Plan is implemented through the Horizon Year of 2035. Similar to existing conditions, future development within the Specific Plan Area that trigger significant impacts under CEQA would be required to prepare Environmental Impact Reports and adopt statements of overriding consideration pursuant to CEQA Guidelines Section 15093.

1.3.2 Recreation Alternative

The Recreation Alternative would continue to implement the Specific Plan Update, with the provision to utilize vacant sites and dedicate additional land for the development of parks and recreation facilities. Conceptually, this alternative would involve the development of vacant sites within the Specific Plan Area with recreational uses including active and passive park facilities such as trails, picnic areas, playground and tot lots, landscaped areas, and open spaces. Most of these sites would require purchase by the City, as they are under private ownership. Under the proposed project, the majority of these sites are included in the development capacity for future residential development. By prioritizing parks and recreation facilities and designating additional land for parkland development at vacant sites, this would also slightly decrease the projected residential units to be developed through implementation of the proposed project.

1.4 AREAS OF CONTROVERSY

Pursuant to CEQA Guidelines Section 15123(b), a summary section includes a discussion of potential areas of controversy known to the lead agency, including issues raised by agencies and the public during the scoping process. The following are the known potential areas of controversy:

- Land Use – impacts related to the proposed land use changes, including impacts on existing and future infrastructure and land use changes conflicting with other local planning documents, which could occur under the proposed project.

- Transportation – impacts related to increased vehicle miles traveled (VMT) and queueing near SR 180, compliance with Statewide Transportation and Climate Plans, compatibility of the proposed implementation of Fresno's Active Transportation Plan, and existing circulation patterns.

- Air Quality – impacts related to increased emissions related to the proposed project, including construction and operational emissions and the need for proper air quality analysis, mitigation, and compliance with applicable air quality plans, and sensitive receptors and their proximity to emissions sources.

- Greenhouse Gas (GHG) Emissions – impact on GHG emissions and the need for incorporating GHG reduction strategies into the proposed project.

1.5 PUBLIC REVIEW OF THE DRAFT EIR

Upon completion of this Draft EIR, the City of Fresno prepared and filed a Notice of Completion (NOC) with the California Office of Planning and Research/State Clearinghouse to begin the public review period (Public Resources Code, Section 21161) on August 15, 2025. Concurrent with the NOC, the City of Fresno distributed a Notice of Availability (NOA) in accordance with Section 15087 of the CEQA Guidelines. The NOA was mailed to the organizations and individuals who previously requested such a notice to comply with Public Resources Code Section 21092(b)(3). This Draft EIR was distributed to the Governor's Office of Land Use and Climate Innovation/State Clearinghouse in accordance with Section 15206 of the CEQA Guidelines. This Draft EIR was also published in the Fresno Bee newspaper to comply with Section 15087(a) of the State CEQA Guidelines and was distributed to affected agencies, surrounding cities and municipalities, and all interested parties. During the public review period, this Draft EIR, including the appendices, is available for review at the following locations:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Monday through Friday: 8:00 a.m. to 5:00 p.m.
Saturday and Sunday: Closed

Fresno Central Library
2420 Mariposa Street
Fresno, CA 93721
Monday through Thursday: 10:00 a.m. to 7:00 p.m.
Friday and Saturday: 10:00 a.m. to 5:00 p.m.
Sunday: 12:00 p.m. to 5:00 p.m.

Gillis Branch Library
629 West Dakota Avenue
Fresno, CA 93705
Monday through Thursday: 9:00 a.m. to 7:00 p.m.
Friday and Saturday: 9:00 a.m. to 5:00 p.m.
Sunday: Closed.

In addition, the Draft EIR, including the appendices, is available for review at the following City of Fresno website:

www.fresno.gov/tdsp

Agencies, organizations, individuals, and all other interested parties not previously contacted, or who did not respond to the NOP or attended the scoping meeting, currently have the opportunity to comment on this Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

Sophia Pagoulatos, Planning Manager
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Email: longrangeplanning@fresno.gov

Upon completion of the public review period, written responses to all substantive environmental issues raised will be prepared and made available for review at least 10 days prior to the public hearing on the project before the Fresno City Council, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision-makers for the project.

1.6 EXECUTIVE SUMMARY MATRIX

Table 1.A below summarizes the impacts, mitigation measures, and resulting level of significance after mitigation for the relevant environmental issue areas evaluated for the proposed project. The significance conclusions for the following sections are included for informational purposes, but are not included in the Draft EIR as they were screened out as having “no impact” or a “less than significant” impact in the Initial Study (Appendix C): aesthetics, agriculture and forestry resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, transportation and traffic, utilities and service systems, and wildfire. Table 1.A is intended to provide an overview; narrative discussions for the issue areas are included in the corresponding sections of this Draft EIR. Table 1.A is included in the Draft EIR pursuant to CEQA Guidelines Section 15123(b)(1).

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
AESTHETICS			
AES-1: The proposed project would not have a substantial adverse effect on a scenic vista.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AES-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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AES-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 publicly accessible vantage point), and 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AES-4: The proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AES-5: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not contribute to a significant cumulative impact with respect to aesthetics.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AGRICULTURE AND FORESTRY			
AG-1: The proposed project would not 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.	No Impact.	No mitigation measures are required.	No Impact.
AG-2: The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AG-3: The proposed project would not 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	No Impact.	No mitigation measures are required.	No Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
timberland zoned Timberland Production (as defined by Government Code section 51104(g)).			
AG-4: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use.	No Impact.	No mitigation measures are required.	No Impact.
AG-5: The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland, to non-agricultural use.	No Impact.	No mitigation measures are required.	No Impact.
AG-6: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to agricultural resources.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AIR QUALITY			
AQ-1: The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AQ-2: The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project is nonattainment under an applicable federal or state ambient air quality standard.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AQ-3: The project would not expose sensitive receptors to substantial pollutant concentrations.	Potentially Significant Impact.	**Mitigation Measure AIR-1a** Prior to future discretionary approval for projects that require environmental evaluation under CEQA, development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical health risk assessment (HRA) evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology for assessing construction impacts. If construction-related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, project applicants for new development projects shall be	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		required to incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. Mitigation measures can include, but are not limited to: • Maintain construction equipment and provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [CCR Title 13, Sections 2449 and 2449.1] to SJVAPCD; and • Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. Documentation of a certified mechanic's inspection and determinations shall be maintained by the Construction Manager and available for City inspection upon reasonable request. The identified measures shall be included as part of the project Conditions of Approval. If the recommendations of the HRA are insufficient to reduce impacts to levels at or below SJVAPCD's threshold of 20 in one million, such development with significant cancer risk (i.e., that exceed that threshold) shall be prohibited. **Mitigation Measure AIR-1b** Prior to future discretionary approval for projects that require environmental evaluation under CEQA, the City of Fresno (City) shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more	

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a HRA to the City Department of Development and Resource Management. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to an acceptable level. T-BACTs may include, but are not limited to: • Restrict idling on site by shutting equipment off when not in use or reducing idling time to 3 minutes as enforced by an identified compliance officer within the construction crew. Idling restrictions shall be enforced by highly visible posting at the site entry, posting at other on-site locations frequented by truck drivers, conspicuous inclusion in employee training and guidance material and owner, operator or tenant direct action as required; • Electrify warehousing docks to reduce diesel particulate matter; Reque use of newer equipment and/or vehicles;	

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or • Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site. T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan. **Mitigation Measure AIR-1c** Locate sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit an HRA to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.	
AQ-4: The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
AQ-5: The proposed project, in combination with other projects, would not contribute to a significant cumulative impact related to air quality.	Potentially Significant Impact.	Refer to **Mitigation Measures AIR-1a, AIR-1b, and AIR-1c.**	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
BIOLOGICAL RESOURCES			
BIO-1: The proposed 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.	Potentially Significant Impact.	**Mitigation Measure BIO-1a: Avoidance Measures for Bats.** 1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees to be removed during construction for suitability as bat roosts. If a tree is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately. 2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree. 3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats:	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		a) Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs). b) After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours). **Mitigation Measure BIO-1b: Pre-activity Nesting Bird Surveys**. If future development and site-specific project activities facilitated by the implementation of the Specific Plan Update must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys will be conducted by a qualified biologist in accordance with the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) no more than 7 days prior to the start of construction at the construction site, and a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson's hawk [*Buteo swainsoni*]) will be installed. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during future project construction facilitated by implementation of the Tower District Specific Plan Update, the project proponent shall install an avoidance buffer ranging from 50 feet to 350 feet will be required, as determined by a qualified biologist. The avoidance	

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The qualified biologist will have the ability to stop construction if nesting adults show signs of distress.	
BIO-2: The proposed project could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
BIO-3: The project would 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
BIO-4: The project could 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
BIO-5: The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
BIO-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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
BIO-7: The project, in combination with other projects, could contribute to a significant cumulative impact related to biological resources.	Potentially Significant Impact.	Refer to **Mitigation Measures BIO-1a and BIO-1b.**	Less Than Significant Impact.
CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES			
CUL-1: The project could cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.	Potentially Significant Impact.	**Mitigation Measure CUL-1a** If previously unknown resources are encountered before or during grading activities, construction shall	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 of Fresno (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 *State 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 *State 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 City of Fresno 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. **Mitigation Measure CUL-1b** Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of the Interior's Qualifications. The evaluation shall	

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development. During project-specific environmental review of development under the proposed plan, before altering or otherwise affecting a building or structure that is 50 years old or older, the City shall require project applicants to retain a qualified architectural historian meeting the Secretary of Interior's Professional Qualifications Standards to record the building or structure on a California Department of Parks and Recreation DPR 523 form or equivalent documentation, if the building has not previously been evaluated. Its significance shall be assessed and documented by a qualified architectural historian in accordance with the significance criteria set forth for historic resources under CEQA Guidelines Section 15064.5. The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the structure in the history of the City and the region. For buildings, structures, and other resources determined through this evaluation process not to meet the CEQA historical resource criteria, no further mitigation is required. For any building, structure, and or other resource that qualifies as a historic resource, the architectural historian and the future project-specific applicant shall consult to consider measures that would enable projects under the proposed plan to avoid direct or indirect impacts to the historic building or structure. These could include preserving the building on site, using it “as is,” or other measures that would not materially alter the	

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		historically significant components of the building or structure. If the project cannot feasibly avoid modifications to the historically significant features of the historic building or structure, the following measures shall be undertaken as appropriate: • If the building or structure can be preserved on-site, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (NPS 2017). • If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, the City shall ensure that a qualified architectural historian thoroughly documents the building and associated landscaping and setting. Documentation shall include still and video photography and a written documentary record of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. A copy of the record shall be provided to the City. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.	

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		If preservation and reuse at the site are not feasible, the historical building shall be documented as described in item (2) and, when physically and financially feasible, be moved and preserved or reused.	
CUL-2: The project could cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines.	Potentially Significant Impact.	**Mitigation Measure CUL-2** Subsequent to a preliminary City review of grading plans for future development projects facilitated by the Specific Plan Update, 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 of Fresno 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 *State CEQA Guidelines*. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the *State CEQA Guidelines*, mitigation measures shall be	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		identified by the monitor and recommended to the City of Fresno. 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. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.	

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
CUL-3: The project would not disturb any human remains, including those interred outside of dedicated cemeteries.	Potentially Significant Impact.	**Mitigation Measure CUL-3** In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (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 MLDs 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.	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
CUL-4: The project would not 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, and that is: • Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or • A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Potentially Significant Impact.	Refer to **Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3.**	Less Than Significant Impact.
CUL-5: The project, in combination with other projects, could contribute to a significant cumulative impact related to cultural resources and tribal cultural resources.	Potentially Significant Impact.	Refer to **Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3.**	Less Than Significant Impact.
ENERGY			
ENG-1: The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
ENG-2: The proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
ENG-3: The project, in combination with other projects, would not contribute to a significant cumulative impact related to energy.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
GEOLOGY AND SOILS			
GEO-1: The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known fault, strong seismic ground shaking, seismic-related ground failure, or landslides. i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42; ii. Strong seismic ground shaking; iii. Seismic-related ground failure, including liquefaction; or iv. Landslides.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
GEO-2: The project would not result in substantial soil erosion or the loss of topsoil.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
GEO-3: The project would not 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
GEO-4: The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
GEO-5: The project does not contain soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
GEO-6: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Potentially Significant Impact.	**Mitigation Measure GEO-1**: **Paleontological/Geologic Features** Subsequent to a preliminary City of Fresno 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	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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.	
GEO-7: The project, in combination with other projects, could contribute to a significant cumulative impact related to geology and soils.	Potentially Significant Impact.	Refer to **Mitigation Measures GEO-1.**	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
GREENHOUSE GAS EMISSIONS			
GHG-1: The proposed project would result in a potentially significant impact related to GHG emissions.	Potentially Significant Impact.	**Mitigation Measure GHG-1:** Prior to discretionary approval by the City of Fresno (City) for development projects subject to California Environmental Quality Act (CEQA) review (i.e., nonexempt projects), Project applicants shall prepare and submit a technical assessment evaluating potential project-related greenhouse gas (GHG) impacts to the City for review and approval. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology. While neither the City nor the SJVAPCD currently have established threshold of significance for evaluating the GHG emissions impact of a proposed project, if either the City or the SJVAPCD develop GHG thresholds in the future (i.e. CEQA qualified Greenhouse Gas Reduction Plan/Climate Action Plan or SJVAPCD project-specific GHG thresholds), the evaluation of project-related GHG emissions shall demonstrate consistency with those thresholds of significance. In the absence of project-specific GHG thresholds established by the City or SJVAPCD, projects shall demonstrate compliance with the 2022 Scoping Plan GHG requirements, consistent with State GHG emissions reduction and equity prioritization goals, by implementing the following design elements, where feasible: • Projects shall not include natural gas appliances or natural gas plumbing. • Projects shall achieve a reduction in project-generated VMT below the regional average consistent with the current version of the 2022 Scoping Plan (currently 15 percent) or meets the	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		City's locally adopted target reduction (13 percent reduction). • Projects shall not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the *State CEQA Guidelines.* • Projects must achieve compliance with EV requirements in the most recently adopted version of CALGreen Tier 2. Should a proposed project exceed established thresholds of significance, the City shall require that the proposed project implement GHG emission reduction measures to reduce emissions below applicable thresholds or to a level commensurate with implementing the recommended project-design features outlined above. Such mitigation measures could include, but are not limited to, energy efficiency measures, water conservation and efficiency measures, solid waste measures, and transportation and motor vehicles measures. The identified measures shall be included as part of the conditions of approval.	
GHG-2: The proposed project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Potentially Significant Impact.	Refer to **Mitigation Measure GHG-1**.	Less Than Significant Impact.
GHG-3: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to greenhouse gas emissions.	Potentially Significant Impact.	Refer to **Mitigation Measure GHG-1**.	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
HAZARDS AND HAZARDOUS MATERIALS			
HAZ-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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HAZ-2: The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HAZ-4: The project could 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HAZ-5: The proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HAZ-6: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HAZ-7: The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HAZ-8: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts related to hazards and hazardous materials.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
HYDROLOGY AND WATER QUALITY			
HYD-1: The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HYD-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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HYD-3: The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: • Result in a substantial erosion or siltation on- or off-site; • Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; • 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; nor • Impede or redirect flood flows.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HYD-4: The project would not risk release of pollutants due to project inundation in a flood hazard, tsunami, or seiche zones.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HYD-5: The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
HYD-6: The project, in combination with other projects, would not contribute to a significant cumulative impact related to hydrology and water quality.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
LAND USE AND PLANNING			
LU-1: The proposed project would not physically divide an established community.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
LU-2: The proposed project would not 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
LU-3: The project, in combination with other projects, would not contribute to a significant cumulative impact related to land use and planning.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
MINERAL RESOURCES			
MIN-1: The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
MIN-2: The proposed project would not 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
MIN-3: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to mineral resources.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
NOISE			
NOI-1: The project could 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 applicable standards of other agencies.	Potentially Significant Impact.	**Mitigation Measure NOI-1a** Prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Community Development Director. Measures shall be implemented to reduce construction noise to the FTA construction noise criteria or below if construction	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers. **Mitigation Measure NOI-1b** A project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.	
NOI-2: The project could generate excessive groundborne vibration or groundborne noise levels.	Potentially Significant Impact.	**Mitigation Measure NOI-2** Future development would require that the construction contractor for the project shall restrict heavy construction (e.g., large bulldozers) or require the use of light construction equipment (e.g., small bulldozers and trucks) within 10 feet of a historic building, 9 feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial building, to be confirmed by the City of Fresno or lead agency.	Less Than Significant Impact.
NOI-3: The proposed would not expose people residing or working in the project area to excessive noise levels.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
NOI-4: The project, in combination with other projects, could contribute to a significant cumulative impact related to noise.	Potentially Significant Impact.	Refer **to Mitigation Measures NOI-1a, NOI-1b, and NOI-2.**	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
POPULATION AND HOUSING			
POP-1: The proposed project would not 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).	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
POP-2: The proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
POP-3: The proposed project would not contribute to a significant cumulative impact related to population and housing.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
PUBLIC SERVICES			
PSR-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities (fire protection, police protection, schools, and other public facilities), or the need for new or physically altered governmental facilities.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
RECREATION			
REC-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks or recreation facilities, or the need for new or physically altered parks or recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives.	Potentially Significant Impact.	**Mitigation Measure REC-1a** As new development occurs in the Specific Plan Area, the City of Fresno (City) shall periodically (every 5 years) monitor residential population growth compared to development of new parklands for the purpose of evaluating the strength of the Tower District Specific Plan Update to meet the ratio of 3.0 acres of parkland per 1,000 population. If the ratio is not met, the City shall explore additional ways to increase the amount of dedicated parkland in the Specific Plan Area, including but not limited to designating additional lands for parkland development.	Significant and Unavoidable Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Mitigation Measure REC-1b As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from construction and operation of parks and recreational facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes: • Air Quality/Greenhouse Gas Emissions: Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity. • Noise: Barriers and setbacks placed on parks and recreational facilities. • Traffic: Traffic devices for circulation. • Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights.	
REC-2: The proposed project would not 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.	Potentially Significant Impact.	Refer to **Mitigation Measure REC-1a.**	Significant and Unavoidable Impact.
REC-3: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.	Potentially Significant Impact.	Refer to **Mitigation Measure REC-1b.**	Significant and Unavoidable Impact.
REC-4: The project, in combination with other projects, would not contribute to significant cumulative impacts related to public services and recreation.	Potentially Significant Impact.	Refer to **Mitigation Measures REC-1a and REC-1b.**	Significant and Unavoidable Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
TRANSPORTATION			
TRA-1: The project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
TRA-2: The project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
TRA-3: The proposed 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).	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
TRA-4: The proposed project would not result in inadequate emergency access.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
TRA-5: The project, in combination with other projects, would contribute to a significant cumulative impact related to transportation.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
UTILITIES			
UTL-1: The project would not require nor result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
UTL-2: The project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
UTL-3: The project would not result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.

Table 1.A: Executive Summary Matrix

Potential Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
UTL-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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
UTL-5: The project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
UTL-6: The project, in combination with other projects, would not contribute to a significant cumulative impact related to utilities and service systems.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
WILDFIRE			
WF-1: The proposed project would not impair an adopted emergency response plan or emergency evacuation plan.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
WF-2: The proposed project would not, 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
WF-3: The proposed project would not 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
WF-4: The proposed project would not 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.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
WF-5: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to wildfire.	Less Than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.

2.0 INTRODUCTION

The City of Fresno (City) proposes to update the Tower District Specific Plan (hereinafter referred to as the "proposed project" or "Specific Plan Update"), including the associated approvals and entitlements proposed by the City and included in the Specific Plan Update. For the proposed project, the Specific Plan Area encompasses the Tower District, which is centrally located within the City of Fresno and is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area.

2.1 PURPOSE OF THIS EIR

The California Environmental Quality Act (CEQA) requires that all State and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority before taking action on them. This program-level Environmental Impact Report (EIR) has been prepared in accordance with CEQA to evaluate the potential environmental impacts associated with continued implementation of the approved Specific Plan for the City of Fresno. This EIR has been prepared in conformance with CEQA, California Public Resources Code Section 21000 et seq; the *State CEQA Guidelines* (California Code of Regulations, Title 14, Section 15000 et seq); and the rules, regulations, and procedures for implementing CEQA as adopted by the City of Fresno.

California Government Code Section 65451 authorizes local jurisdictions to adopt specific plans "for the systematic implementation of the general plan for all or part of the area covered by the general plan."[1] This EIR is intended to serve as an informational document for the public agency decision-makers and the public regarding the potential environmental impacts associated with new regulatory areas not previously studied in the Tower District's 1991 Specific Plan EIR,[2] and updates previously studied areas to bring them up to date with modern regulations. In addition to identifying potential environmental impacts that were found to have potentially significant impacts, this EIR also provides a current regulatory framework and applicable mitigation measures.

This EIR is the primary reference document for the formulation and implementation of a mitigation monitoring program for the Specific Plan Update. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with Section 15093(b) of the *State CEQA Guidelines*, if a lead agency such as the City of Fresno approves a project (i.e., text changes to the Specific Plan and implementation of the Specific Plan Update) that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the lead agency

1 State of California Government Code. 1985. Article 8. Specific Plans [65450 - 65457]. Website: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65451.&article=8.&highlight=true&keyword=Specific%20Plan (accessed February 12, 2025).

2 City of Fresno. 1991. *Tower District Specific Plan.* March 26, 1991. Website: https://www.fresno.gov/wp-content/uploads/2023/04/Tower-District-Specific-Plan-.pdf (accessed July 2025).

shall state in writing the specific reasons for approving the project, based on the final CEQA documents and any other information in the public record for the project. This is termed in Section 15093 of the *State CEQA Guidelines*, "a statement of overriding considerations." For the approved Specific Plan, the following impacts were found to be significant and unavoidable:

- Impacts related to parks and recreation

These impacts are discussed in more detail throughout Chapter 4.0 of this EIR.

2.2 TYPE OF EIR

The City is updating the 1991 Specific Plan to respond to issues in the Tower District that have remained, changed, and emerged. Recent decades have led to greater emphasis on housing availability and affordability, expanding recreational opportunities, and calming auto-oriented roadways. At the same time, the Specific Plan Update maintains the guiding principles from the 1991 Specific Plan and continues the focus on neighborhood character, walkability, and historic resources. As previously mentioned, the intent of this EIR is to describe the potential impacts associated with the implementation of the Specific Plan Update. A program-level EIR is appropriate for a series of actions that can be characterized as one large project and are related either:

1. Geographically,

2. As logical parts in the chain of contemplated actions,

3. In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or

4. As individual activities carried out under the same authorization statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

The use of this EIR provides an opportunity for a more exhaustive consideration of effects and alternatives than otherwise would be practical under a project-specific EIR. However, subsequent activities occurring as a result of program/project approval and certification of a program-level EIR must be further evaluated to determine whether or not an additional environmental document must be prepared. If an agency finds that no new effects could occur and that no new mitigation would be required, then the agency can determine that subsequent activities are covered under the EIR, and no further environmental documentation would be required. Conversely, an agency may determine that future projects could require the preparation of a new Initial Study, Mitigated Negative Declaration, or new EIR. If new environmental documentation is required, the EIR can be used to focus the scope of the subsequent environmental document (*State CEQA Guidelines*, Section 15168).

2.3 ENVIRONMENTAL REVIEW PROCESS

The California Environmental Quality Act (CEQA) Public Resources Code (PRC) Section 21000, et seq., requires that a public agency prepare an EIR when the public agency finds substantial evidence that the project may have a significant effect on the environment (PRC Section 21080 (d)). The basic purposes of CEQA are to:

1. Inform governmental decision makers and the public about the potential significant environmental effects of proposed activities;

2. Identify the ways that environmental damage can be avoided or significantly reduced;

3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and

4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant effects are involved.

In compliance with the *State CEQA Guidelines*, the City has taken steps to maximize opportunities for the public and other public agencies to participate in the environmental review process. The City conducted the scoping process, issued a Notice of Preparation (NOP) for the proposed project, and determined that an EIR was required to evaluate the potentially significant environmental effects of the proposed project and related actions. In addition, a public scoping meeting was held, as discussed further below.

2.3.1 Notice of Preparation

The scope of this EIR includes issues identified by the City of Fresno during the preparation of the NOP for the proposed project. The NOP was prepared in accordance with Section 15082 of the *State CEQA Guidelines*. The purpose of the NOP is to provide the responsible and trustee agencies and the Governor's Office of Planning and Research with sufficient information describing the project and the potential environmental effects to assist the agencies to provide a meaningful response.

The NOP was circulated for agency review as well as public review on May 7, 2025 (see Appendix A). In addition, a public notice of the NOP and a Notice of Public Scoping Meeting were published in the Fresno Bee on May 7, 2025. Responses to the NOP were requested within 30 days after receiving the NOP, or no later than June 9, 2025. Copies of written comments received in response to the NOP are included in Appendix B.

In accordance with the *State CEQA Guidelines*, Section 15082, the NOP was circulated to responsible agencies and individuals for a period of 30 days, during which time written comments were solicited pertaining to environmental issues and topics that the Draft EIR should evaluate.

Responses to the NOP were received from the following agencies:

- California Department of Transportation, District 6
- Fresno Metropolitan Flood Control District
- San Joaquin Valley Air Pollution Control District
- Native American Heritage Commission

The following persons/organizations submitted written comments on the NOP:

- Shehadey Enterprise Solutions

Key environmental issues and concerns raised in response to the NOP scoping process included:

- **Land Use:** Commenters expressed concerns about impacts related to the proposed land use changes, including impacts on existing and future infrastructure, which could occur under the proposed project. Commenters expressed concerns about land use changes conflicting with other local planning documents which were analyzed based on land uses outlined in the 2014 Fresno General Plan.[3] Impacts related to Land Use are discussed in the Initial Study attached as Appendix C of this EIR and were determined to be less than significant.

- **Transportation:** Commenters expressed concerns about transportation-related impacts, particularly increased vehicle miles traveled (VMT) and queueing near SR 180, as well as the proposed project's compliance with Statewide Transportation and Climate Plans. Additional concerns were raised regarding the compatibility of the proposed implementation of Fresno's Active Transportation Plan, and existing circulation patterns. Impacts related to Transportation are discussed in the Initial Study attached as Appendix C of this EIR, and were determined to be less than significant.

- **Air Quality:** Commenters expressed concerns about increased emissions related to the proposed project, including construction and operational emissions and the need for proper air quality analysis, mitigation, and compliance with applicable air quality plans. Additionally, commenters expressed concerns about sensitive receptors and their proximity to emissions sources. These issues are addressed in Section 4.1, Air Quality. Impacts related to Air Quality were determined to be less than significant with mitigation incorporated.

- **Greenhouse Gas (GHG) Emissions:** Commenters expressed concerns about the proposed project's impact on GHG emissions and the need for incorporating GHG reduction strategies into the proposed project. These issues are addressed in Section 4.4, Greenhouse Gas Emissions. Impacts related to GHG emissions were determined to be less than significant with mitigation incorporated.

[3] City of Fresno. 2014. *Fresno General Plan*. Adopted December 18, 2014. Website: https://www.fresno.gov/wp-content/ uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf (accessed July 2025).

Please note that these are not exhaustive lists of areas of controversy, but rather key issues that were raised during the scoping process. Appendix A includes the NOP, and Appendix B includes copies of written comments received in response to the NOP.

2.3.2 Scoping Meeting

Since the proposed project includes amending the text of the Specific Plan, the project is considered to be of regional or area-wide significance in accordance with Section 15206 of the *State CEQA Guidelines*. For projects of regional or area-wide significance, at least one scoping meeting is required as identified in Section 15082(c) (1) of the *State CEQA Guidelines*. During the agency and public review period for the NOP, the City of Fresno held a public scoping meeting on May 27, 2025, at the Fresno City Hall, 2600 Fresno Street, Room 2120, Fresno, CA 93721. No comments were received from the public, State agencies, or other interested parties at the public scoping meeting.

2.3.3 Effects Determined to be Potentially Significant

Based on the previous analysis as well as the comments that were received during the scoping process, the following environmental issues are addressed in the EIR:

- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Noise
- Recreation

2.4 ORGANIZATION OF THIS DRAFT EIR

This EIR is organized into the following chapters, which contain the contents of an EIR as required by Sections 15120 through 15132 of the *State CEQA Guidelines*.

- Chapter 1.0: Executive Summary. This chapter provides a summary of the proposed project and the project alternatives that will be addressed in the Draft EIR, including a summary table of project and cumulative impacts, recommended mitigation measures, and the level of significance after mitigation for each environmental issue. This chapter includes the project and cumulative issues addressed in Chapter 4.0, Evaluation of Environmental Impacts.

- Chapter 2.0: Introduction. This chapter includes an introduction and overview describing the purpose of this Draft EIR, along with its scope and components.

- Chapter 3.0: Project Description. This chapter provides a detailed description of the project, including the location and project characteristics. A discussion of the intended uses of this Draft EIR, project background, project objectives, and project approvals needed for the project are also included.

- Chapter 4.0: Evaluation of Environmental Impacts. This chapter provides an overview of the project and cumulative environmental setting. The project setting focuses on the environmental

conditions within the Specific Plan Area. The cumulative setting identifies the environmental conditions within the cumulative study area.

This chapter is divided into six sections that are organized into major topical areas that provide analysis of the potentially significant environmental impacts associated with the proposed project. Each topical section includes a description of the environmental setting, regulatory setting, significance criteria, project impacts, cumulative impacts, mitigation measures, and level of significance after mitigation.

- Chapter 5.0: CEQA-Required. This chapter provides a summary of significant environmental impacts, including those that are significant prior to mitigation, significant and unavoidable, growth-inducing, and irreversible impacts.

- Chapter 6.0: Alternatives. This chapter includes a discussion of potential alternatives that could meet the basic objectives of the project and reduce potential significant environmental impacts of the proposed project.

- Chapter 7.0: Report Preparation. This chapter provides a list of the organizations who prepared this Draft EIR, and a listing of the references used to prepare this Draft EIR.

- Appendices. The appendices contain the NOP, comments on the NOP, Initial Study, and the technical studies and information that were prepared and used to support the analyses and conclusions in this EIR.

The Final EIR will be prepared after the public review period for this Draft EIR has been completed. The Final EIR will include comments and recommendations received on the Draft EIR during the public review period; a list of persons, organizations, and public agencies commenting on the Draft EIR; written responses to significant environmental issues identified in the comments received; and any other information added by the City of Fresno.

2.5 PROJECT APPLICANT AND LEAD, RESPONSIBLE, AND TRUSTEE AGENCIES

The project Applicant and lead agency for the proposed project is the City of Fresno. The City is the public agency that has the principal responsibility for certifying the Draft EIR, approving and carrying out the project, or disapproving the project.

The responsible agencies are State and local public agencies other than the lead agency that have authority to carry out or approve a project or that are required to approve a portion of a project for which the lead agency is preparing or has prepared an EIR or Negative Declaration. There are no agencies other than the City of Fresno that have approval or permitting authority for the adoption of the Specific Plan Update. Implementation of the proposed project would involve many responsible agencies depending upon the specifics of the subsequent projects. Following are some of the agencies that could be required to act as responsible agencies for subsequent projects:

- California Department of Transportation (Caltrans), including the Division of Aeronautics
- California Air Resources Board (CARB)
- California Department of Conservation (DOC)
- California Department of Fish and Wildlife (CDFW)
- California Department of Forestry and Fire Protection (CAL FIRE)
- California Department of Housing and Community Development (HCD)
- California Department of Parks and Recreation (DPR)
- California Department of Toxic Substances Control (DTSC)
- California Public Utilities Commission (CPUC)
- California State Office of Historic Preservation (OHP)
- California State Lands Commission (SLC)
- California State Water Resources Control Board (SWRCB)
- Central Valley Regional Water Quality Control Board (Central Valley RWQCB)
- Fresno Airport Land Use Commission (Fresno ALUC)
- Fresno Metropolitan Flood Control District (FMFCD)
- Fresno Irrigation District (FID)
- Fresno Unified School District (FUSD)
- San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Any Other Responsible or Trustee Agency that may need to provide discretionary approval

The trustee agencies under CEQA are public agencies with legal jurisdiction over natural resources that are held in trust for the people of California and that would be affected by a project, whether or not the agencies have authority to approve or implement a project. It is anticipated that development under the approved Specific Plan could affect lands under the jurisdiction of a Trustee Agency such as the California Department of Fish and Wildlife, the California State Lands Commission, and the California State Department of Parks and Recreation.

2.6 REVIEW OF THIS DRAFT EIR

Upon completion of this Draft EIR, the City of Fresno prepared and filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research/State Clearinghouse to begin the public review period (Public Resources Code, Section 21161). Concurrent with the NOC, the City of Fresno distributed a Notice of Availability (NOA) in accordance with Section 15087 of the *State CEQA Guidelines*. The NOA was mailed to the organizations and individuals who previously requested such a notice to comply with Public Resources Code Section 21092(b)(3). This Draft EIR was distributed to the Governor's Office of Planning and Research/State Clearinghouse and the Fresno Council of Governments in accordance with Section 15206 of the *State CEQA Guidelines*. This Draft EIR was also published in the Fresno Bee newspaper to comply with Section 15087(a) of the *State CEQA Guidelines* and was distributed to affected agencies, surrounding cities and municipalities, and all interested parties. During the public review period, this Draft EIR, including the appendices, is available for review at the following locations:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Monday through Friday: 8:00 a.m. to 5:00 p.m.
Saturday and Sunday: Closed

Fresno Central Library
2420 Mariposa Street
Fresno, CA 93721
Monday through Thursday: 10:00 a.m. to 7:00 p.m.
Friday and Saturday: 10:00 a.m. to 5:00 p.m.
Sunday: 12:00 p.m. to 5:00 p.m.

Gillis Branch Library
629 West Dakota Avenue
Fresno, CA 93705
Monday through Thursday: 9:00 a.m. to 7:00 p.m.
Friday and Saturday: 9:00 a.m. to 5:00 p.m.
Sunday: Closed.

In addition, the Draft EIR, including the appendices, is available for review at the following City of Fresno website:

www.fresno.gov/tdsp

Agencies, organizations, individuals, and all other interested parties not previously contacted, or who did not respond to the NOP or attended the scoping meeting, currently have the opportunity to comment on this Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

Sophia Pagoulatos, Planning Manager
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Email: longrangeplanning@fresno.gov

Upon completion of the public review period, written responses to all substantive environmental issues raised will be prepared and made available for review at least 10 days prior to the public hearing on the project before the Fresno City Council, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision-makers for the project.

3.0 PROJECT DESCRIPTION

This following describes the proposed updates to the Tower District Specific Plan Update (proposed project or Specific Plan Update), and associated approvals and entitlements proposed by the City of Fresno (City) and included in the Specific Plan Update. The City is the California Environmental Quality Act (CEQA) lead agency and has final authority to approve the proposed project and certify the Environmental Impact Report (EIR).

3.1 PROJECT LOCATION

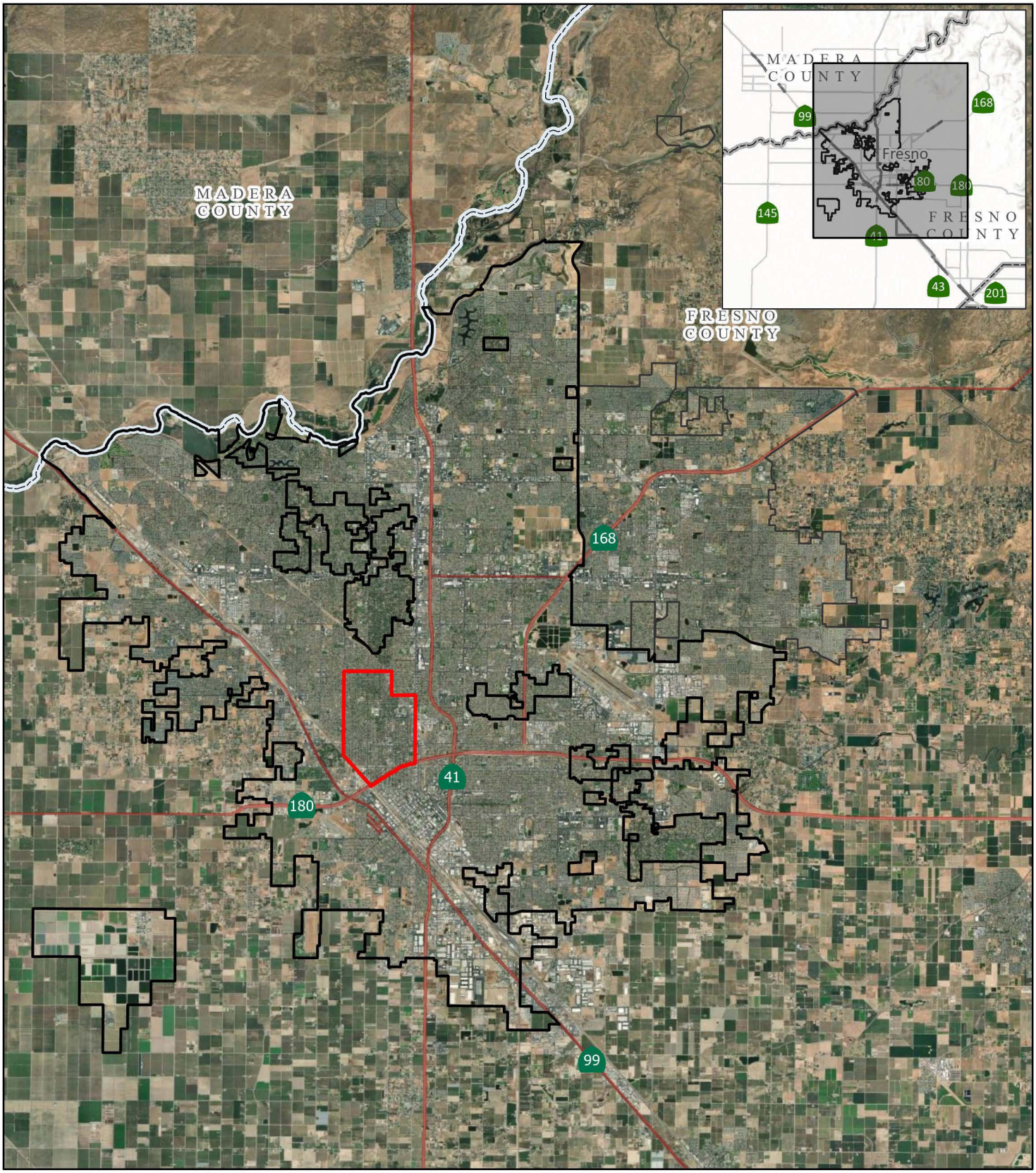
The City of Fresno is located in Fresno County in the central San Joaquin Valley, approximately 200 miles north of Los Angeles and 170 miles south of Sacramento. The Tower District (District) is an approximately 1,869-acre area located immediately north of Downtown Fresno and the State Route (SR) 180 freeway, and one mile east of the SR-99 corridor. Figure 3-1, Regional Location and Local Vicinity, shows the City of Fresno in its regional context. To the north of Fresno is Madera County, to the northeast and adjacent to Fresno is the City of Clovis, and unincorporated land is located to the east, south, and west of Fresno.

The Tower District Specific Plan Area (Specific Plan Area) for the proposed project encompasses the Tower District, which is centrally located within Fresno and is home to approximately 20,200 residents. The District is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. Figure 3-2, Project Location, shows the location of the Specific Plan Area within the City. The District is the geographic area for which the Specific Plan Update establishes policies conservation, future growth, and change, and conservation.

3.2 PROPOSED PROJECT CHARACTERISTICS

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. The Specific Plan Update establishes a shared set of goals, objectives, policies, and implementing actions for the both neighborhood conservation and the future growth and change of the Specific Plan Area. The Specific Plan Update also aids in implementing the broader goals and policies for the City of Fresno outlined in the General Plan in a manner that can better meet the needs of the District. This update is intended to streamline development within the Specific Plan Area by updating the Specific Plan's environmental analysis pursuant to CEQA requirements, and by providing a current regulatory framework and applicable mitigation measures.

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FIGURE 3-1

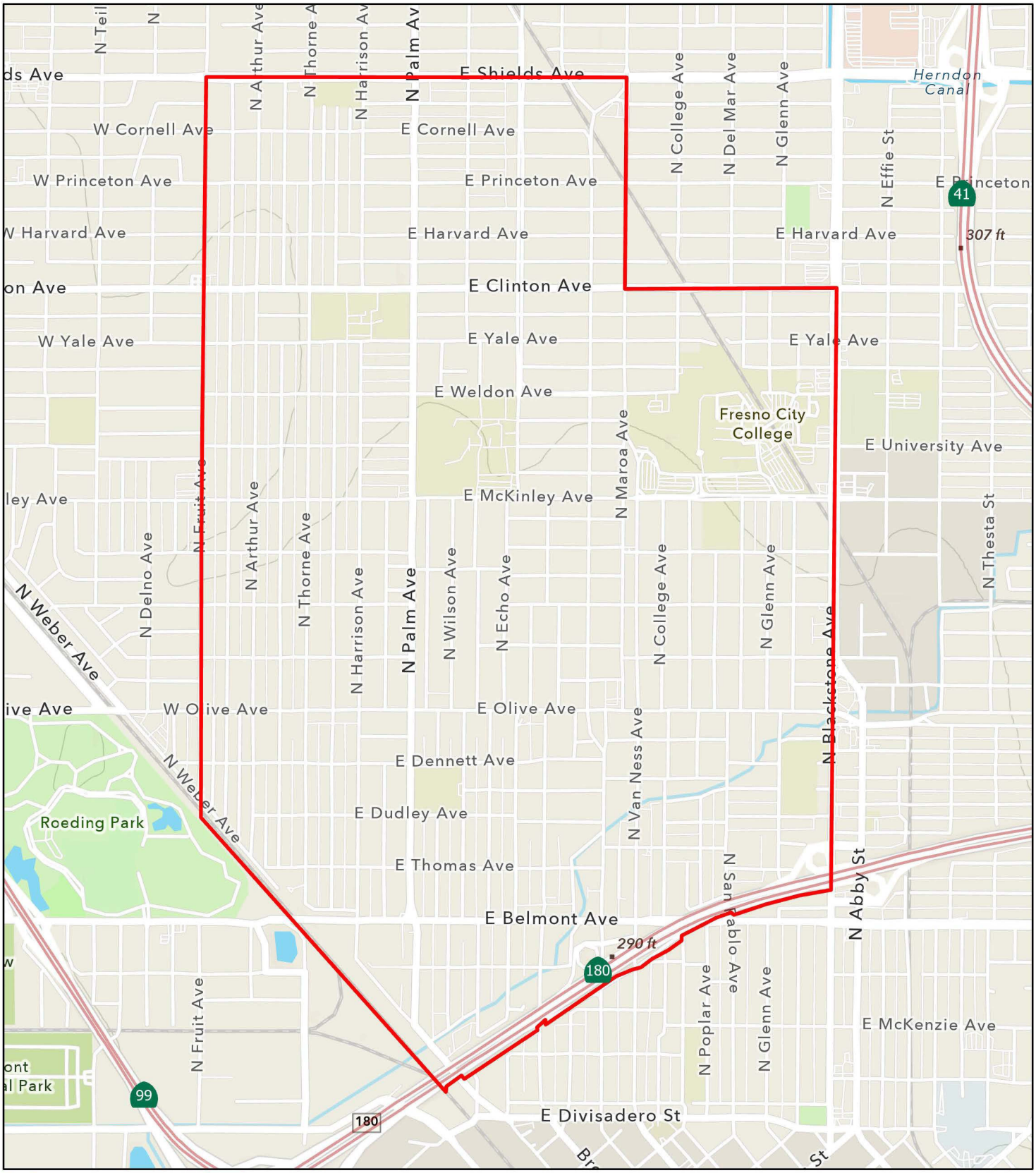
SOURCE: Esri World Imagery (2025)

Tower District Specific Plan Update

Regional Location and Local Vicinity

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Tower District Boundary

FIGURE 3-2

0 850 1700
FEET

SOURCE: Esri Outdoor Contour Map (2025)

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Tower District Specific Plan Update

Project Location

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3.3 TOWER DISTRICT EXISTING CHARACTERISTICS

Established in the early 20th-century as a streetcar suburb, the Tower District is built on a combination of walkable streets and a diversity of places for entertainment and leisure. It has established itself as a highly livable place within the city that offers a mix of multi-family and single-family housing, small businesses, industrial employers, schools, and parks. The District is one of Fresno's leading cultural and entertainment districts and is distinguished by its vibrant and diverse community, encompassing a rich mosaic of ethnic groups, families, singles, retirees, students, artists, and workers from various professions. Annual community events underscore strong community engagement and pride, which nurtures a deep sense of belonging.

The Specific Plan Area is home to a diverse population of approximately 20,200 residents, with approximately 17 percent of residents identifying as belonging to two or more races and over 50 percent identifying as Hispanic or Latino. [1] It is home to a mix of long-time residents, young professionals, artists, and families who all contribute to the cultural mosaic. Approximately 21 percent of residents are under the age of 18, 32 percent are between the ages of 35 and 59, and 21 percent of residents are 60 or older.

Existing land use patterns within the Specific Plan Area are typical of an American streetcar suburb allowing residents to walk to their destination or to public transit stops. Because of this, commercial corridors developed along the paths where streetcar lines previously existed, such as along Fulton, Olive, Belmont, Wishon, and Blackstone Avenues. While some commercial areas have retained their pedestrian-oriented design, many sites have been redeveloped over time to reflect an auto-oriented design.

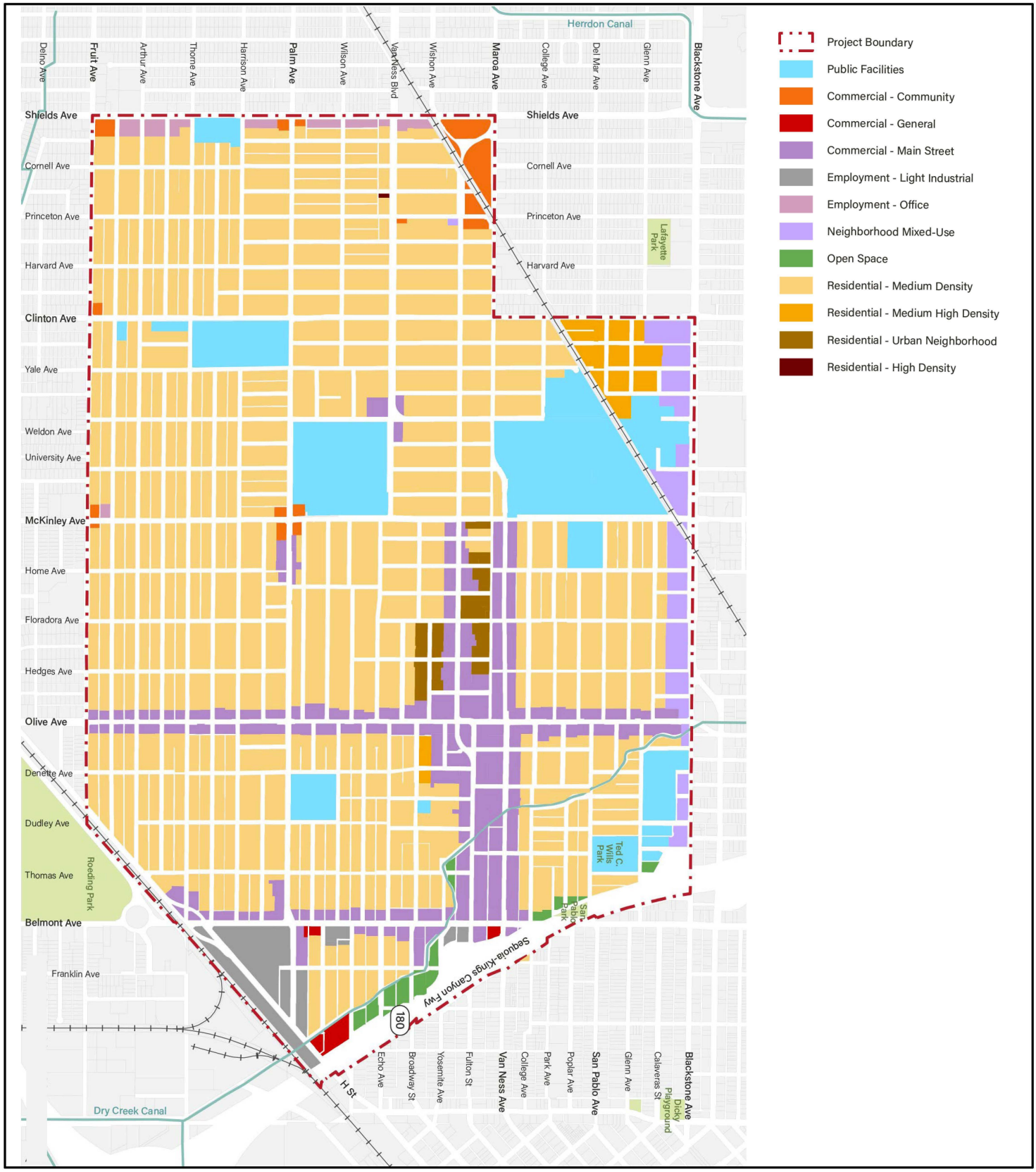
As shown on Figure 3-3, Existing General Plan Land Uses, land uses within the Specific Plan Area include single-family residential uses, which comprise over half of the land area, medium density residential uses, high density residential uses, public uses such as schools, parks and recreation sites, and light industrial uses, which are generally confined to the southwest edge of the District.

The Specific Plan Area is generally surrounded by urban, built-up areas consisting of similar land uses to those found within the District, including a mix of residential, commercial, public institutions, and pockets of industrial uses. Additionally, Roeding Regional Park is located west of the District, immediately adjacent to the Union Pacific Railroad line and Golden State Boulevard.

The Specific Plan Area is served by the Fresno Unified School District, as well as the State Center Community College District. Public schools within the Specific Planning Area include Dailey Elementary School, Heaton Elementary School, Muir Elementary School, and Susan B. Anthony Elementary School, Hamilton Middle School, and Fresno High School. Additionally, Fresno City College is centrally located within the Specific Plan Area and provides a range of post-secondary opportunities for District residents.

[1] City of Fresno. 2025. *Draft Tower District Specific Plan Update*. Website: https://www.fresno.gov/wp-content/uploads/2024/07/DRAFT-Tower-District-Specific-Plan_20240711_v2.pdf (accessed March 2025).

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FIGURE 3-3

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Tower District Specific Plan Update

Existing General Plan Land Uses

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The Tower District currently contains approximately 8 acres of park land at five sites. The Ted C. Willis Community Center and San Pablo Park are located in the southeast corner of the Specific Plan Area, Broadway Parque is located in the south-central area, and Trolley Park is centrally located within the District, along with the Van Ness Boulevard Greenbelt. Additionally, Lafayette Park is located just outside the District to the northeast, and Roeding Regional Park is immediately west of the District across the Union Pacific Railroad line and Golden State Boulevard.

Other community facilities include the Ted C. Willis Community Center, several churches, and a senior center. The Gillis Branch of the Fresno County Public Library is located northwest of the Specific Plan Area and serves the District.

3.3.1 Land Uses

The Fresno General Plan, adopted in 2014, includes land use patterns and policies that encourage infill development and revitalization of older neighborhoods. The following provides a description of the General Plan land use categories that are utilized in the Tower District Specific Plan.

3.3.1.1 Residential

Residential land use provides for a wide range of neighborhoods and housing types.

Residential land uses also allow as permitted uses neighborhood-serving community facilities such as parks, churches, schools, family daycare, libraries, community gardens, and farmers markets. Residential uses are designated by density as follows:

Medium Low Density. The Medium Low Density designation is intended to provide for single-family detached housing with densities of 3.5 to 6 units per acre.

Medium Density. Medium Density residential covers developments of 5 to 12 units per acre and is intended for areas with predominantly single-family residential development, but can also accommodate a mix of housing types, from small-lot starter homes, zero-lot-line developments, and duplexes, to townhouses. Many of the City's existing neighborhoods fall within this designation.

Medium High. Medium High Density residential is intended for neighborhoods with a mix of single-family residences, townhomes, garden apartments, and multi-family units intended to support a fine-grain, pedestrian scale. This land use accommodates densities from 12 to 16 units per acre overall. Individual parcels may have densities outside of that range as long as a master planned neighborhood has an average density that conforms.

High Density. High Density residential is intended to accommodate attached homes, two- to four-plexes, and apartment buildings, supported by walkable access to frequent transit, retail and services, and community facilities such as parks and schools. High Density allows for 30 to 45 units per acre.

Urban Neighborhood. Urban Neighborhood residential covers densities from 16 to 30 units per acre, which will require multi-family dwellings but still allows for a mix of housing types including single-family houses. This land use is intended to provide for a compact community that includes

community facilities and walkable access to park land and commercial services, and supports efficient, frequent transit service. Urban Neighborhood is designated for targeted areas with complementary land uses adjacent.

3.3.1.2 Commercial

Commercial land use designations allow a wide range of retail and service establishments intended to serve local and regional needs. Commercial Main Street is the only commercial zone district in the Tower District that allows residential with a commercial component.

Main Street. Main Street commercial encourages a traditional "Main Street" character with active storefronts, outdoor seating, and pedestrian-oriented design. This designation promotes primarily one- to two-story retail uses, with moderate office and residential as supportive uses. It also preserves small-scale, fine-grain character in neighborhoods where single-family residential and townhomes are predominant. The maximum Floor Area Ratio (FAR) is 1.0. A FAR is the ratio of a building's total floor area to the size of a site. An example is a 3-acre site with a 1.0 FAR that could have up to approximately 130,000 square feet of floor area within a building (equivalent to 3 acres or one-to-one ratio).

Community. Community commercial is intended for pedestrian-oriented commercial development that primarily serves local needs such as convenience shopping and offices. Many of the City's current commercial districts fall into this designation. Specific uses allowed include medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores and supporting uses. The maximum FAR is 1.0.

General. This designation is intended for a range of retail and service uses that are not appropriate in other areas because of higher volumes of vehicle traffic and potential adverse impacts on other uses. Development such as strip malls would fall into this designation. Examples of allowable uses include building materials, storage facilities with active storefronts, equipment rental, wholesale businesses, and specialized retail not normally found in shopping centers. The maximum FAR is 2.0.

3.3.1.3 Employment

Office. The Office land use designation is intended for administrative, financial, business, professional, medical, and public offices. This designation is mainly intended to apply to existing office uses on smaller lots, generally located on arterial roadways. This designation is also considered compatible with existing residential neighborhoods given the smaller level of noise and traffic generation as compared to commercial uses. Retail uses would be limited to business services and food services and convenience goods for those who work in the area. The maximum FAR is 2.0.

Light Industrial. The Light Industrial designation accommodates a diverse range of light industrial uses, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, wholesaling, warehousing, and distribution activities. Small-scale retail and ancillary office uses are also permitted. Light Industrial areas may serve as buffers between Heavy Industrial and other land uses and otherwise are generally located in areas with good transportation access, such as along railroads and freeways. The maximum FAR is 1.5.

3.3.1.4 Mixed Use

Mixed-use land use designations are based on commercial uses and require a residential component.

Neighborhood Mixed Use. This designation provides for mixed-use districts of local-serving, pedestrian-oriented commercial development, such as convenience shopping and professional offices in two- to three-story buildings. Development is expected to include ground-floor neighborhood retail uses and upper-level housing or offices, with a mix of small lot single-family houses, townhomes, and multi-family dwelling units on side streets, in a horizontal or vertical mixed-use orientation. The built form will have a scale and character that is consistent with pedestrian-orientation, to attract and promote a walk-in clientele, with small lots and frequent roadway and pedestrian connections permitting convenient access from residences to commercial space. Automobile-oriented uses are not permitted. The minimum density is 12 units per acre and the maximum FAR is 1.5. NMX has no maximum density, but height is limited to 40 feet.

Corridor/Center Mixed Use. The Corridor/Center Mixed Use designation is higher intensity than Neighborhood Mixed Use and is intended to allow for either horizontal or vertical mixed-use development in multiple story buildings along key circulation corridors in the city where height and density can be easily accommodated. Ground-floor retail and upper-floor residential or offices are the primary uses, with personal and business services and public and institutional space as supportive uses. Development will facilitate the transformation of existing transportation corridors into vibrant, highly walkable areas with broad, pedestrian-friendly sidewalks, trees, landscaping, and local-serving uses with new buildings that step down in relationship to the scale and character of adjacent neighborhoods. This designation will largely apply along arterial streets, at targeted locations between regional activity centers. The minimum residential density is 16 units per acre with minimum 40 percent residential uses, and the maximum FAR is 1.5. CMX has no maximum density, but height is limited to 60 feet.

3.3.1.5 Open Space

These designations apply to open space areas that are not parks or trails, such as riparian corridors, the clear zone around Fresno-Yosemite International Airport, and the San Joaquin River bottom, which is primarily designated as open space even though it includes a limited number of existing homes. Within open space, there is a Multi-Use designation that is located along the San Joaquin River Corridor that allows parks, open space, bathrooms, launch areas for canoes, parking, and sand/gravel facilities.

3.3.1.6 Public Facilities

These designations apply to lands owned by public entities, including City Hall and other City buildings, county buildings, schools, colleges, the municipal airport and hospitals. They also include public facilities such as fire and police stations, City-operated recycling centers and sewage treatment facilities. In addition, these designations apply to public facilities, including neighborhood, community and regional parks, recreational centers, and golf courses. It also applies to multi-

purpose trails that serve both regional and neighborhood level needs, some of which are paved while others, in particular those found along the San Joaquin River Bluff Environs, may be unpaved.

The existing General Plan land use designations in the Specific Plan Area include a mix of residential, commercial, public institutions, and pockets of industrial uses. Table 3.A, below, provides a summary of the existing non-residential square-footage and residential units within the District. According to U.S. Census Bureau data, there are currently 7,336 residential units and 3,089,407 square feet of non-residential area within the Specific Plan Area.

Table 3.A: Existing General Plan Land Uses

Land Use	Area (sq ft)	Residential Units
Residential - Medium Density	7,516,813	5,893
Residential - Medium High Density	189,231	237
Residential - High Density	3,432	5
Residential - Urban Neighborhood	210,968	211
Commercial - Main Street	1,853,282	623
Commercial - Community	172,032	3
Commercial - General	15,538	0
Employment - Office	115,243	44
Employment - Light Industrial	422,229	24
Neighborhood Mixed-Use	365,254	169
Open Space	87,094	95
Public Facility	58,735	32
TOTAL	**11,009,851**	**7,336**

Source: U.S. Census Bureau Data (2020).

3.3.2 Zoning

Based on the City's Citywide Development Code Chapter of the Municipal Code (Chapter 15 of the Municipal Code),[2] the Specific Plan Area contains the following zoning districts:

- Residential Single-Family, Medium Density (RS-5)
- Residential Multi-Family, Medium High Density (RM-1)
- Residential Multi-Family, Urban Neighborhood (RM-2)
- Residential Multi-Family, High Density (RM-3)
- Commercial Main Street (CMS)
- Commercial Community (CC)
- Commercial General (CG)
- Office (O)
- Light Industrial (IL)

[2] City of Fresno. 2025. Municipal Code. Website: https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=14478 (accessed March 24, 2025).

- Neighborhood Mixed-Use (NMX)
- Park and Recreation (PR)
- Public and Institutional (PI)

3.4 EXISTING SPECIFIC PLAN

California Government Code Section 65450 authorizes local jurisdictions to adopt specific plans "for the systematic implementation of the general plan for all or part of the area covered by the general plan."[3] The existing Tower District Specific Plan (1991 Specific Plan)[4] was adopted in 1991 in response to incompatible development within the City in the latter half of the 20th century. The 1991 Specific Plan emphasized conservation and historic preservation that remains an important focus of the Specific Plan Update.

Since the previous Tower District Specific Plan was adopted in 1991, several amendments and updates to the City's General Plan have occurred, and new local, State, and/or federal regulations have been enacted. This proposed project analyzes new regulatory areas not previously studied in the 1991 Specific Plan, and updates previously studied areas to bring them up to date with modern regulations. Additionally, the existing Tower District Design Guidelines were adopted in 2005, and are proposed to be replaced and updated by the Tower District Standard and Guidelines as part of the proposed project. The updated Design Standards and Guidelines reflect the policy direction of the Specific Plan Update and are intended to result in compatible development.

3.5 PROJECT OBJECTIVES

Like the 1991 Specific Plan, the Specific Plan Update is divided into seven chapters: Introduction, Conservation and Historic Preservation, Land Use, Parks and Open Spaces, Circulation, Utilities, and Implementation, which are described in detail below. A set of objectives and policies are provided in Chapters 2 through 6, and implementing actions are provided in Chapter 7. Seven guiding principles have been formulated to guide the Specific Plan Update's policy approach, some retained from the 1991 Specific Plan, representing the continuity of values and needs in the District. These principles are:

1. Enhance the livability and social diversity of the Tower District's residential neighborhoods and create housing opportunities that make the District inclusive and welcoming.

2. Nurture the mutually supportive relationship between the Tower District's residential neighborhoods and vibrant commercial areas.

3. Conserve and revitalize the Tower District's historic resources.

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3 State of California Government Code. 1985. Article 8. Specific Plans [65450 - 65457]. Website: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65451.&article=8.&highlight=true&keyword=Specific%20Plan (accessed February 12, 2025).

4 City of Fresno. 1991. *Tower District Specific Plan.* March 26, 1991. Website: https://www.fresno.gov/wp-content/uploads/2023/04/Tower-District-Specific-Plan-.pdf (accessed July 2025).

4. Shape the character of new development to complement the Tower District's character as a walkable place not dominated by the automobile.

5. Provide effective transportation access for pedestrians, bicyclists, motorists, and transit users, and emphasize the importance of pedestrian-friendly environments.

6. Increase opportunities for recreation within walking distance of Tower District residents.

7. Promote environmental sustainability and climate resilience.

3.6 SPECIFIC PLAN UPDATES

The proposed project would update the 1991 Specific Plan to respond to both continuing and new issues in the Tower District. Recent decades have led to greater emphasis on housing availability and affordability, expanding recreational opportunities, and calming auto-oriented roadways. At the same time, the Specific Plan Update maintains the guiding principles from the 1991 Specific Plan and continues the focus on neighborhood character, walkability, and historic resources.

The Specific Plan Update was drafted by City staff and consultants after engaging the community throughout the planning process. The community engagement process included public meetings, community workshops, stakeholder interviews, and online surveys. The Specific Plan Update identifies issues, explores options, formulates recommendations, establishes priorities, and cultivates a sense of shared stewardship by both the City and Tower District residents. Additionally, a new Specific Plan Implementation Committee, which is comprised of District residents and included members who helped inform the 1991 Specific Plan, brought a deep knowledge of the planning area and its issues and had a strong hand in formulating the Specific Plan Update's objectives and policies.

During the planning process, emphasis was placed on health and equity within the Specific Plan Area. Health and equity underpin the objectives, policies, and focus areas which are designed to have positive health and equity outcomes. As a planning outcome, health reflects a state of physical, mental, and social well-being. Equity gives every individual an equal opportunity to make the most of their lives by eliminating barriers. In order to effectively analyze the state of health and equity within the District, six broad categories were studied: Housing Stability, Access to Jobs, Active Lifestyle, Access to Healthy Food, Environmental Comfort, and Air Quality.

3.6.1 Conservation and Historic Preservation

As established in the 1991 Specific Plan, the proposed project still maintains a focus on conservation and historic preservation. The Tower District's established character is an important facet of the Specific Plan Area and reflects influential periods such as walkable streetcar suburban tracts developed in the early 20th century. There are over 300 identified historic resources with the city, and 44 lie within the Specific Plan Area.[5] Older buildings and other features within the District, including the District's namesake Tower Theatre, have been formally designated as local landmarks

[5] Historic Fresno. 2020. *A Guide to Historic Architecture in Fresno, California.* Website: https://www.historicfresno.org/home.htm (accessed February 10, 2025).

with a few also listed in the National Register of Historic Places.[6] Additionally, the District is home to two formally designated historic districts: the Porter Tract and Wilson Island districts.[7] Other areas and distinct features within the District have been identified in the Specific Plan Update as potentially eligible for further analysis including: Wilson's North Fresno Tract, the Terrace Gardens, Adoline-Palm, Lower Fulton-Van Ness, and the Courts Thematic Group.[8]

The Specific Plan Update would allow for continued infill development that would connect public spaces, community life, and support local shops while reinforcing the District's historic sense of place. The Specific Plan Update seeks to maximize the benefits of preservation and use of historic resources within the District to guide planning decisions and protect resources.

3.6.2 Land Use

The Land Use chapter of the Specific Plan Update considers existing and proposed future uses and activities within the District and sets parameters regarding allowable activities and the characteristics of future development. It establishes a framework for how future development in the District could meet community aspirations while addressing needs.

The Specific Plan Update aims to retain the character of the District while promoting new investments. The proposed land use patterns and policies are designed to address a wide range of social, economic, and environmental challenges within the District. Further, the proposed changes are designed to help maintain and improve the community's desired character, provide diverse housing types at various affordability levels, promote commercial activity, maintain compatibility with industrial employment, promote recreation and education, and improve overall economic development and plan for future growth opportunities.

3.6.2.1 Diverse and Affordable Housing

The Specific Plan Update aims to create more multi-unit housing that is affordable for residents and provides more access to the local community.

3.6.2.2 Commercial Activity

The District contains merchants, restauranteurs, and cultural venues that are integral to community life and provide a distinct sense of place. The Specific Plan Update retains the existing Commercial Main Street (CMS) land use and zoning designation that requires ground-floor commercial uses in the heart of the District's commercial areas. However, the expansion of the Apartment House (AH) Overlay zoning designation would allow for additional multi-unit development without the ground-floor commercial requirements west of the commercial area around the Tower Theater along Olive Avenue.

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6 Historic Fresno. 2020. *A Guide to Historic Architecture in Fresno, California.* Website: https://www.historicfresno.org/home.htm (accessed February 10, 2025).

7 City of Fresno. 2025. *Draft Tower District Specific Plan Update*. Website: https://www.fresno.gov/wp-content/uploads/2024/07/DRAFT-Tower-District-Specific-Plan_20240711_v2.pdf (accessed March 2025).

8 Ibid.

3.6.2.3 Industrial Employment and Compatibility

Light industrial uses are located along the southwest boundary of the Specific Plan Area. These areas are important historical and economic centers, as they bring employment opportunities. Some of these businesses have been in the neighborhood for many decades and have long-standing relationships with local residents and institutions.

3.6.3 Proposed Land Use Changes

The proposed project would implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth, as shown in Figure 3-4, Planned Land Uses. The Specific Plan Update would promote more mixed-use development along commercial corridors by re-designating a portion of Blackstone Avenue from neighborhood mixed use to corridor/center mixed-use and by re-designating a portion of Shields Avenue from office to neighborhood mixed-use areas, specifically on Blackstone Avenue and Shields Avenue. This would allow for ground-level commercial uses fronting public streets and sidewalks, while residential uses would be located above or behind. This would continue to promote the walkability of the District while allowing for greater residential development. Additionally, medium low density residential uses would be allowed at Terrace Gardens, Porter Tract, and Wilson Island.

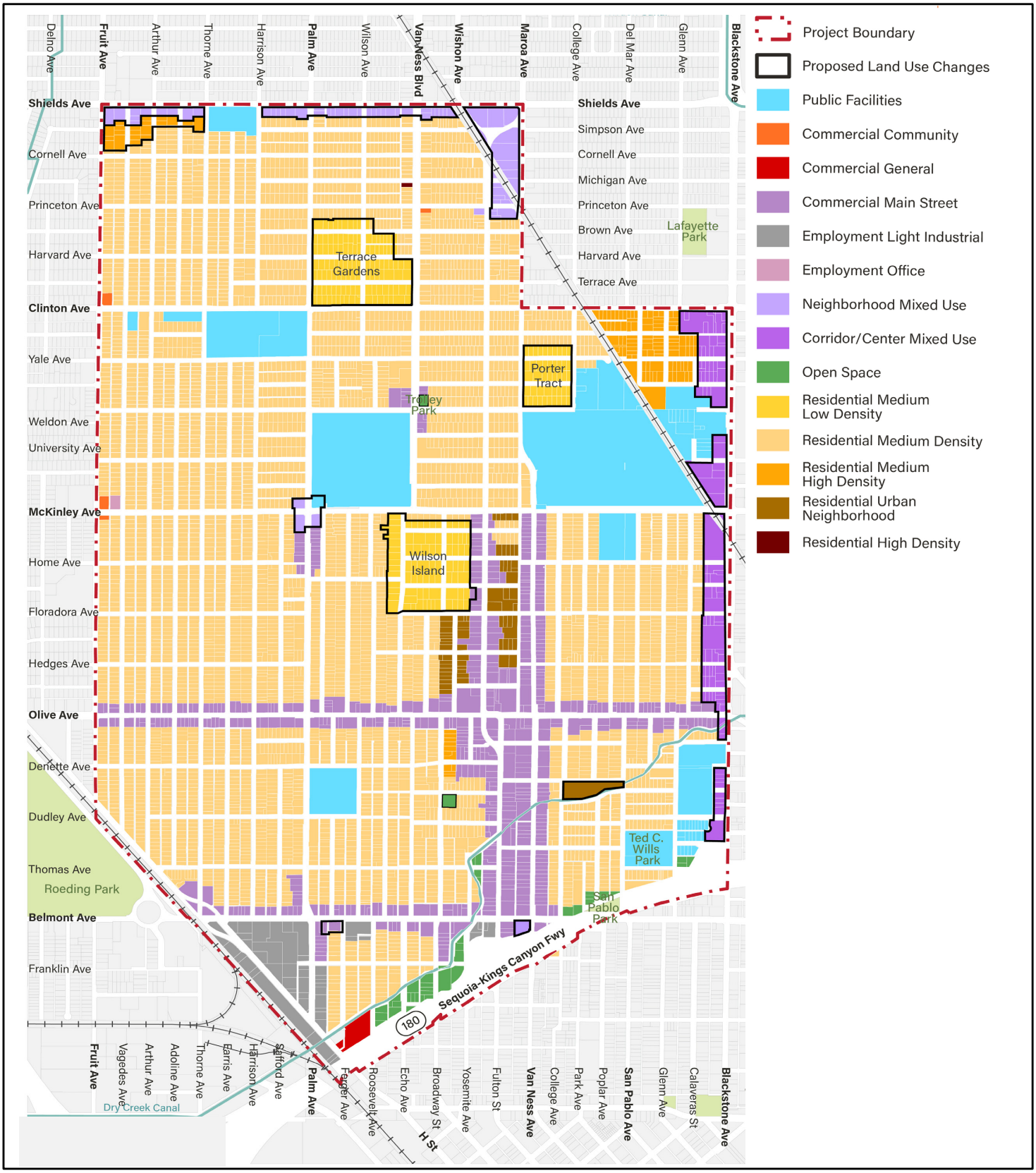
3.6.4 Development Capacity

The majority of the Specific Plan Area is already developed and not expected to change. However, the Specific Plan Update highlights underutilized sites as candidates for investment and restoration. Underutilized sites are generally located along the District's commercial corridors. Enlarging or redeveloping existing buildings would allow for buildings in poor condition or low economic value to be improved. Many factors impact potential for new development, such as location, size, access, density, FAR, building heights, parking, and open space. Redeveloping underutilized sites would allow for decreased development costs while maintaining quality and community character. Table 3.B below provides a summary of development capacity based on proposed land use designations under the proposed project.

3.6.4.1 Residential

Land uses allowing for residential growth within the Specific Plan Area include Residential Medium Low Density (RS-4), Residential Medium Density (RS-5), Residential Medium High Density (RM-1), Residential Urban Neighborhood (RM-2), and Residential High Density (RM-3), as well as Commercial Main Street (CMS), Neighborhood Mixed Use (NMX), and Corridor/Center Mixed Use (CMX).

Under current zoning within the District, residential development is estimated to have a capacity of 2,271 new housing units. Because this capacity accounts for the redevelopment of areas currently identified as underutilized sites, the net gain of residential units under the existing zoning capacity is 2,212 new residential units. The rezoning and land use changes proposed under the Specific Plan Update would result in an increased capacity totaling 2,807 residential units, which would total a net increase of 2,748 residential units when existing units on underutilized sites are taken into account.



LSA

FIGURE 3-4

Tower District Specific Plan Update

Planned Land Uses

SOURCE: City of Fresno 2025

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Table 3.B: Development Capacity by Proposed Land Use Designation - Vacant and Underutilized Sites

Existing Land Use Designation	Vacant and Underutilized Land (acres)	Existing Units	Projected New Units (gross)	Projected New Units (net)	Existing Non-Residential Floor Area (sf)	Projected New Non-Residential Floor Area (sf) (gross)	Projected New Non-Residential Floor Area (sf) (net)
Residential							
Residential Medium Low	0.0	-	-	-	0	-	-
Residential Medium Density	5.1	-	45	45	2,000	-	-
Residential Medium High	1.2	-	19	19	0	-	-
Residential Urban Neighborhood	0.3	-	8	8	0	-	-
Residential High Density	0.0	-	-	-	0	-	-
Mixed Use							
Neighborhood Mixed Use	6.8	0	437	437	46,672	119,006	72,334
Corridor/Center Mixed Use	8.8	9	659	650	55,808	191,446	135,638
Commercial							
Commercial Main Street	34.1	44	1,639	1,595	257,420	594,792	337,372
Commercial Community	0.9	0	-	-	6,274	24,306	18,032
Commercial General	0.0	0	-	-	0	-	-
Employment							
Employment Office	0.0	0	-	-	0	-	-
Employment Light Industrial	13.1	6	-	-6	138,558	456,143	317,585
Public Facilities	0.0	0	-	-	0	-	-
TOTAL	**70.3**	**59**	**2,807**	**2,748**	**506,732**	**1,385,694**	**880,962**

Source: LSA (2025).

The proposed designations would increase residential development capacity by an estimated 537 units compared with current zoning and land use designations. Table 3.C below shows a summary of residential development capacity within the District under the proposed project.

Table 3.C: Residential Development Capacity-Underutilized Sites

Tower District Specific Plan Area	Existing Units	Projected New Units (gross)	Projected New Units (net)
Existing Land Use Designations	59	2,271	2,212
Proposed Land Use Designations	59	2,807	2,748
Change	**-**	**537**	**537**

Source: LSA (2025).

3.6.4.2 Non-Residential

The majority of commercial development within the District lies within the southern half of the Specific Plan Area with major development corridors along Van Ness Avenue, Fulton Street, Olive Avenue, and Belmont Avenue. Additional pockets of commercial development can be found throughout the Specific Plan Area including the Trolley Park area, along Maroa Avenue, and the McKinley and Palm Avenue intersection, as well as on isolated parcels. Mixed Use corridors within the Specific Plan Area are located on the northern boundary along Shields Avenue as well as on the eastern boundary along Blackstone Avenue. Under current zoning, the District has an estimated capacity for 1,406,600 square feet of new non-residential floor area, which equals just under 900,000 square feet of net new non-residential floor area when considering the loss of existing development on underutilized sites. The proposed zoning and land use changes would result in approximately 1,385,700 square feet of non-residential development, with a net increase of 881,000 square feet after existing development is accounted for. The proposed designations would decrease non-residential development capacity by an estimated 18,800 square feet compared with current land use designations. Table 3.D below provides a summary of the non-residential development capacity within the Specific Plan Area under the proposed project.

Table 3.D: Non-Residential Development Capacity-Underutilized Sites

Tower District Specific Plan Area	Existing Non-Residential Floor Area (sf)	Projected New Non-Residential Floor Area (sf) (gross)	Projected New Non-Residential Floor Area (sf) (net)
Existing Land Use Designations	506,732	1,406,600	899,800
Proposed Land Use Designations	506,732	1,385,700	881,000
Change	**-**	**-20,900**	**-18,800**

Source: LSA (2025).

3.6.5 Parks and Open Spaces

The Parks and Open Spaces chapter of the Specific Plan Update would influence how parks and other public facilities would be enhanced and developed through physical improvements and programming activities. Parks and other public facilities support community life and contribute to the physical and psychological well-being of those who frequent the District. This chapter also addresses other public facilities including trails, schools, and libraries.

The Specific Plan Area currently contains approximately 8 acres of park land at five sites: Ted C. Wills Park Community Center, San Pablo Park, Trolley Park, Broadway Parque, and Van Ness Boulevard Greenway. The current ratio of 0.33 park acres per 1,000 residents is below the City standard of 3.0 acres per 1,000 residents. Additionally, the Parks and Open Spaces chapter identifies other study areas as sites for potential future parks. The Specific Plan Update provides guidance for maximizing the use of current open spaces within the Specific Plan Area, including enhancing existing parks and building partnerships with school sites to provide after-hours access to residents of the District.

The Specific Plan Update considers the potential for pocket parks and community gardens on City-owned land, unused parts of school sites, and privately-owned vacant parcels throughout the District that may be candidates for open space areas. There are several schools located within the Specific Plan Area that are operated by the Fresno Unified School District including Dailey Elementary, Heaton Elementary, Susan B. Anthony Elementary, Muir Elementary, and Hamilton Middle School, as well as Fresno High School, which is centrally located within the District, and Fresno City College. The joint use of school sites in collaboration with the school district is identified as an option for increasing the amount of public open space available for District residents.[9]

The Tower District was previously home to the Gillis Branch of the Fresno County Public Library that moved out of the District to the corner of Dakota and Fruit Avenues, just north of the District, in 1975.[10] The Specific Plan Update calls on the City to collaborate with the Fresno County Public Library and support community efforts to bring a library back to the District.

3.6.6 Circulation

The Circulation chapter of the Specific Plan Update focuses on circulation across the overall street network and the design of streets themselves, as well as planned circulation improvements within the Specific Plan Area. The District's street infrastructure provides access and mobility across its principal transportation modes: driving, walking, bicycling, and public transit. The chapter builds upon the foundation for how streets should work to move people and goods in order to promote the City's General Plan goal of providing residents with "complete streets."

While the latter half of the 20th century saw an increase in accommodating vehicular traffic, which remains the dominant mode of transportation in the District, the grid-style circulation pattern throughout the Specific Plan Area provides a walkable, bike-friendly environment. "Walkability" is an integral component of the District's character and was identified as a key issue early in the community engagement process. Improving the overall walkability and improving pedestrian safety within the Specific Plan Area is an overall goal of the Circulation chapter.

Recent development within the Specific Plan Area has focused on improvements to bicycle-related infrastructure. Separated bike lanes have been installed along major collector and arterial streets including Van Ness, Wishon, Palm, and Belmont Avenues. The need for continued improvements to

9 City of Fresno. 2025. *Draft Tower District Specific Plan Update*. Website: https://www.fresno.gov/wp-content/uploads/2024/07/DRAFT-Tower-District-Specific-Plan_20240711_v2.pdf (accessed March 2025).

10 Fresno County Public Library. 2025. *Gillis Branch Library. Website:* https://www.fresnolibrary.org/branch/gil.html (accessed February 12, 2025).

bicycle facilities, including utilizing available funds and the City's Active Transportation Plan (ATP), is an overall goal of the Circulation chapter.

The Fresno Area Express (FAX) bus service operates eight fixed-route service lines throughout the Specific Plan Area, including high frequency transit lines along Blackstone Avenue, which provide transport within the District as well as connections throughout the city. Public transit plays an important role in the mobility of residents within the District by providing an alternative to car ownership and a mode of transportation for those unable to drive due to age or disability. FAX service in the District also includes a paratransit "Handy Ride" service for eligible residents with limited ability or mobility.

3.6.7 Utilities

The Utilities chapter of the Specific Plan Update focuses on the status of public utilities and their associated infrastructure within the District. As the District is already urbanized and built out, utility infrastructure is currently in place. The Utilities chapter describes the status of existing utility infrastructure in the context of the City's goal of moving towards a more sustainable and resource-efficient infrastructure and includes policies related to incentivizing utilities, ensuring they are aesthetically compatible with the Tower District, and resource conservation and resilience. Like the rest of the City, the Specific Plan Area relies on both groundwater and surface water. Sewer service is provided by the City of Fresno, which operates its own wastewater collection system. Stormwater management within the Specific Plan Area and the City is provided by the Fresno Metropolitan Flood Control District (FMFCD). The Solid Waste Management Division of the City handles the collection of municipal solid waste, recyclables, and green waste for the City, including the Specific Plan Area.

3.6.8 Implementation

The Implementation chapter outlines the key actions needed to carry out the vision, objectives, and policies for the proposed project as established in the Specific Plan Update. It identifies the responsible parties, including relevant City departments, review bodies, and partner agencies or organizations with the potential to be involved in implementation of the particular action. Additionally, this chapter identifies potential resources and funding sources for implementation of the Specific Plan Update.

3.7 DESIGN STANDARDS AND GUIDELINES

The Tower District is a special place within the City of Fresno, with a long history and distinctive architecture and urban form, designed around public transit and pedestrians, which makes them unique compared to areas that were built later with the automobile as their central focus. The proposed updated Design Standards and Guidelines are built upon historic development patterns, the Citywide Development Code, the original Design Guidelines, and the Specific Plan Update, in order to guide development projects to make positive contributions to the District's uniqueness, beauty, and walkability. The updated Design Standards and Guidelines are intended to preserve the essence of the District while facilitating compatible infill development.

These Design Standards and Guidelines would be implemented with the proposed project and are based in large part on the original Tower District Design Guidelines that were adopted in 2005. The purposes of the original Design Guidelines remain relevant and would continue to guide development:

1. To assist property owners and developers by clearly describing what is expected of projects in the Tower District Specific Plan Area, thus minimizing delay and uncertainty.

2. To assist City and community review authorities by guiding development to ensure that new projects enhance the established character of the area and increase their viability.

3. To assist the City and community review authorities by making it clear to developers and property owners what is expected of them from new development and the remodeling of existing buildings.

4. To maintain the integrity and further the implementation of the goals, objectives, and policies of the Tower District Specific Plan.

The updated Design Standards and Guidelines also address needs, considerations, and practices that have emerged since adoption of the original Design Guidelines. These additional purposes include:

1. Incorporate best practices for urban design and architecture that have emerged as practices have been applied and tested, and as innovation has occurred.

2. Account for the State of California legislation that limits local government discretion in the review and approval of housing projects by emphasizing clarity, fairness, and timeliness. Specifically, anticipate applications for qualifying housing projects, for which State law limits review to established "objective standards" that "involve no personal or subjective judgement … and are uniformly verifiable by reference to an external and uniform benchmark …".

3. Support implementation of the City's Housing Element and housing production by avoiding development standards that could make the maximum allowable density (as stated in the Development Code) physically or financially infeasible.

4. Emphasize development compatibility with Tower District's unique sense of place through the use of objective standards for essential design attributes and continued use of design guidelines where flexibility in interpretation is needed.

Future development projects proposed in the zoning designations in the Specific Plan Area shown in Table 3.E below would be subject to regulations within the Development Code and the updated Design Guidelines and Standards. Future projects would also conform to the requirements of the underlying zoning district, all applicable overlay districts, and all other Articles within the Development Code.

Table 3.E: Zoning Designations Subject to Design Standards and Guidelines

Zoning Designation	Applicable Section
Residential Single-Family Districts (RS-1, RS-2, RS-3, RS-4, or RS-5)	Section II. Residential Single-Family Districts
Residential Multi-Family Districts (RM-1, RM-2, RM-3, or RM-MH)	Section III. Residential Multi-Family Districts
Mixed Use Districts (NMX, CMX, or RMX)	Section IV. Mixed-Use and Commercial Districts
Commercial Districts (CMS, CC, CR, CG, CH, or CRC)	Section IV. Mixed-Use and Commercial Districts
All Other Districts	Not Applicable

Source: LSA (2025).
Note: Subareas within the Tower District are also regulated by the Apartment House Overlay (AHO) zoning designation, which allows multifamily development without ground-floor commercial where it would otherwise be required, along with other AHO requirements.

3.8 TOWER ENTERTAINMENT DISTRICT

A Tower Entertainment District will be created to further support development of the district while addressing issues of compatibility with nearby residential uses, including noise mitigation considerations. A text amendment to the Development Code establishing an overlay will be proposed to formally establish this new district.

3.9 RELATED PLANNING EFFORTS

This section discusses other planning efforts within the City of Fresno and their current status that relate to the proposed project.

3.9.1 Southern Blackstone Smart Mobility Strategy

The Southern Blackstone Smart Mobility Strategy was completed in 2019 with the goal of developing a complete streets strategy to increase the effectiveness of public transportation and meet the needs of all transportation modes and users, particularly bicyclists and pedestrians, along the 2.5 miles of southern Blackstone Avenue from Dakota Avenue to SR-180. Goals of the study include increasing safety and access for all travel modes, enhanced streetscapes, safe and convenient pedestrian crossings, safe and convenient bicycle access, convenient and accessible transit, better connectivity to adjacent neighborhoods, and improved accessibility to existing and future businesses. The Specific Plan Area is bordered on the east side by Blackstone Avenue including the section from Clinton Avenue to SR-180, which includes the Weldon/Fresno City College and the Olive/Tower Gateway activity centers that are part of the project area for the Mobility Plan. As this strategy is implemented, access from the Specific Plan area to the destinations on the Blackstone Corridor will be improved.

3.9.2 Fresno 6th Cycle Housing Element

The Fresno 6th Cycle Housing Element (2023 to 2031) is currently adopted and being implemented. The intent of the Housing Element is to ensure that the City makes a meaningful effort and commits available resources to meeting the housing needs of all economic segments of the community. The Housing Element establishes long-term goals and policies and specific implementation programs to meet housing needs as specific by State law. These goals and policies apply in the Specific Plan area, and several housing element sites are identified within the plan boundaries.

3.9.3 Fresno Climate Adaptation Plan and Environmental Justice Element

The Fresno Climate Adaptation Plan and Environmental Justice Element is being developed in response to California Senate Bills 379 and 1000. The Climate Adaptation Plan will help prepare Fresno for the effects of climate change including the potential for flooding, extreme heat, drought, wildfire, and air pollution. The Environmental Justice Element aims to improve public health for frontline communities by ensuring equitable protection from pollution and access to resources that promote health. Both the Climate Adaptation Plan and the Environmental Justice Element cover the whole of the City, including the Tower District.

3.9.4 Fresno Active Transportation Plan

The City is currently in the process of updating its 2017 Active Transportation Plan to continue to meet the City's needs. The Fresno Active Transportation Plan establishes a comprehensive guide that outlines the vision for active transportation. The update reinforces the City's commitment to improving active transportation such as walking, biking, wheelchair use, and other human-powered travel modes, by enhancing accessibility, safety, and connectivity. The Active Transportation Plan covers the whole of the City, including the Tower District.

3.9.5 Fresno Vision Zero Action Plan

The Fresno City Council has made roadway safety a top priority for the City and has committed to eliminating traffic fatalities within the city. The Fresno Vision Zero Action Plan (Plan) is crucial to acting on the City's commitments to systemic change leading to the elimination of traffic fatalities and serious injuries while increasing health, safety, and equitable mobility for all. The Vision Zero Action Plan is in active development and will outline a strategic planning framework to prioritize and implement safety enhancements that most effectively improve safety for all users as a first step towards the aspirational goal of eliminating traffic deaths.

3.10 DISCRETIONARY ACTIONS AND USES OF THIS EIR

The City is the Lead Agency under CEQA responsible for approval and certification of the Draft EIR. It is the City's intent that the Draft EIR can be reviewed and tiered from, as appropriate, for evaluations of environmental issues associated with subsequent projects when such approvals require discretionary actions by the City and/or Responsible Agencies. If the City or Responsible Agencies tier off the Draft EIR, the agency approving the subsequent discretionary actions will be responsible to determine if the environmental evaluation in the Draft EIR adequately addresses the potential effects associated with the subsequent projects. A list of these agencies and potential permits and approvals that may be required for this project is provided in Table 3.F, below.

Table 3.F: Potential Permits and Approvals

Lead Agency	Permits/Approvals
City of Fresno	● Certification of the TDSP EIR and adoption of the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program ● Repeal of 1991 Tower District Specific Plan ● Adoption of the Tower District Specific Plan ● Amendment of the General Plan Land Use Map to incorporate the land use changes of the Specific Plan ● Repeal of 2005 Tower District Design Guidelines ● Adoption of the Tower District Design Standards and Guidelines ● Rezone of parcels requiring a zone change for consistency with land use changes and implementation of the extension of the Apartment House Overlay ● Amendment of the Development Code to implement the Tower Entertainment District

Source: LSA (2025).

As future development in accordance with the Specific Plan Update is proposed for development, numerous agencies may be defined as Responsible and Trustee Agencies. Development of these future projects may require approval of discretionary actions by other agencies. These Responsible and Trustee Agencies can use the Draft EIR for their discretionary approval, if they determine that the environmental evaluation adequately addresses the effects associated with the discretionary action requested of them for approval.

The following is a general list of potential Responsible and Trustee Agencies that may have jurisdiction over future development projects within the Specific Plan Area.

- California Department of Transportation (Caltrans), including the Division of Aeronautics
- California Air Resources Board (CARB)
- California Department of Conservation (DOC)
- California Department of Fish and Wildlife (CDFW)
- California Department of Forestry and Fire Protection (CAL FIRE)
- California Department of Housing and Community Development (HCD)
- California Department of Parks and Recreation (DPR)
- California Department of Toxic Substances Control (DTSC)
- California Public Utilities Commission (CPUC)
- California State Office of Historic Preservation (OHP)
- California State Lands Commission (SLC)
- California State Water Resources Control Board (SWRCB)
- Central Valley Regional Water Quality Control Board (Central Valley RWQCB)
- Fresno Airport Land Use Commission (Fresno ALUC)
- Fresno Metropolitan Flood Control District (FMFCD)
- Fresno Irrigation District
- Fresno Unified School District (FUSD)
- San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Sewer Districts (Various)
- Water Districts (Various)
- Any Other Responsible or Trustee Agency that may need to provide discretionary approval

4.0 EVALUATION OF ENVIRONMENTAL IMPACTS

This chapter contains an analysis of each potentially significant environmental issue that has been identified for the implementation of the Tower District Specific Plan Update (proposed project or Specific Plan Update). The following discussion: (1) identifies how a determination of significance is made; (2) identifies the environmental issues addressed in this chapter; (3) describes the context for the evaluation of cumulative effects; (4) lists the format of the topical issue section; and (5) provides an evaluation of each potentially significant issue in Sections 4.1 through 4.6.

DETERMINATION OF SIGNIFICANCE

Under the California Environmental Quality Act (CEQA), a significant effect is defined as a substantial, or potentially substantial, adverse change in the environment. The *State CEQA Guidelines* direct that this determination be based on scientific and factual data. The impact evaluation in this chapter is prefaced by criteria of significance, which are the thresholds for determining whether an impact is significant. These criteria of significance are based on the *State CEQA Guidelines* (Appendix G) and applicable City of Fresno (City) policies.

Unlike a Project Environmental Impact Report (EIR), which addresses the environmental impacts of a specific development project, a Program EIR addresses the potential impacts of a series of actions that can be characterized as one large project. Because there is no specific development project being proposed at this time, a Project EIR cannot be prepared, as no specific project level details are available. The proposed project, which includes updates to the Tower District Specific Plan, provides strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Tower District Specific Plan Area that encompasses the Tower District, which is centrally located within Fresno and is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. Therefore, preparation of a Program EIR for the proposed project is appropriate, and required, as the project elements are one large project that are related, as described in the *State CEQA Guidelines* Section 15168 either:

1. Geographically;

2. As logical parts in the chain of contemplated actions;

3. In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or

4. As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

The use of a Program EIR provides an occasion for a more exhaustive consideration of effects and alternatives than otherwise would be practical under a Project EIR. However, future discretionary projects facilitated by certification of a Program EIR must be further evaluated in light of the Program EIR to determine whether or not an additional environmental document must be prepared.

Therefore, the City will determine whether future projects require the preparation of a new Initial Study, Mitigated Negative Declaration, or new EIR. Under CEQA, environmental documentation is required on all discretionary actions, which includes the approval of the proposed project. The purpose of the CEQA process is to disclose environmental impacts of a proposed project to the general public and agencies, who then have the ability to have their comments considered by decision makers.

The proposed project would be continually implemented over a period of around 20 years. This Draft EIR has been prepared as a Program EIR for the following reasons:

- The proposed project would be implemented over a 20-year period.
- The proposed project would be implemented over a large geographic area, which is defined as the total area within the Specific Plan Area.
- Development plans and details have not been developed for new projects that could be facilitated by project approval.

Therefore, the use of a Program EIR is appropriate in evaluating project-related environmental impacts resulting from implementation of the proposed project.

ISSUES ADDRESSED IN THE DRAFT EIR

Sections 4.1 through 4.6 of this chapter describe the environmental setting of the project as evaluated in the Program EIR and the impacts that are expected to result from implementation of the proposed project. Mitigation measures are proposed to reduce potential impacts, where required.

1. Air Quality
2. Biological Resources
3. Cultural Resources
4. Greenhouse Gas Emissions
5. Noise
6. Recreation

ENVIRONMENTAL SETTING

This chapter has been prepared in accordance with *State CEQA Guidelines* Section 15125, which states: “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. The environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the physical effects of the proposed project and its alternatives.”

The Notice of Preparation for the proposed project was published on May 7, 2025. Thus, each of the environmental topical sections in this chapter includes a discussion of physical conditions in the Specific Plan Area on or around May 2025.

CUMULATIVE ANALYSIS CONTEXT

CEQA defines cumulative impacts as "two or more individual effects which, when considered together, are considerable, or which can compound to increase other environmental impacts." Section 15130 of the *State CEQA Guidelines* requires that an EIR evaluate potential environmental impacts when the project's incremental effect is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of "reasonably foreseeable probable future" projects, per *State CEQA Guidelines* Section 15355. Cumulative impacts can result from a combination of the proposed project together with other closely related projects that cause an adverse change in the environment. Cumulative impacts can result from individually minor but collectively significant projects taking place over time.

The methodology used for assessing cumulative impacts typically varies depending on the specific topic being analyzed. CEQA requires that cumulative impacts be discussed using either a list of past, present, and probable future projects producing related or cumulative impacts, or a summary of projections contained in an adopted local, regional, or Statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. This EIR uses both approaches to evaluate cumulative impacts, and the particular approach used depends on the topical area under consideration. Refer to the cumulative discussion in the individual topic sections for further discussion.

FORMAT OF ISSUE SECTIONS

The environmental topical section comprises two primary parts: (1) Setting, and (2) Impacts and Mitigation Measures. An overview of the general organization and the information provided in the two parts is provided below:

- **Setting.** The Setting section for the environmental topic generally provides a description of the applicable physical setting (e.g., existing land uses, existing traffic conditions) for the Specific Plan Area within the City of Fresno. An overview of regulatory considerations that are applicable to each specific environmental topic is also provided.

- **Impacts and Mitigation Measures.** The Impacts and Mitigation Measures section for the environmental topic presents a discussion of the impacts that could result from implementation of the proposed project. The section begins with the criteria of significance, which establish the thresholds to determine whether an impact is significant. The latter part of this section presents the impacts from the proposed project and mitigation measures, as appropriate. Cumulative impacts are also addressed.

Impacts are numbered and shown in bold type, and the corresponding mitigation measures are numbered and indented. Impacts and mitigation measures are numbered consecutively and begin with an acronymic or abbreviated reference to the impact section (e.g., TRA for Transportation). The following symbols are used for individual topics:

AIR Air Quality
BIO Biological Resources
CUL Cultural Resources
GHG Greenhouse Gas Emissions
NOI Noise
REC Recreation

Impacts are also categorized by type of impact, as follows: Less Than Significant (LTS), Significant (S), and Significant and Unavoidable (SU).

ENVIRONMENTAL ISSUES

Sections 4.1 through 4.6 of this chapter describe the environmental setting of the project as it relates to each specific environmental topic evaluated in the EIR and the impacts that are expected to result from implementation of the proposed project. Mitigation measures are proposed to reduce potential impacts, where required. The following environmental topics were not included in the Draft EIR as they were screened out as having “no impact” or a “less than significant” impact in the Initial Study (Appendix C): aesthetics, agriculture and forestry resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, transportation and traffic, utilities and service systems, and wildfire.

4.1 AIR QUALITY

4.1.1 Introduction

This section describes the existing air quality setting for the Tower District Specific Plan Update (proposed project or Specific Plan Update) for the City of Fresno (City) in the Specific Plan Area and has been prepared using the methodologies and assumptions contained in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI).[1] In keeping with these guidelines, this section describes existing air quality and the regulatory framework for air quality. For the proposed project, the Tower District Specific Plan Area (Specific Plan Area) encompasses the Tower District, which is centrally located within Fresno and is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad (UPRR) tracks to the west. The section also describes the potential effects of the implementation of the Specific Plan Update on air quality, including the effects of construction and operational traffic associated with the proposed project on regional pollutant levels and health risks. Mitigation measures to reduce potentially significant air quality impacts are identified, as necessary.

4.1.2 Existing Environmental Setting

The Tower District is located within the city of Fresno which is located in the county of Fresno and within the San Joaquin Valley Air Basin (SJVAB). The SJVAB consists of seven counties: Kings, Madera, San Joaquin, Merced, Stanislaus, and Fresno Counties, and a portion of Kern County. The local agency with jurisdiction over air quality in the basin is the SJVAPCD. Regional and local air quality is impacted by topography, dominant airflows, atmospheric inversions, location, and season.

The following discussion provides an overview of existing air quality conditions in the region and in the city of Fresno. Ambient air quality standards and the regulatory framework are summarized and climate, air quality conditions, and typical air pollutant types and sources are also described.

4.1.2.1 Study Area for Project Impacts

The study area for project impacts regarding air quality is the Specific Plan Area and proximate sensitive receptors potentially impacted by a project within the Specific Plan Area because implementation of the proposed project is limited to areas within the Specific Plan Area. However, implementation of the Specific Plan Update would include the cumulative results of several separate projects over the length of buildout requiring separate approvals that add to emissions generated from existing development. Air quality impacts are inherently cumulative in nature. For example, the largest source of emissions, motor vehicles, would occur as individuals travel throughout the Specific Plan Area.

[1] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015a. *CEQA, Guidance/Policies/Rules, Guidance for Assessing and Mitigating Air Quality Impacts*. March 19. Website: www.valleyair.org/transportation/ceqa_idx.htm (accessed July 2025).

4.1.2.2 Study Area for Cumulative Impacts

The study area for the analysis of cumulative regional air quality impacts is the SJVAB which includes the Counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and a portion of Kern County. Under the Federal Clean Air Act, any monitoring location that exceeds ambient air quality ozone and particulate standards within the air basin results in the entire air basin to be designated nonattainment. Therefore, an exceedance in the Tower District, Fresno, or another area in the SJVAB would affect the attainment status of the rest of the San Joaquin Valley even if no other location exceeds a standard. Because of this, air quality plans must provide reductions that demonstrate attainment at the location with the highest concentration in the basin and that cleaner locations would attain the standards earlier.

Air pollutants can remain in the atmosphere for long periods and can build to unhealthful levels when stagnant conditions that are common in the San Joaquin Valley occur. Pollutants are transported downwind from urban areas with many emission sources but also are recirculated to the urban areas by wind eddies and upslope/downslope mountain and valley winds. Therefore, emissions from large urban areas like the city of Fresno, where the Tower District is located, have the potential to create regional air quality impacts for ozone and particulate matter (PM) in addition to localized impacts for carbon monoxide (CO), nitrogen dioxide (NO_2), and PM.

The analysis of regional emissions is based on a summary of projections approach as provided in Section 15130(b)(1)(B) of the *State CEQA Guidelines*. The applicable projections include those provided within the air quality attainment plans for SJVAB prepared by the SJVAPCD. The study area for the analysis of cumulative localized impacts is limited to areas with sensitive receptors that are in the immediate vicinity of specific sources.

4.1.2.3 Air Pollutants and Health Effects

Both State and federal governments have established health-based ambient air quality standards for six criteria air pollutants: CO, ozone (O_3), NO_2, sulfur dioxide (SO_2), lead (Pb), and suspended particulate matter. In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. Two criteria pollutants, O_3 and NO_2, are considered regional pollutants because they (or their precursors) affect air quality on a regional scale. Pollutants such as CO, SO_2, and Pb are considered local pollutants that tend to accumulate in the air locally.

The primary pollutants of concern in the City of Fresno are O_3, CO, and suspended particulate matter. Significance thresholds established by an air quality district are used to manage total regional and local emissions within an air basin based on the air basin's attainment status for criteria pollutants. These emission thresholds were established for individual development projects that would contribute to regional and local emissions and could adversely affect or delay the air basin's projected attainment target goals for nonattainment criteria pollutants.

Because of the conservative nature of the significance thresholds, and the basin-wide context of individual development project emissions, there is no direct correlation between a single project and localized air quality-related health effects. One individual project that generates emissions

exceeding a threshold does not necessarily result in adverse health effects for residents in the project vicinity. This condition is especially true when the criteria pollutants exceeding thresholds are those with regional effects, such as ozone precursors like nitrogen oxides (NO_X) and reactive organic gases (ROG).

Further, by its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to by itself result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, the air quality districts have considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions.

Occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals, and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality. Residential areas are considered more sensitive to air quality conditions, compared to commercial and industrial areas, because people generally spend longer periods of time at their residences, with greater associated exposure to ambient air quality conditions. Recreational uses are also considered sensitive compared to commercial and industrial uses due to greater exposure to ambient air quality conditions associated with exercise.

Air pollutants and their health effects, and other air pollution-related considerations are summarized in Table 4.1.A and are described in more detail below.

Ozone. Ozone (O_3) is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving ROG and NO_X. The main sources of ROG and NO_x, often referred to as ozone precursors, are combustion processes (including combustion in motor vehicle engines) and the evaporation of solvents, paints, and fuels. Automobiles are typically the largest source of ozone precursors. Ozone is referred to as a regional air pollutant because its precursors are transported and diffused by wind concurrently with ozone production through the photochemical reaction process. Ozone causes eye irritation, airway constriction, and shortness of breath and can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema.

Carbon Monoxide. CO is an odorless, colorless gas usually formed as the result of the incomplete combustion of fuels. The single largest source of CO is motor vehicles. CO transport is limited – it disperses with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations near congested roadways or intersections may reach unhealthful levels that adversely affect local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service (LOS) or with extremely high traffic volumes. Exposure to high concentrations of CO reduces the oxygen-carrying capacity of

Table 4.1.A: Sources and Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	• Precursor sources:[1] motor vehicles, industrial emissions, and consumer products.	• Respiratory symptoms. • Worsening of lung disease leading to premature death. • Damage to lung tissue. • Crop, forest, and ecosystem damage. • Damage to a variety of materials, including rubber, plastics, fabrics, paints, and metals.
Particulate Matter Less than 2.5 Microns in Diameter ($PM_{2.5}$)	• Cars and trucks (especially diesels). • Fireplaces, woodstoves. • Windblown dust from roadways, agriculture, and construction.	• Premature death. • Hospitalization for worsening of cardiovascular disease. • Hospitalization for respiratory disease. • Asthma-related emergency room visits. • Increased symptoms, increased inhaler usage.
Particulate Matter Less than 10 Microns in Diameter (PM_{10})	• Cars and trucks (especially diesels). • Fireplaces, woodstoves. • Windblown dust from roadways, agriculture, and construction.	• Premature death and hospitalization, primarily for worsening of respiratory disease. • Reduced visibility and material soiling.
Nitrogen Oxides (NO_X)	• Any source that burns fuels such as cars, trucks, construction and farming equipment, and residential heaters and stoves.	• Lung irritation. • Enhanced allergic responses.
Carbon Monoxide (CO)	• Any source that burns fuels such as cars, trucks, construction and farming equipment, and residential heaters and stoves.	• Chest pain in patients with heart disease. • Headache. • Light-headedness. • Reduced mental alertness.
Sulfur Oxides (SO_X)	• Combustion of sulfur-containing fossil fuels. • Smelting of sulfur-bearing metal ores. • Industrial processes.	• Worsening of asthma: increased symptoms, increased medication usage, and emergency room visits.
Lead (Pb)	• Contaminated soil.	• Impaired mental functioning in children. • Learning disabilities in children. • Brain and kidney damage.
Toxic Air Contaminants (TACs)	• Cars and trucks (especially diesels). • Industrial sources, such as chrome platers. • Neighborhood businesses, such as dry cleaners and service stations. • Building materials and products.	• Cancer. • Reproductive and developmental effects. • Neurological effects.

Source: California Air Resources Board (2018).

[1] Ozone is not generated directly by these sources. Rather, chemicals emitted by these precursor sources react with sunlight to form ozone in the atmosphere.

the blood and can cause headaches, nausea, dizziness, and fatigue, impair central nervous system function, and induce angina (chest pain) in persons with serious heart disease. Extremely high levels of CO, such as those generated when a vehicle is running in an unventilated garage, can be fatal.

Particulate Matter. Particulate matter is a class of air pollutants that consists of heterogeneous solid and liquid airborne particles from human-made and natural sources. Particulate matter is categorized in two size ranges: PM_{10}, for particles less than 10 microns in diameter, and $PM_{2.5}$, for

particles less than 2.5 microns in diameter. Motor vehicles are the primary generators of particulates, through tailpipe emissions as well as brake pad, tire wear, and entrained road dust. Wood burning in fireplaces and stoves, industrial facilities, and ground-disturbing activities such as construction are other sources of such fine particulates. These fine particulates are small enough to be inhaled into the deepest parts of the human lung and can cause adverse health effects. According to the California Air Resources Board (CARB), studies in the United States and elsewhere have demonstrated a strong link between elevated particulate levels and premature deaths, hospital admissions, emergency room visits, and asthma attacks, and studies of children's health in California have demonstrated that particle pollution may significantly reduce lung function growth in children.[2] Statewide attainment of particulate matter standards could reduce premature deaths, hospital admissions for cardiovascular and respiratory disease, asthma-related emergency room visits, and episodes of respiratory illness in California.

Nitrogen Dioxide. NO_2 is a reddish brown gas that is a byproduct of combustion processes. Automobiles and industrial operations are the main sources of NO_2. Aside from its contribution to ozone formation, NO_2 also contributes to other pollution problems, including a high concentration of fine particulate matter, poor visibility, and acid deposition. NO_2 may be visible as a coloring component on high pollution days, especially in conjunction with high ozone levels. NO_2 decreases lung function and may reduce resistance to infection.

Sulfur Dioxide. SO_2 is a colorless acidic gas with a strong odor. It is produced by the combustion of sulfur-containing fuels such as oil, coal, and diesel. SO_2 has the potential to damage materials and can cause health effects at high concentrations. It can irritate lung tissue and increase the risk of acute and chronic respiratory disease. SO_2 also reduces visibility and the level of sunlight at the ground surface.

Lead. Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been mobile and industrial sources. As a result of the phase-out of leaded gasoline, metal processing is currently the primary source of lead emissions. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery factories. Twenty years ago, mobile sources were the main contributor to ambient lead concentrations in the air. In the early 1970s, the United States Environmental Protection Agency (USEPA) established national regulations to gradually reduce the lead content in gasoline. In 1975, unleaded gasoline was introduced for motor vehicles equipped with catalytic converters. The USEPA banned the use of leaded gasoline in highway vehicles in December 1995. As a result of USEPA regulatory efforts to remove lead from gasoline, emissions of lead from the transportation sector and levels of lead in the air decreased dramatically.

[2] California Air Resources Board (CARB). 2020. *Inhalable Particulate Matter and Health ($PM_{2.5}$ and PM_{10})*. Website: ww2.arb.ca.gov/resources/inhalable-particulate-matter-and-health (accessed July 2025).

Toxic Air Contaminants. In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. Some examples of TACs include benzene, butadiene, formaldehyde, and hydrogen sulfide. Potential human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

TACs do not have ambient air quality standards, but are regulated by the USEPA, CARB, and the SJVAPCD. In 1998, the CARB identified particulate matter from diesel-fueled engines as a TAC. The CARB has completed a risk management process that identified potential cancer risks for a range of activities and land uses that are characterized by use of diesel-fueled engines.[3] High volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic (distribution centers, truck stops) were identified as posing the highest risk to adjacent receptors. Other facilities associated with increased risk include warehouse distribution centers, large retail or industrial facilities, high volume transit centers, and schools with a high volume of bus traffic. Health risks from TACs are a function of both concentration and duration of exposure.

Unlike TACs emitted from industrial and other stationary sources noted above, most diesel particulate matter is emitted from mobile sources—primarily "off-road" sources such as construction and mining equipment, agricultural equipment, and truck-mounted refrigeration units, as well as trucks and buses traveling on freeways and local roadways.

The CARB Diesel Risk Reduction Plan is intended to substantially reduce diesel particulate matter emissions and associated health risks through introduction of ultra-low-sulfur diesel fuel—a step already implemented—and cleaner-burning diesel engines.[4] The technology for reducing diesel particulate matter emissions from heavy-duty trucks is well established, and both State and federal agencies are moving aggressively to regulate engines and emission control systems to reduce and remediate diesel emissions.

High Volume Roadways. Air pollutant exposures and their associated health burdens vary considerably within places in relation to sources of air pollution. Motor vehicle traffic is perhaps the most important source of intra-urban spatial variation in air pollution concentrations. Air quality research consistently demonstrates that pollutant levels are substantially higher near freeways and busy roadways, and human health studies have consistently demonstrated that children living within 100 to 200 meters (328 to 656 feet) of freeways or busy roadways have reduced lung function and higher rates of respiratory disease. At present, it is not possible to attribute the effects of roadway proximity on non-cancer health effects to one or more specific vehicle types or vehicle

[3] California Air Resources Board (CARB). 2000a. *Fact Sheet – California's Plan to Reduce Diesel Particulate Matter Emissions*. October. Website: www.arb.ca.gov/diesel/factsheets/rrpfactsheet.pdf (accessed July 2025).

[4] California Air Resources Board (CARB). 2000b. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October. Prepared by the Stationary Source Division and Mobile Source Control Division. Website: www.arb.ca.gov/diesel/documents/rrpFinal.pdf (accessed July 2025).

pollutants. Engine exhaust, from diesel, gasoline, and other combustion engines, is a complex mixture of particles and gases, with collective and individual toxicological characteristics.

Valley Fever. Valley fever is a fungal infection caused by coccidioides organisms. It can cause fever, chest pain and coughing, among other signs and symptoms. The coccidioides species of fungi that cause valley fever are commonly found in the soil in certain areas. These fungi can be stirred into the air by anything that disrupts the soil, such as farming, construction and wind. The fungi can then be breathed into the lungs and cause valley fever, also known as acute coccidioidomycosis. A mild case of valley fever usually goes away on its own. In more severe cases of valley fever, doctors prescribe antifungal medications that can treat the underlying infection. Valley Fever is not contagious and therefore does not spread from person to person. Most cases (approximately 60 percent) have no symptoms or only very mild flu-like symptoms and do not see a doctor. When symptoms are present, the most common are fatigue, cough, fever, profuse sweating at night, loss of appetite, chest pain, generalized muscle and joint aches particularly of the ankles and knees. There may also be a rash that resembles measles or hives but develops more often as tender red bumps on the shins or forearms.

Asbestos. Asbestos is the name given to a number of naturally occurring fibrous silicate minerals that have been mined for their useful properties such as thermal insulation, chemical and thermal stability, and high tensile strength. The three most common types of asbestos are chrysotile, amosite, and crocidolite. Chrysotile, also known as white asbestos, is the most common type of asbestos found in buildings. Chrysotile makes up approximately 90 to 95 percent of all asbestos contained in buildings in the United States.

Construction sometimes requires the demolition of existing buildings that may include materials containing asbestos. Although the project does not call for demolition specifically, some demolition does occur as a result of the ongoing implementation of the Specific Plan. In addition, asbestos is also found in a natural state known as naturally occurring asbestos. Exposure and disturbance of rock and soil that naturally contain asbestos can result in the release of fibers into the air and consequent exposure to the public. Asbestos most commonly occurs in ultramafic rock that has undergone partial or complete alteration to serpentine rock (serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, can be found associated with ultramafic rock, particularly near faults. Sources of asbestos emissions include unpaved roads or driveways surfaced with ultramafic rock, construction activities in ultramafic rock deposits, or rock quarrying activities where ultramafic rock is present.

Exposure to asbestos is a health threat; exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest, and abdominal cavity), and asbestosis (a non-cancerous lung disease that causes scarring of the lungs).

The CARB has an Air Toxics Control Measure for construction, grading, quarrying, and surface mining operations requiring the implementation of mitigation measures to minimize emissions of asbestos-laden dust. The measure applies to road construction and maintenance, construction and grading operations, and quarries and surface mines when the activity occurs in an area where naturally occurring asbestos is likely to be found. Areas are subject to the regulation if they are identified on maps published by the Department of Conservation as ultramafic rock units or if the Air Pollution

Control Officer or owner/operator has knowledge of the presence of ultramafic rock, serpentine, or naturally occurring asbestos on the site. The measure also applies if ultramafic rock, serpentine, or asbestos is discovered during any operation or activity.

4.1.2.4 National and State Ambient Air Quality Standards

Both State and federal governments have established health-based ambient air quality standards for criteria air pollutants. Criteria pollutants are defined as those pollutants for which the federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health.

Both the USEPA and the CARB have established ambient air quality standards for the following common pollutants: CO, O_3, NO_2, SO_2, Pb, and suspended particulate matter. In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. These ambient air quality standards are levels of contaminants that avoid specific adverse health effects associated with each pollutant.

Federal standards include both primary and secondary standards. Primary standards establish limits to protect public health, including the health of sensitive populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility, and damage to animals, crops, vegetation, and buildings. State and federal standards for the criteria air pollutants are listed in Table 4.1.B.

4.1.2.5 Existing Climate and Air Quality

The following provides a discussion of the local and regional air quality and climate in the Specific Plan Area.

Regional and Local Air Quality. Air quality is a function of both local climate and local sources of air pollution. The amount of a given pollutant in the atmosphere is determined by the amount of the pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain, and for photochemical pollutants, sunshine.

The Specific Plan Area is located within the SJVAB and is under the jurisdiction of the SJVAPCD. A region’s topographic features have a direct correlation with air pollution flow and therefore are used to determine the boundary of air basins. The SJVAB is comprised of approximately 25,000 square miles and covers of eight counties including Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare, and the western portion of Kern County. The SJVAB is defined by the Sierra Nevada mountains in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The valley is basically flat with a slight downward gradient to the northwest. The valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. An aerial view of the SJVAB would simulate a “bowl” opening only to the north. These topographic features restrict air movement through and out of the basin.

Table 4.1.B: Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3,5]	Secondary[3,6]	Method[7]
Ozone (O_3)[8]	1-Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	–	Same as Primary Standard	Ultraviolet Photometry
	8-Hour	0.07 ppm (137 µg/m³)		0.070 ppm (137 µg/m³)		
Respirable Particulate Matter (PM_{10})[9]	24-Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m³		–		
Fine Particulate Matter ($PM_{2.5}$)[9]	24-Hour	-		35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation	9.0 µg/m³ [15]		
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m³)	–	Non-Dispersive Infrared Photometry (NDIR)
	1-Hour	20 ppm (23 mg/m³)		35 ppm (40 mg/m³)		
	8-Hour (Lake Tahoe)	6 ppm (7 mg/m³)		–	–	
Nitrogen Dioxide (NO_2)[10]	Annual Arithmetic Mean	0.03 ppm (57 µg/m³)	Gas Phase Chemi-luminescence	53 ppb (100 µg/m³)	Same as Primary Standard	Gas Phase Chemi-luminescence
	1-Hour	0.18 ppm (339 µg/m³)		100 ppb (188 µg/m³)	-	
Lead (Pb)[12,13]	30-Day Average	1.5 µg/m³	Atomic Absorption	–	–	High-Volume Sampler and Atomic Absorption
	Calendar Quarter	–		1.5 µg/m³ (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average[9]	–		0.15 µg/m³		
Sulfur Dioxide (SO_2)[11]	24-Hour	0.04 ppm (105 µg/m3)	Ultraviolet Fluorescence	0.14 ppm (for certain areas)	–	Ultraviolet Fluorescence; Spectro-photometry (Pararosaniline Method)
	3-Hour	–		–	0.5 ppm (1300 µg/m³)	
	1-Hour	0.25 ppm (655 µg/m³)		75 ppb (196 µg/m³)[11]	–	
	Annual Arithmetic Mean	–		0.030 ppm (for certain areas)[11]	–	
Visibility-Reducing Particles[12]	8-Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape.	No Federal Standards		
Sulfates	24-Hour	25 µg/m³	Ion Chromatography			
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m³)	Ultraviolet Fluorescence			
Vinyl Chloride[10]	24-Hour	0.01 ppm (26 µg/m³)	Gas Chromatography			

Source: California Air Resources Board (2016) (Website: https://www.arb.ca.gov/research/aaqs/aaqs2.pdf).

Table notes are provided on the following page.

[1] California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1- and 24-hour), nitrogen dioxide, and particulate matter (PM_{10}, $PM_{2.5}$, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California Ambient Air Quality Standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

[2] National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact USEPA for further clarification and current national policies.

[3] Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

[4] Any equivalent measurement method which can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.

[5] National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

[6] National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[7] Reference method as described by the USEPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the USEPA.

[8] On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

[9] On December 14, 2012, the national annual $PM_{2.5}$ primary standard was lowered from 15 µg/m^3 to 12.0 µg/m^3. The existing national 24- hour $PM_{2.5}$ standards (primary and secondary) were retained at 35 µg/m^3, as was the annual secondary standard of 15 µg/m^3. The existing 24-hour PM_{10} standards (primary and secondary) of 150 µg/m^3 also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

[10] To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

[11] On June 2, 2010, a new 1-hour SO_2 standard was established, and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

[12] The CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

[13] The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 µg/m^3 as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

[14] In 1989, the CARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

[15] On February 7, 2024, the federal annual $PM_{2.5}$ standard was revised from 12.0 µg/m^3 to 9.0 µg/m^3.

°C = degrees Celsius
µg/m^3 = micrograms per cubic meter
CARB = California Air Resources Board
mg/m^3 = milligrams per cubic meter
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
ppb = parts per billion
ppm = parts per million
USEPA = United States Environmental Protection Agency

Although marine air generally flows into the basin from the San Joaquin River Delta, the Coast Range hinders wind access into the SJVAB from the west, the Tehachapi Mountains prevent southerly passage of air flow, and the high Sierra Nevada range is a significant barrier to the east. These topographic features result in weak air flow which becomes blocked vertically by high barometric pressure over the SJVAB. As a result, the SJVAB is highly susceptible to pollutant accumulation over time. Most of the surrounding mountains are above the normal height of summer inversion layers (1,500 to 3,000 feet).

Local climatological effects, including wind speed and direction, temperature, inversion layers, precipitation and fog, can exacerbate the air quality in the SJVAB. Wind speed and direction play an important role in dispersion and transport of air pollutants. Wind at the surface and aloft can disperse pollution by mixing vertically and by transporting it to other locations. For example, in the summer, wind usually originates at the north end of the SJVAB and flows in a south-southeasterly direction through the SJVAB, through Tehachapi pass, into the Southeast Desert Air Basin. In the winter, wind direction is reversed and flows in a north-northwesterly direction. In addition to the seasonal wind flow, a sea breeze flows into SJVAB during the day and a land breeze flowing out of the SJVAB at night. The diversified wind flow enhances the pollutant transport capability within SJVAB.

The annual average temperature varies throughout the SJVAB, ranging from the low 40s to high 90s, measured in degrees Fahrenheit (°F). With a more pronounced valley influence, inland areas show more variability in annual minimum and maximum temperatures than coastal areas. The climatological station closest to the site is the Fresno Yosemite International Airport Station (043257). The monthly average maximum temperature recorded at this station from January 1948 to June 2016 ranged from 54.6°F in January to 98.3°F in July, with an annual average maximum of 76.5°F. The monthly average minimum temperature recorded at this station ranged from 35.3°F in December to 65.7°F in July, with an annual average minimum of 50.4°F.[5] These levels are still representative of the Specific Plan Area. January and December are typically the coldest months and July is typically the warmest month in this area of the SJVAB.

The majority of annual rainfall in the SJVAB occurs between November and March. Summer rainfall is minimal and is generally limited to scattered thundershowers in desert regions and slightly heavier showers near the lower portion of the Basin and along the Sierra Nevada mountains to the east. Average monthly rainfall during that period varied from 0.01 inches in July and August to 2.09 inches in January, with an annual total of 10.89 inches.[6] Patterns in monthly and yearly rainfall totals are predictable due to the recognizable differences in seasons within the valley.

The vertical dispersion of air pollutants in the SJVAB is limited by the presence of persistent temperature inversions. Because of cooling of the atmosphere, air temperature usually decreases with altitude. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface, or at any height above the ground. The height of the base of the inversion is known as the “mixing height.” This is the level within which

5 Western Regional Climate Center. n.d. Fresno Yosemite International Airport (043257), Period of Record Monthly Climate Summary. Website: https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca3257 (accessed July 2025).

6 Ibid.

pollutants can mix vertically. Air above and below the inversion base does not mix because of the differences in air density. Semi-permanent systems of high barometric pressure fronts frequently establish themselves over the SJVAB, preventing low pressure systems that might otherwise bring rain and winds that clean the air.

Inversion layers are significant in determining ozone formation, and CO and PM_{10} concentrations. Ozone and its precursors will mix and react to produce higher ozone concentrations under an inversion. The inversion will also simultaneously trap and hold directly emitted pollutants such as carbon monoxide. PM_{10} is both directly emitted and created in the atmosphere as a chemical reaction. Concentration levels of pollutants are directly related to inversion layers due to the limitation of mixing space.

Surface or radiation inversions are formed when the ground surface becomes cooler than the air above it during the night. The earth's surface goes through a radiative process on clear nights, where heat energy is transferred from the ground to a cooler night sky. As the earth's surface cools during the evening hours, the air directly above it also cools, while air higher up remains relatively warm. The inversion is destroyed when heat from the sun warms the ground, which in turn heats the lower layers of air; this heating stimulates the ground level air to float up through the inversion layer.

The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollutant concentrations are lowest. Periods of low inversions and low wind speeds are conditions favorable to high concentrations of CO and PM_{10}. In the winter, the greatest pollution problems are CO and NO_x because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and oxides of nitrogen to form photochemical smog.

Attainment Status. The USEPA and the CARB designate air basins where ambient air quality standards are exceeded as "nonattainment" areas. If standards are met, the area is designated as an "attainment" area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered "unclassified."

National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards. Each standard has a different definition, or "form" of what constitutes attainment, based on specific air quality statistics. For example, the federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring value exceeds the threshold per year. In contrast, the federal annual $PM_{2.5}$ standard is met if the 3-year average of the annual average $PM_{2.5}$ concentration is less than or equal to the standard. The current attainment designations for the basin are shown in Table 4.1.C.

Table 4.1.C: San Joaquin Valley Air Basin Air Quality Attainment Status

Pollutant	State	Federal
Ozone (1-hour)	Severe/Nonattainment	Not Applicable
Ozone (8-hour)	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Attainment (Maintenance)
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment (Maintenance)
Nitrogen Dioxide	Attainment	Unclassified/Attainment
Lead	Attainment	Unclassified/Attainment
Sulfur Dioxide	Attainment	Unclassified
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard

Source: California Air Resources Board and United States Environmental Protection Agency (2023).

Air Quality Monitoring Results. Air quality monitoring stations are located throughout the nation and maintained by the local air pollution control district and state air quality regulating agencies. Ambient air data collected at permanent monitoring stations are used by the USEPA to identify regions as attainment or nonattainment depending on whether the regions met the requirements stated in the primary National Ambient Air Quality Standards (NAAQS). Attainment areas are required to maintain their status through moderate, yet effective air quality maintenance plans. Nonattainment areas are imposed with additional restrictions as required by the USEPA. In addition, different classifications of attainment such as marginal, moderate, serious, severe, and extreme are used to classify each air basin in the state on a pollutant-by-pollutant basis. Different classifications have different mandated attainment dates and are used as guidelines to create air quality management strategies to improve air quality and comply with the NAAQS by the attainment date. A region is determined to be unclassified when the data collected from the air quality monitoring stations do not support a designation of attainment or nonattainment, due to lack of information, or a conclusion cannot be made with the available data.

The SJVAPCD, together with the CARB, maintains ambient air quality monitoring stations in the SJVAB. The air quality monitoring stations closest to the Specific Plan Area are located at 908 North Villa Avenue in Clovis and 3727 North First Street in Fresno, California.

Pollutant monitoring results for years 2021 to 2023 at the nearby ambient air quality monitoring stations, shown in Table 4.1.D, indicate that air quality in the area has generally been moderate. As indicated in the monitoring results, the State PM_{10} standard was exceeded 111 times in 2021, 73 times in 2022 and an unknown number of times in 2023. In addition, the federal PM_{10} standard was exceeded an unknown number of times in 2021 but not exceeded in 2022 or 2023. The federal $PM_{2.5}$ standard had 22 exceedances in 2021, four exceedances in 2022, and no exceedances in 2023. The State 1-hour ozone standard was exceeded six times in 2021, no times in 2022, and an unknown number of times in 2023. The State 8-hour ozone standard was exceeded 37 times in 2021, 26 times in 2022, and 21 times in 2023. The federal 8-hour standard was exceeded 34 times in 2021, 23 times in 2022, and 21 times in 2023. The CO, NO_2, and SO_2 standards were not exceeded in this area during the 3-year period.

Table 4.1.D: Ambient Air Quality at Nearby Monitoring Stations

Pollutant	Standard	2021	2022	2023
Carbon Monoxide (CO)				
Maximum 1-hour concentration (ppm)		1.3	1.3	1.5
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hour concentration (ppm)		1.2	1.1	1.3
Number of days exceeded:	State: > 9 ppm	0	0	0
	Federal: > 9 ppm	0	0	0
Ozone (O_3)				
Maximum 1-hour concentration (ppm)		0.123	0.109	0.102
Number of days exceeded:	State: > 0.09 ppm	6	0	ND
Maximum 8-hour concentration (ppm)		0.100	0.084	0.083
Number of days exceeded:	State: > 0.07 ppm	37	26	21
	Federal: > 0.07 ppm	34	23	21
Coarse Particulates (PM_{10})				
Maximum 24-hour concentration (µg/m³)		208.8	127.0	104.0
Number of days exceeded:	State: > 50 µg/m³	111	73	ND
	Federal: > 150 µg/m³	ND	0	0
Annual arithmetic average concentration (µg/m³)		32.6	43.2	36.2
Exceeded for the year:	State: > 20 µg/m³	Yes	Yes	ND
	Federal: > 50 µg/m³	No	No	ND
Fine Particulates ($PM_{2.5}$)				
Maximum 24-hour concentration (µg/m³)		104.6	41.9	34.7
Number of days exceeded:	Federal: > 35 µg/m³	22	4	0
Annual arithmetic average concentration (µg/m³)		10.2	15.1	10.5
Exceeded for the year:	State: > 12 µg/m³	Yes	No	No
	Federal: > 15 µg/m³	Yes	No	No
Nitrogen Dioxide (NO_2)				
Maximum 1-hour concentration (ppm)		0.049	0.051	0.048
Number of days exceeded:	State: > 0.250 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.008	0.008	0.009
Exceeded for the year:	Federal: > 0.053 ppm	No	No	No
Sulfur Dioxide (SO_2)[2]				
Maximum 1-hour concentration (ppm)		0.008	0.003	0.005
Number of days exceeded:	State: > 0.25 ppm	0	0	0
Maximum 24-hour concentration (ppm)		0	0	0
Number of days exceeded:	State: > 0.04 ppm	0.003	0.001	0.002
	Federal: > 0.14 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.00042	0.0004	0.0003
Exceeded for the year:	Federal: > 0.030 ppm	No	No	No

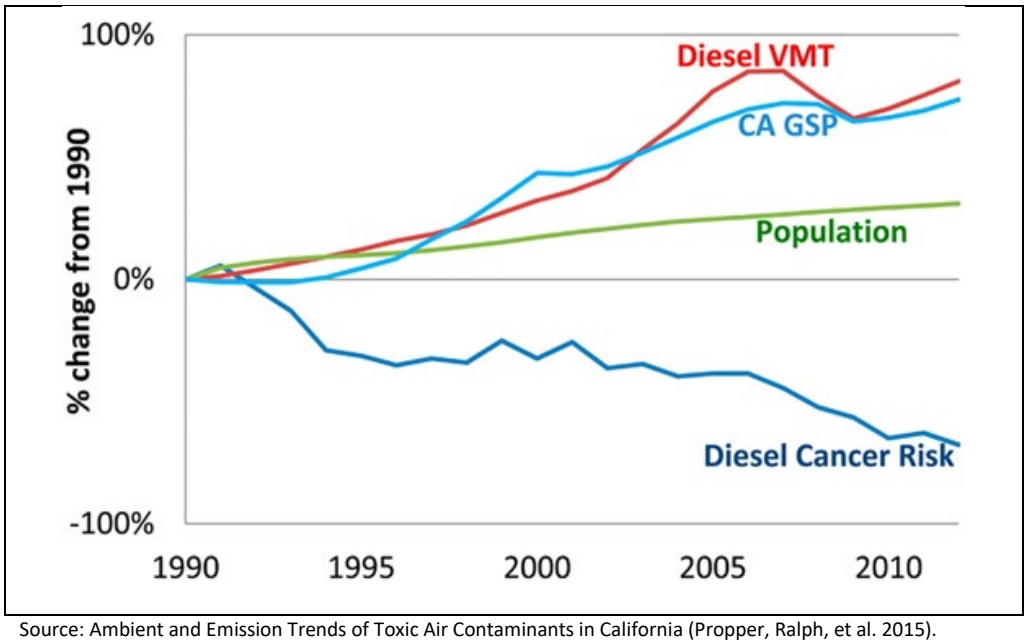
Sources: CARB (2023) and USEPA (2023).

[1] On February 7, 2024, the federal annual $PM_{2.5}$ standard was revised from 12.0 µg/m³ to 9.0 µg/m³. However, since the data presented in Table E is through 2022, it uses the 12.0 µg/m³ standard that was in effect through 2022.

[2] Data for SO_2 was taken from 3727 North First Street, Fresno monitoring station. All other data was taken from 908 North Villa Avenue, Clovis Monitoring Station.

µg/m³ = micrograms per cubic meter
CARB = California Air Resources Board
ND = No data. There were insufficient (or no) data to determine the value.
ppm = parts per million
USEPA = United States Environmental Protection Agency

Toxic Air Contaminant Trends. In 1984, the CARB adopted regulations to reduce TAC emissions from mobile and stationary sources, as well as consumer products. A CARB study showed that ambient concentrations and emissions of the seven TACs responsible for the most cancer risk from airborne exposure declined by 76 percent between 1990 and 2012.[7] Concentrations of diesel particulate matter, a key TAC, declined by 68 percent between 1990 and 2012, despite a 31 percent increase in State population and an 81 percent increase in diesel vehicle miles traveled (VMT), as shown on Figure 4.1-1, below. The study also found that the significant reductions in cancer risk to California residents from the implementation of air toxics controls are likely to continue.



Source: Ambient and Emission Trends of Toxic Air Contaminants in California (Propper, Ralph, et al. 2015).

Figure 4.1-1: California Population, Gross State Product (GSP), Diesel Cancer Risk, and Diesel Vehicle Miles Traveled (VMT) Regulatory Context

The USEPA and the CARB regulate direct emissions from motor vehicles. The SJVAPCD is the regional agency primarily responsible for regulating air pollution emissions from stationary sources (e.g., factories) and indirect sources (e.g., traffic associated with new development), as well as monitoring ambient pollutant concentrations.

4.1.2.6 Sensitive Receptors

Those individuals who are sensitive to air pollution include children, the elderly, and persons with pre-existing respiratory or cardiovascular illness. The SJVAPCD considers a sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals,

[7] Propper, Ralph, Patrick Wong, Son Bui, Jeff Austin, William Vance, Álvaro Alvarado, Bart Croes, and Dongmin Luo. 2015. Ambient and Emission Trends of Toxic Air Contaminants in California. *American Chemical Society: Environmental Science & Technology*. Website: pubs.acs.org/doi/full/10.1021/acs.est.5b02766 (accessed July 2025).

residences, convalescent facilities, and schools. There are many sensitive receptors throughout the city of Fresno and the Specific Plan Area.

4.1.3 Regulatory Framework

Federal, State, and local air districts have passed laws and regulations intended to monitor and improve air quality. The Specific Plan Area is subject to the rules and regulations imposed by the SJVAPCD, the California Air Resource Board (CARB), and the United States Environmental Protection Agency (USEPA). The USEPA and CARB regulate direct emissions from motor vehicles while the SJVAPCD is the regional agency primarily responsible for regulating air pollution emissions from stationary sources (e.g., factories) and indirect sources (e.g., traffic associated with new development), as well as monitoring ambient pollutant concentrations. The federal, State, regional, and local regulatory framework that is applicable to the proposed project is discussed below.

4.1.3.1 Federal Policies and Regulations

Federal Clean Air Act. At the federal level, the USEPA has been charged with implementing national air quality programs. The USEPA air quality mandates are drawn primarily from the federal Clean Air Act (CAA) of 1963 which was amended in 1970, 1977, and 1990.

The federal CAA required the USEPA to establish primary and secondary national ambient air quality standards (NAAQS) and required each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The federal CAA Amendments of 1990 added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies. The USEPA has responsibility to review all state SIPs to determine conformity with the mandates of the federal CAA and determine if implementation will achieve air quality goals. If the USEPA determines a SIP to be inadequate, a Federal Implementation Plan (FIP) may be prepared for the nonattainment area, which imposes additional control measures. Failure to submit an approvable SIP or to implement the plan within the mandated timeframe may result in sanctions on transportation funding and stationary air pollution sources in the air basin.

The USEPA is also required to develop National Emission Standards for Hazardous Air Pollutants, which are defined as those which may reasonably be anticipated to result in increased deaths or serious illness, and which are not already regulated. An independent science advisory board reviews the health and exposure analyses conducted by the USEPA on suspected hazardous pollutants prior to regulatory development.

4.1.3.2 State Policies and Regulations

The CARB is the Lead Agency for implementing air quality regulations in the State. Key efforts by the State are described below.

California Clean Air Act. In 1988, the California Clean Air Act (CCAA) required that all air districts in the State endeavor to achieve and maintain compliance with California Ambient Air Quality Standards (CAAQS) for carbon monoxide, ozone, sulfur dioxide and nitrogen dioxide by the earliest

practical date. The CCAA provides districts with authority to regulate indirect sources and mandates that air quality districts focus particular attention on reducing emissions from transportation and area-wide emission sources. Each nonattainment district is required to adopt a plan to achieve a 5 percent annual reduction, averaged over consecutive 3-year periods, in district-wide emissions of each nonattainment pollutant or its precursors. A Clean Air Plan shows how a district would reduce emissions to achieve air quality standards. Generally, the State standards for these pollutants are more stringent than the national standards.

Legal authority for California to regulate sources of air pollution is found in federal and State law. The CARB is charged with coordinating regional and local efforts to attain and maintain State and nation air quality standards. The CARB has been given authority to regulate many sources that would normally be pre-empted by federal regulations through the issuance of waivers.

Pursuant to these authorities, CARB has adopted the world's most stringent standards for vehicle emissions including passenger cars, light-duty trucks, and medium-duty vehicles. CARB has also adopted regulations establishing standards for heavy-duty vehicles, offroad vehicles and engines, offroad recreational vehicles, off road diesel engines and equipment, offroad gasoline and liquefied petroleum gas (LPG) engines and equipment, and marine pleasure craft. Descriptions of these regulations are provided below.

Low-Emission Vehicle Program. The CARB introduced the Low-Emission Vehicle (LEV) program in 1990. The first LEV standards ran from 1994 through 2003 before, the LEV II regulations, which ran from 2004 through 2010, were introduced which represent continuing progress in emission reductions. As the State's passenger vehicle fleet continues to grow and more sport utility vehicles and pickup trucks are used as passenger cars, rather than work vehicles, the more stringent LEV II standards were adopted to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 SIP. In 2012, CARB again amended the LEV regulations with the introduction of the LEV III standards. These amendments include more stringent emission standards for both criteria pollutants and greenhouse gases for new passenger vehicles.

Air Quality Land Use Handbook. The CARB has developed an Air Quality and Land Use Handbook[8] which is intended to serve as a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. According to the CARB Handbook, recent air pollution studies have shown an association between respiratory and other non-cancer health effects and proximity to high traffic roadways. Other studies have shown that diesel exhaust and other cancer-causing chemicals found in vehicle emissions are responsible for much of the overall cancer risk related to airborne toxins in California. The CARB Handbook recommends that county and city planning agencies strongly consider proximity to vehicle emission sources when finding new locations for "sensitive" land uses including homes, medical facilities, daycare centers, schools, and playgrounds.

[8] California Air Resources Board (CARB). 2005. *Air Quality and Land Use Handbook: A Community Health Perspective.* April.

Land use designations with air pollution sources of concern include freeways, rail yards, ports, refineries, distribution centers, chrome plating facilities, dry cleaners and large gasoline service stations. Key recommendations in the Handbook include taking steps to avoid sitting new, sensitive land uses within the following proximities:

- Within 500 feet of a freeway, urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day;
- Within 1,000 feet of a major service and maintenance rail yard;
- Immediately downwind of ports (in the most heavily impacted zones) and petroleum refineries;
- Within 300 feet of any dry cleaning operation (for operations with two or more machines, provide 500 feet); and
- Within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater).

The CARB Handbook specifically states that its recommendations are advisory and acknowledges land use agencies have to balance other considerations, such as housing and transportation needs, economic development priorities, and other quality of life issues.

The recommendations are generalized and do not consider site specific meteorology, freeway truck percentages, or other factors that influence risk for a particular project site. The purpose of the land use compatibility analysis is to further examine the project site for actual health risk associated with the location of new housing on the project site.

4.1.3.3 Regional Policies and Regulations

San Joaquin Valley Air Pollution Control District. The SJVAPCD is responsible for controlling emissions primarily from stationary sources. The SJVAPCD maintains air quality monitoring stations throughout the basin. The SJVAPCD, in coordination with the eight county transportation agencies, is also responsible for developing, updating, and implementing air quality attainment plans for the Air Basin. The SJVAPCD also has roles under CEQA.

Guide for Assessing and Mitigating Air Quality Impacts. The SJVAPCD provides guidance and thresholds for CEQA air quality and greenhouse gas analyses. The result of this guidance as well as State regulations to control air pollution is an overall improvement in the Basin. In particular, the SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) states the following:

The SJVAPCD's Air Quality Attainment Plans include measures to promote air quality elements in county and city general plans as one of the primary means of reducing indirect emissions such as those from land use development projects. The approved General Plan is the primary long range planning document used by cities and counties to direct development. Since air districts have no authority over land use decisions, it is up to cities and counties to ensure that their general plans help achieve air quality goals. Section 65302.1 of the California Government Code requires cities

and counties in the San Joaquin Valley to amend appropriate elements of their general plans to include data, analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality in their next housing element revisions.[9]

The SJVAB is classified nonattainment for ozone, PM_{10}, and $PM_{2.5}$. The SJVAPCD had adopted project level thresholds based on a cumulative contribution of ozone precursors ROG and NO_x of 10 tons per year and thresholds for PM_{10} and $PM_{2.5}$ of 15 tons per year.

Current Air Quality Plans. The SJVAPCD is responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the SJVAB. The main purpose of an AQMP is to bring the area into compliance with federal and State air quality standards. The SJVAPCD does not have one single AQMP for criteria pollutants, rather the SJVAPCD address each criteria pollutant with its own Plan. The SJVAPCD has the following AQMPs:[10]

- 2024 Plan for the 2012 Annual $PM_{2.5}$ Standard
- 2022 Plan for the 2015 8-Hour Ozone Standard
- 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards
- 2016 Moderate Area Plan for the 2012 $PM_{2.5}$ standard
- 2016 Plan for the 2008 8-Hour Ozone Standard
- 2013 Plan for the Revoked 1-Hour Ozone Standard
- 2007 PM_{10} Maintenance Plan
- 2004 Revision to the California State Implementation Plan for Carbon Monoxide

The SJVAPCD's AQMPs incorporate the latest scientific and technological information and planning assumptions, including updated emission inventory methodologies for various source categories. The SJVAPCD's AQMPs included the integrated strategies and measures needed to meet the National Ambient Air Quality Standards (NAAQS), implementation of new technology measures, and demonstrations of attainment of the 1-hour and 8-hour ozone NAAQS as well as the latest 24-hour and annual $PM_{2.5}$ standards.

The SJVAPCD's current air quality plans are discussed below.

Ozone Plans. The SJVAPCD's Governing Board approved the 2022 Plan for the 2015 8-hour ozone standard on December 15, 2022. The comprehensive strategy in this plan will reduce NO_x emissions by 72 percent by 2037 and will bring the San Joaquin Valley into attainment of USEPA's 2015 8-hour ozone standard as expeditiously as practicable by the 2037 attainment deadline.

9 California Legislative Information. 2025. California Government Code. Website: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65302.01.&nodeTreePath=12.1.10.3&lawCode=GOV (accessed June 10, 2025).

10 San Joaquin Valley Air Pollution Control District (SJVAPCD). 2025. Air Quality Attainment Plans. Website: https://ww2.valleyair.org/rules-and-planning/air-quality-plans/ (accessed June 10, 2025).

Particulate Matter Plans. The SJVAPCD adopted the 2007 PM_{10} Maintenance Plan in September 2007 to assure the SJVAB's continued attainment of the USEPA's PM_{10} standard. The USEPA designated the valley as an attainment/maintenance area for PM_{10}.

The 2008 $PM_{2.5}$ Plan builds upon the comprehensive strategy adopted in the 2007 Ozone Plan to bring the Basin into attainment of the 1997 national standards for $PM_{2.5}$. The USEPA has identified NO_x and SO_2 as precursors that must be addressed in air quality plans for the 1997 $PM_{2.5}$ standards. The 2008 $PM_{2.5}$ Plan is a continuation of the SJVACPD's strategy to improve the air quality in the SJVAB.

The SJVAPCD prepared the 2012 $PM_{2.5}$ Plan to bring the San Joaquin Valley into attainment of the USEPA's most recent 24-hour $PM_{2.5}$ standard of 35 µg/m³. The CARB approved the SJVAPCD's 2012 $PM_{2.5}$ Plan at a public hearing on January 24, 2013. The plan, approved by the SJVAPCD Governing Board on December 20, 2012, will bring the valley into attainment for USEPA's 1997 $PM_{2.5}$ standard as expeditiously as practicable, but no later than, December 31, 2020.

The SJVAPCD adopted the 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards on November 15, 2018. This plan addresses the USEPA federal 1997 annual $PM_{2.5}$ standard of 15 µg/m³ and 24-hour $PM_{2.5}$ standard of 65 µg/m³; the 2006 24-hour $PM_{2.5}$ standard of 35 µg/m³; and the 2012 annual $PM_{2.5}$ standard of 12 µg/m³. This plan demonstrates attainment of the federal $PM_{2.5}$ standards as expeditiously as practicable.

Rules and Regulations. The SJVAPCD rules and regulations that may apply to projects that will occur during buildout of the Specific Plan Area include but are not limited to the following:

- Rule 2280 – Portable Equipment Registration. Portable equipment used at project sites for less than six consecutive months must be registered with the SJVAPCD. The SJVAPCD will issue the registrations 30 days after receipt of the application.

- Rule 2303 – Mobile Source Emission Reduction Credits. A project may qualify for SJVAPCD vehicle emission reduction credits if it meets the specific requirements of Rule 2303 for any of the following categories:

    - Low-Emission Transit Buses
    - Zero-Emission Vehicles
    - Retrofit Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles
    - Retrofit Heavy-Duty Vehicles

- Rule 4102 – Nuisance. The purpose of this rule is to protect the health and safety of the public and applies to any source operation that emits or may emit air contaminants or other materials.

- Rule 4601 – Architectural Coatings. The purpose of this rule is to limit Volatile Organic Compounds (VOC) emissions from architectural coatings. Emissions are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling.

- Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. The paving operations for new development and existing paved surfaces will be subject to Rule 4641.

- Rule 8011 – General Requirements: Fugitive Dust Emission Sources. Fugitive dust regulations are applicable to outdoor fugitive dust sources. Operations, including construction operations, must control fugitive dust emissions in accordance with SJVAPCD Regulation VIII. According to Rule 8011, the SJVAPCD requires the implementation of control measures for fugitive dust emission sources. For projects in which construction-related activities would disturb equal to or greater than 1 acre of surface area, the SJVAPCD recommends that demonstration of receipt of an SJVAPCD-approved Dust Control Plan or Construction Notification Form, before issuance of the first grading permit, be made a condition of approval.

- Regulation VIII – Fugitive PM_{10} Prohibitions. Rules 8011-8081 are designed to reduce PM_{10} emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, etc. All development projects that involve soil disturbance are subject to at least one provision of the Regulation VIII series of rules.

- Rule 9410 – Employer Based Trip Reduction. The purpose of this rule is to reduce vehicle miles traveled (VMT) from private vehicles used by employees to commute to and from their worksites in order to reduce emissions of NO_x, VOC and PM. The rule requires larger employers (those with 100 or more eligible employees) to establish employee trip reduction programs to reduce VMT, reducing emissions associated with work commutes. The rule uses a menu-based Employer Trip Reduction Implementation Plan and periodic reporting requirements to evaluate performance on a phased-in compliance schedule.

- Rule 9510 – Indirect Source Review. This rule reduces the impact of NO_x and PM_{10} emissions from new development projects. The rule places application and emission reduction requirements on development projects meeting applicability criteria in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. Compliance with SJVAPCD Rule 9510 reduces emissions impacts through incorporation of onsite measures as well as payment of an offsite fee that funds emission reduction projects in the Air Basin. The emissions analysis for Rule 9510 is detailed and is dependent on the exact project design that is expected to be constructed or installed. Compliance with Rule 9510 is separate from the CEQA process,

though the control measures used to comply with Rule 9510 may be used to mitigate significant air quality impacts.

- Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc., warrant the closest scrutiny, but consideration could also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas. While offensive odors rarely cause any physical harm, they can be very unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and the SJVAPCD.
  Two situations create a potential for odor impact. The first occurs when a new odor source is located near an existing sensitive receptor. The second occurs when a new sensitive receptor locates near an existing source of odor. The SJVAPCD has determined the common land use types that are known to produce odors in the Basin. These types are shown in Table 4.1.E, along with recommended distances to screen for potential odor impacts.

Table 4.1.E: Screening Levels for Potential Odor Sources

Odor Generator	Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shop)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile

Source: San Joaquin Valley Air Pollution Control District (2015b).

Fresno Council of Governments. Fresno Council of Governments (FCOG) is responsible for regional transportation planning in Fresno County and participates in developing mobile source emission inventories used in air quality attainment plans.

Regional Transportation Plan/Sustainable Communities Strategy. Regional Transportation Plans (RTPs) are State-mandated plans that identify long-term transportation needs for a region's transportation network. Fresno Council of Governments' (FCOG) 2022 RTP charts the long-range vision of regional transportation in Fresno County through the year 2042. The RTP identifies existing and future transportation related needs, while considering all modes of travel, analyzing alternative solutions, and identifying the region's funding priorities and multiple programs included within it. Senate Bill (SB) 375, which went into effect in 2009, added statutes to the California Government Code to encourage planning practices that create sustainable

communities. It calls for each metropolitan planning organization to prepare a Sustainable Communities Strategy (SCS) as an integrated element of the RTP that is to be updated every four years. The SCS is intended to show how integrated land use and transportation planning can lead to lower greenhouse gas (GHG) emissions from autos and light trucks. Fresno COG has included the SCS in its 2022 RTP.

Transportation Conformity. FCOG must ensure that transportation plans and projects comply with Federal Transportation Conformity. Transportation conformity is a way to ensure that Federal funding and approval are given to those transportation activities that are consistent with air quality goals. It ensures that these transportation activities do not worsen air quality or interfere with the "purpose" of the State Implementation Plan, which is to meet the NAAQS. Meeting the NAAQS often requires emissions reductions from mobile sources. According to the Clean Air Act, transportation plans, programs, and projects cannot:

- Create new NAAQS violations;
- Increase the frequency or severity of existing NAAQS violations; or
- Delay attainment of the NAAQS.

In practice, air quality plans include criteria pollutant emission budgets required for attainment of air quality standards by mandated deadlines. The budgets must not be exceeded considering projected growth in mobile source activity. The FCOG 2024 Conformity Analysis determined that the conformity tests for ozone, PM_{10} and $PM_{2.5}$ revealed that all years are projected to be less than the approved emissions budgets and, as such, the conformity tests are satisfied.[11]

4.1.3.4 Local Policies and Regulations

The following is a summary of the applicable policies included in the City's approved General Plan that are related to air quality and applicable to the proposed project.

City of Fresno General Plan. The approved General Plan is a set of policies and programs that form a blueprint for the physical development of the City. The following objectives and policies related to air quality are presented in various elements of the approved General Plan:

Resource Conservation and Resilience Element.

Objective RC-4: In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, take necessary actions to achieve and maintain compliance with State and federal air quality standards for criteria pollutants.

Policy RC-4-a: Support Regional Efforts. Support and lead, where appropriate, regional, State and federal programs and actions for the improvement of air quality, especially the SJVAPCD's efforts to monitor and control air pollutants from both stationary and mobile

[11] Fresno Council of Governments (FCOG). 2024. *Conformity Analysis For the 2025 Federal Transportation Improvement and the 2022 Regional Transportation Plan Amendment No. 4.* Website: https://www.fresnocog.org/wp-content/uploads/2023/11/Final-FresnoCOG-2025-FTIP-Conformity-Boilerplate_05312024-1.pdf (accessed June 10, 2025).

sources and implement Reasonably Available Control Measures in the Ozone Attainment Plan.

Policy RC-4-b: Conditions of Approval. Develop and incorporate air quality maintenance requirements, compatible with Air Quality Attainment and Maintenance Plans, as conditions of approval for General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals.

Policy RC-4-c: Evaluate Impacts with Models. Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.

Policy RC-4-d: Forward Information. Forward information regarding proposed General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals that require air quality evaluation, and amendments to development regulations to the SJVAPCD for their review of potential air quality and health impacts.

Policy RC-4-e: Support Employer-Based Efforts. Support and promote employer implementation of staggered work hours and employee incentives to use carpools, public transit, and other measures to reduce vehicular use and traffic congestion.

Policy RC-4-f: Municipal Operations and Fleet Actions. Continue to control and reduce air pollution emissions from vehicles owned by the City and municipal operations and facilities by undertaking the following:

- Expand the use of alternative fuel, electric, and hybrid vehicles in City fleets.
- Create preventive maintenance schedules that will ensure efficient engine operation.
- Include air conditioning recycling and charging stations in the City vehicle maintenance facilities, to reduce Freon gases being released into the atmosphere and electrostatic filtering systems in City maintenance shops, when feasible or when required by health regulations.
- Use satellite corporation yards for decentralized storage and vehicle maintenance.
- Convert City-owned emergency backup generators to natural gas fuels whenever possible, and create an advanced energy storage system.

Policy RC-4-j: All Departments. Continue to develop and implement in all City departments, operational policies to reduce air pollution.

Policy RC-4-k: Electric Vehicle Charging. Develop standards to facilitate electric vehicle charging infrastructure in both new and existing public and private buildings, in order to accommodate these vehicles as the technology becomes more widespread.

Healthy Communities Element.

Policy HC-3-b: Housing-Related Illness Assessment and Testing. Support efforts to provide community assessment and testing programs for housing-related illnesses (i.e., blood lead levels, respiratory health, and skin conditions).

Policy HC-3-d: Green Standards for Affordable Housing. Provide appropriate incentives for affordable housing providers, agencies, non-profit, and market rate developers to use LEED and CALGreen Tier 1 or Tier 2 standards or third-party equivalents.

Policy HC-3-f: New Drive-Through Facilities. Incorporate design review measures in the Development Code to reduce vehicle emissions resulting from queued idling vehicles at drive-through facilities proximate to residences.

4.1.4 Significance Criteria

The thresholds for impacts to air quality used in this analysis are consistent with Appendix G of the *State CEQA Guidelines*. The implementation of the Specific Plan Update would result in a significant impact related to air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The SJVAPCD is the applicable air pollution control district for the SJVAB, which includes the city of Fresno and the Tower District. The SJVAPCD has adopted thresholds of significance in its GAMAQI that are used where appropriate in the following analysis. While the final determination of whether a project is significant is within the purview of the Lead Agency pursuant to Section 15064(b) of the *State CEQA Guidelines*, SJVAPCD recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions. If the City as Lead Agency finds that the project has the potential to exceed these air pollution thresholds, the project will be considered to have significant air quality impacts.

4.1.4.1 Regional Emissions Thresholds

A threshold of significance is defined by the SJVAPCD in its GAMAQI[12] as an identifiable quantitative, qualitative, or performance level of a particular environmental effect. Non-compliance with a

[12] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015a. *Guidance for Assessing and Mitigating Air Quality Impacts*. March 19. Website: www.valleyair.org/transportation/ceqa_idx.htm (accessed June 2025).

threshold of significance means the effect will normally be determined to be significant. Compliance with a threshold of significance means the effect normally will be determined to be less than significant. The SJVAPCD has established thresholds of significance for criteria pollutant emissions generated during construction and operation of projects as shown in Table 4.1.F, below.

Table 4.1.F: SJVAPCD Construction and Operation Thresholds of Significance (Tons per Year)

	CO	NO_x	ROG	SO_x	PM_{10}	$PM_{2.5}$
Construction Thresholds	100	10	10	27	15	15
Operation Thresholds	100	10	10	27	15	15

Source: *Guidance for Assessing and Mitigating Air Quality Impacts* (SJVAPCD 2015a).
CO = carbon monoxide
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ROG = reactive organic gas
SJVAPCD = San Joaquin Valley Air Pollution Control District
SO_x = sulfur oxides

The emissions thresholds in the SJVAPCD GAMAQI were established based on the attainment status of the air basin in regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety, these emission thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

4.1.4.2 Health Risk Thresholds

Both the State and federal governments have established health-based Ambient Air Quality Standards (AAQS) for seven air pollutants. For other air pollutants without defined significance standards, the definition of substantial pollutant concentrations varies. For TACs, "substantial" is taken to mean that the individual health risk exceeds a threshold considered to be a prudent risk management level.

The following limits for maximum individual cancer risk (MICR) and noncancer acute and chronic Hazard Index (HI) from project emissions of TACs are considered appropriate for use in determining the health risk for projects in the SJVAB:

- **MICR:** MICR is the estimated probability of a maximally exposed individual (MEI) contracting cancer as a result of exposure to TACs over a period of 70 years for adults and 9 years for children in residential locations, 350 days per year. The SJVAPCD's *Update to the District's Risk Management Policy to Address the OEHHA Revised Risk Assessment Guidance Document* states that emissions of TACs are considered significant if an HRA shows an increased risk of greater than 20 in 1 million.

- **Chronic HI:** Chronic HI is the ratio of the estimated long-term level of exposure to a TAC for a potential MEI to its chronic reference exposure level. The chronic HI calculations include multi-pathway consideration when applicable. The project would be considered significant if the cumulative increase in total chronic HI for any target organ system would exceed 1.0 at any receptor location.

- **Acute HI:** Acute HI is the ratio of the estimated maximum 1-hour concentration of a TAC for a potential MEI to its acute reference exposure level. The project would be considered significant if the cumulative increase in total acute HI for any target organ system would exceed 1.0 at any receptor location.

4.1.5 Impacts and Mitigation Measures

The following section presents a discussion of the impacts related to air quality that could result from implementation of the Specific Plan Update. The section begins with the criteria of significance, which establish the thresholds to determine if an impact is significant. The latter part of this section presents the impacts associated with implementation of the Specific Plan Update and the recommended mitigation measures, if required. Mitigation measures are recommended, as appropriate, for significant impacts to eliminate or reduce them to a less than significant level. Cumulative impacts are also addressed.

4.1.5.1 Project Impacts

The following discussion describes the potential impacts related to air quality that could result from the implementation of the Specific Plan Update.

AIR-1 The proposed project would/would not conflict with or obstruct implementation of the applicable air quality plan.

The proposed project was assessed to determine if the impacts from implementation of the Specific Plan Update would conflict with or obstruct the implementation of the applicable attainment plan. As defined above, the proposed project is the buildout facilitated by implementation of the Specific Plan Update. Buildout is predicted to occur at growth rates consistent with those used by the SJVAPCD to develop plans for all nonattainment pollutants in the SJVAB. The growth rate used for this analysis results in buildout by the year 2046.

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a nonattainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards. To bring the San Joaquin Valley into attainment, the SJVAPCD adopted the 2022 Plan for the 2015 8-hour ozone standard in December 2022 to satisfy Clean Air Act requirements and ensure attainment of the 70 parts per billion (ppb) 8-hour ozone standard.

To ensure the SJVAB's continued attainment of the USEPA PM_{10} standard, the SJVAPCD adopted the 2007 PM_{10} Maintenance Plan in September 2007.[13] The SJVAPCD adopted the 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards in November 2018 to address the USEPA 1997 annual $PM_{2.5}$

[13] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2007. *2007 PM_{10} Maintenance Plan and Request for Redesignation*. Website: www.valleyair.org/Air_Quality_Plans/docs/Maintenance%20Plan10-25-07.pdf (accessed July 2025).

standard of 15 micrograms per cubic meter ($\mu g/m^3$) and 24-hour $PM_{2.5}$ standard of 65 $\mu g/m^3$, the 2006 24-hour $PM_{2.5}$ standard of 35 $\mu g/m^3$, and the 2012 annual $PM_{2.5}$ standard of 12 $\mu g/m^3$.[14]

CEQA requires that certain proposed projects be analyzed for consistency with the applicable air quality plan as it relates to a region's non-attainment status. An air quality plan describes air pollution control strategies to be implemented in a non-attainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards. As discussed above, the SJVAB is designated as non-attainment for O_3 and $PM_{2.5}$ for federal standards and non-attainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards. Therefore, to bring the SJVAB into attainment, the SJVAPCD adopted the 2022 Plan for the 2015 8-Hour Ozone Standard in December 2022 to satisfy Clean Air Act requirements and ensure attainment of the 75 ppb 8-hour ozone standard.

To assure the SJVAB's continued attainment of the USEPA PM_{10} standard, the SJVAPCD adopted the 2007 PM_{10} Maintenance Plan in September 2007. SJVAPCD Regulation VIII (Fugitive PM_{10} Prohibitions) is designed to reduce PM_{10} emissions generated by human activity. The SJVAPCD adopted the 2018 plan for the 1997, 2006, and 2012 $PM_{2.5}$ standards to address the USEPA federal annual $PM_{2.5}$ standard of 12 $\mu g/m^3$, established in 2012.

For a project to be consistent with 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.

As discussed below, construction of the proposed project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance. In addition, as discussed below and shown in Table 4.1.H, 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.

In addition, reductions anticipated from existing regulations and adopted control measures will result in emissions continuing to decline. The proposed project would allow for implementation of the City's sustainability efforts that reduce motor vehicle use and energy consumption. This is accomplished with more compact development achieved by increasing development density and by providing a land use pattern and transportation infrastructure more supportive of public transportation, walking, and bicycling. The City also participates in regional planning efforts and works closely with FCOG in developing Regional Transportation Plans and capital improvement plans. These efforts contribute to the attainment strategy for the SJVAB.

[14] San Joaquin Valley Air Pollution Control District (SJVAPCD). 2018. *2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards*. November 15. Website: http://valleyair.org/pmplans/documents/2018/pm-plan-adopted/2018-Plan-for-the-1997-2006-and-2012-PM2.5-Standards.pdf (accessed July 2025).

Furthermore, the SJVAPCD has adopted rules and regulations specifically designed to reduce the impacts of growth on the applicable air quality plans. For example, Rule 9510, Indirect Source Review, was adopted to provide emission reductions needed by the SJVAPCD to demonstrate attainment of the federal PM_{10} standard and contribute to reductions that assist in attaining federal ozone standards. Rule 9510 also contributes toward attainment of State standards for these pollutants. The SJVAPCD's Regulation VIII, Fugitive PM_{10} Prohibitions, requires controls for sources of particulate matter necessary for attaining the federal PM_{10} standards and achieving progress toward attaining the State PM_{10} standards. Rule 2201, New and Modified Stationary Source Review, requires new and modified stationary/industrial sources provide emission controls and offsets that ensure that stationary sources decline over time and do not impact the applicable air quality plans. Development associated with the proposed project would comply with these rules and regulations providing additional support for the conclusion that it would not interfere or obstruct with the application of the attainment plans.

Therefore, the proposed project's potential air quality impacts from construction and operation would not exceed any applicable threshold of significance and would not conflict with or obstruct the applicable Clean Air Plan. Therefore, the proposed project's potential impacts on the applicable air quality plan are less than significant. No mitigation would be required.

Level of Significance Without Mitigation: Less than Significant Impact

AIR-2 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.

Construction activities would generate emissions at the site from off-road construction equipment, and on roadways as a result of construction-related truck hauling, vendor deliveries, and worker commuting. Operational activities would also generate emissions within the Specific Plan Area from miscellaneous on-site sources, such as natural gas combustion for cooking, heating, and landscaping equipment, and from operational-related traffic. This analysis utilized the California Emissions Estimator Model (CalEEMod) version 2022.1 to quantify the criteria pollutant emissions for both construction and operation of the proposed project. The maximum daily emissions are calculated for the criteria pollutants. The CalEEMod outputs are contained in Appendix E of this EIR, *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report* (LSA 2025a)[15] (Air Quality, GHG, and Energy Analysis Report).

Guidance from the United States Environmental Protection Agency (USEPA), the California Air Resources Board (CARB), and the SJVAPCD, and emissions modeling software (specifically, CalEEMod[16]) were used to calculate the criteria pollutant emissions from the proposed project.

15 LSA Associates, Inc. (LSA). 2025a. *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report.*

16 California Air Pollution Control Officers Association (CAPCOA). 2017. California Emissions Estimator Model. Version 2016.3.2. Website: http://www.caleemod.com/ (accessed July 2025).

The SJVAB is designated as non-attainment for O_3 and $PM_{2.5}$ for federal standards and non-attainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards. The SJVAPCD's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SJVAPCD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Although these thresholds are intended for use on individual development projects, no other quantitative plan level threshold has been adopted. Implementation of the proposed project would provide for the development of numerous individual development projects that would 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 following analysis assesses the potential impacts associated with the buildout of the proposed project that would result in air pollutant emissions from short-term construction activities and long-term project operation.

Construction. During construction, short-term degradation of air quality may occur due to the release of particulate emissions generated by grading, paving, building, and other activities. Emissions from construction equipment are also anticipated and would include CO, NO_x, ROG, directly-emitted particulate matter ($PM_{2.5}$ and PM_{10}), and TACs such as diesel exhaust particulate matter.

Construction activities associated with implementation of the proposed project would include site preparation, grading, paving, and building activities. Construction-related effects on air quality from the proposed project would be greatest during the site preparation phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of operating equipment. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. The SJVAPCD has implemented Regulation VIII measures for reducing fugitive dust emissions (PM_{10}). Consistent with SJVAPCD Regulation VIII (Fugitive PM_{10} Prohibitions), the following controls are required to be included as specifications for the proposed project and implemented at

the construction site. With the implementation of Regulation VIII measures, fugitive dust emissions from construction activities would not result in adverse air quality impacts.

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/ suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.

- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained.

- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)

- Following the addition of materials to, or the removal of materials from, the surface of out-door storage piles, said piles shall be effectively stabilized of fugitive dust emission utilizing sufficient water or chemical stabilizer/suppressant.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, ROG, and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles idle in traffic. These emissions would be temporary in nature and limited to the immediate area surrounding the construction site.

Construction emissions for the proposed project were analyzed using CalEEMod. Buildout of the proposed project would occur over a 20-year period beginning with the adoption of the plan in 2026. However, the exact construction schedule is not yet known. Therefore, to provide a conservative estimate of the emissions that could occur due to construction activities, this analysis assumes that future construction will begin in January 2026 and be operational in 2046. Construction phases are expected to occur consecutively; therefore, this analysis evaluates construction emissions as a whole and not per phase. Site preparation would include removal of rocks, debris, and vegetation from the Specific Plan Area. Grading operation is anticipated to be balanced on-site and would not require import or export of materials, which was included in CalEEMod. In addition, this analysis assumes that the proposed project would be constructed using Tier 2 construction equipment, which was included in CalEEMod. Other precise details of construction activities are unknown at this time; therefore, default assumptions (e.g., construction

worker and truck trips and construction fleet activities) from CalEEMod were used. Construction-related emissions are presented in Table 4.1.G. CalEEMod output sheets are included in Appendix E in the Air Quality, GHG, and Energy Analysis Report (LSA 2025a).[17]

Table 4.1.G: Project Construction Emissions (tons per year)

Project Construction Year	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
2026	0.1	5.1	3.7	<0.1	1.1	0.6
2027	0.2	6.1	4.4	<0.1	0.8	0.4
2028	0.7	5.1	7.5	<0.1	1.3	0.4
2029	1.0	4.1	9.1	<0.1	1.9	0.5
2030	0.9	4.0	8.6	<0.1	1.9	0.5
2031	0.9	3.9	8.2	<0.1	1.9	0.5
2032	0.8	3.8	7.9	<0.1	1.9	0.5
2033	0.8	3.8	7.9	<0.1	1.9	0.5
2034	0.8	3.8	7.2	<0.1	1.9	0.5
2035	0.7	3.7	7.0	<0.1	1.9	0.5
2036	0.7	3.7	6.8	<0.1	1.9	0.5
2037	0.7	3.6	6.6	<0.1	1.9	0.5
2038	0.6	3.6	6.4	<0.1	1.9	0.5
2039	0.6	3.6	6.3	<0.1	1.9	0.5
2040	0.6	3.5	6.1	<0.1	1.9	0.5
2041	0.6	3.5	6.1	<0.1	1.9	0.5
2042	0.5	3.5	6.0	<0.1	1.9	0.5
2043	0.5	3.2	5.2	<0.1	1.6	0.4
2044	2.8	1.2	1.2	<0.1	0.2	0.1
2045	8.5	0.2	0.8	<0.1	0.3	0.1
2046	0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Maximum Annual Construction Emissions	**8.5**	**6.1**	**9.1**	**<0.1**	**1.9**	**0.5**
SJVAPCD Thresholds	10.0	10.0	100.0	27.0	15.0	15.0
Exceeds?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Compiled by LSA (July 2025).
CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SO_X = sulfur oxides
VOCs = volatile organic compounds

As shown in Table 4.1.G, construction emissions for the proposed project would not exceed the SJVAPCD annual threshold for construction emissions.

The buildout associated with the proposed project would result in numerous potentially 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 provide a reasonable method for determining an annual contribution rate for construction emissions. Emissions from construction

[17] LSA Associates, Inc. (LSA). 2025a. *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report.*

activities are expected to decline over time as new cleaner equipment replaces older higher emitting equipment.

Furthermore, SJVAPCD and State regulations have been created to reduce construction emissions. 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. 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. The SJVAPCD indicates that the control measures in Regulation VIII are required by regulation for all construction sites to reduce fugitive dust emissions. These control measures are intended to reduce the amount of PM_{10} 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. The GAMAQI also 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.

The CARB has also 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 CARB also adopted the in-use off-road diesel vehicle regulation requiring NO_x and PM_{10} emission reductions from equipment and vehicles currently in operation. CARB 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 they are still needed to attain the air quality standards. The CARB 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.

Furthermore, Rule 9510 – Indirect Source Review requires projects to reduce exhaust related construction emissions by 20 percent for NO_x and by 50 percent for PM_{10}; however, significance for these emissions is based on whether projects exceed the SJVAPCD annual quantitative thresholds.

Therefore, construction associated with implementation of the proposed project would result in a less than significant impact related to a cumulative considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard. Compliance with SJVAPCD regulatory measures would further reduce construction emissions to a less than significant level. Therefore, construction of the proposed project would result in a less than significant impact. No mitigation would be required.

Operation. Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment.

Mobile source emissions include VOC and NO_X emissions that contribute to the formation of ozone. Additionally, PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways.

Energy source emissions result from activities in buildings for which electricity and natural gas are used. The quantity of emissions is the product of usage intensity (i.e., the amount of electricity or natural gas) and the emission factor of the fuel source. It is not yet known whether the proposed project would utilize natural gas. As described in Section 4.4 Greenhouse Gas Emissions, future development projects would need to implement Mitigation Measure GHG-1, which would require projects to incorporate project design measures consistent with the 2022 Scoping Plan GHG requirements, including limiting the use of natural gas in new development. However, consistent with existing buildings that use natural gas and in order to provide a more conservative analysis, this analysis conservatively assumes that natural gas will continue to be used by existing buildings and is included as part of the project operations.

Area source emissions consist of direct sources of air emissions located at a project site, including architectural coatings and the use of landscape maintenance equipment.

The proposed project would implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth. The proposed project would promote more mixed-use development along commercial corridors served by transit by creating corridor/center mixed use and neighborhood mixed use areas, specifically on Blackstone Avenue and Shields Avenue. This would allow for ground level commercial uses fronting public streets and sidewalks, while residential uses would be located above or behind. This would continue to promote the walkability of the Tower District and reduction of vehicle miles traveled while allowing for greater residential development.

Consistent with the SJVAPCD guidance for estimating emissions associated with land use development projects, CalEEMod was used to calculate the long-term operational emissions associated with the proposed project. The proposed project analysis was conducted using land use codes *Single Family Housing, Apartments Low Rise, Industrial Park, and Strip Mall*. Trip generation rates used in CalEEMod for the proposed project were based on the project's trip generation described in Section 4.17, Transportation, of the Initial Study (included in Appendix C of this EIR), which identifies that the proposed project would generate approximately 39,055 average daily traffic (ADT), which was included in CalEEMod. It is not yet known whether the proposed project would utilize natural gas; therefore, this analysis conservatively assumes that natural gas will be included as part of the project operations. In addition, this analysis assumes the proposed project would be operational in 2046, which is included in CalEEMod. Where project-specific data were not available, default assumptions (e.g., energy usage, water usage, and solid waste generation) from

CalEEMod were used to estimate project emissions. CalEEMod output sheets are included in Appendix E in the Air Quality, GHG, and Energy Analysis Report.[18]

The majority of the area within the Specific Plan Area is already developed and not expected to change. However, implementation of the proposed project would allow for future development projects in the Tower District Specific Plan Area that would result in potential increase in planned residential uses and a decrease in commercial land uses when compared to the 1991 Specific Plan and General Plan approved land uses. Therefore, long-term operational emissions associated with those land uses were also evaluated in CalEEMod. The existing land use designations in the Tower District include a mix of residential, commercial, public institutions, and pockets of industrial uses. Therefore, this analysis was conducted using land use codes *Single Family Housing, Apartments Low Rise, Industrial Park, and Strip Mall*. Trip generation rates used in CalEEMod were based on the trip generation described in Section 4.17, Transportation, which identifies that the buildout of the 1991 Specific Plan and General Plan would generate approximately 36,054 ADT, which was included in CalEEMod. This analysis assumes an operational year of 2046, which is included in CalEEMod. Where project-specific data were not available, default assumptions (e.g., energy usage, water usage, and solid waste generation) from CalEEMod were used to estimate project emissions. CalEEMod output sheets are included in Appendix E, in the Air Quality, GHG, and Energy Analysis Report (LSA 2025a).[19] The estimated operational emissions for the proposed project and the estimated emissions associated with the Approved Specific Plan are shown in Table 4.1.H.

Table 4.1.H: Estimated Operational Emissions (tons per year)

Emission Source	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Approved Specific Plan – Existing Emissions						
Mobile	22.6	19.3	131.8	0.3	24.2	6.3
Area	17.1	1.2	35.1	0.1	3.0	2.9
Energy	0.2	3.7	1.9	<0.1	0.3	0.3
Total Existing Emissions	**39.8**	**24.2**	**168.8**	**0.4**	**27.5**	**9.5**
Proposed Project Emissions						
Mobile	12.2	11.2	78.5	0.2	25.5	6.6
Area	17.9	0.2	17.6	<0.1	<0.1	<0.1
Energy	0.3	4.4	2.3	<0.1	0.4	0.4
Total Proposed Project Emissions	**30.4**	**15.8**	**98.4**	**0.2**	**25.9**	**7.0**
Total Net Emissions (Proposed Project – Existing Emissions)	**-9.4**	**-8.4**	**-70.4**	**-0.2**	**-1.6**	**-2.5**
SJVAPCD Thresholds	**10.0**	**10.0**	**100.0**	**27.0**	**15.0**	**15.0**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Compiled by LSA (July 2025).
CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SO_X = sulfur oxides
VOCs = volatile organic compounds

18 LSA Associates, Inc. (LSA). 2025a. *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report.*

19 Ibid.

The results in Table 4.1.H indicate the total net operational emissions would not exceed the significance criteria for annual ROG, NO_x, CO, SO_x, PM_{10}, or $PM_{2.5}$ emissions. The air quality impacts associated with future operation of individual projects that may occur with implementation of the proposed project would be required to prepare project specific technical assessments evaluating operational-related air quality impacts to further ensure that operational-related emissions are reduced to the maximum extent feasible for projects that require environmental evaluation under CEQA.

Since the 1991 Specific Plan (Approved Specific Plan), there has been a shift to mandate clean energy (such as solar, hydroelectric, wind, and nuclear sources), resulting in reductions in air quality emissions in addition to trip reduction and energy conservation measures. The State and the SJVAPCD would continue to adopt additional regulations on most sources of emissions to be implemented during the proposed project buildout period and result in much greater reductions than is predicted with the adopted regulations. In addition, expanded use of renewable fuels, zero emission vehicles, and replacing combustion sources with electrically powered alternatives will also result in reductions in criteria pollutant emissions. Various policies of the Fresno General Plan and the proposed Specific Plan Update would promote complete streets, mixed-use and transit-oriented neighborhoods, and increased capacity for alternative transportation modes, which would help further reduce air pollutant emissions. Implementation of the proposed project would also be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24 and CALGreen Code standards which establish minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting, which would reduce energy usage.

Therefore, operation of the proposed project would result in a less-than-significant impact related to a cumulatively considerable net increase of any criteria pollutant for which the proposed project region is in nonattainment under an applicable federal or State ambient air quality standard. Impacts would be less than significant, and no mitigation would be required.

Level of Significance Without Mitigation: Less than Significant Impact

AIR-3 The proposed project would expose sensitive receptors to substantial pollutant concentrations.

Localized Health Risk. Proposed projects associated with the implementation of the proposed project that would emit TACs would require review under SJVAPCD rules and regulations or review under CEQA, especially if located near sensitive receptors. Projects with sensitive receptors proposed near localized sources of TAC emissions (e.g., residents to be located near major roadways or stationary sources) could expose new sensitive populations to TACs and other air pollutants. According to the CARB and SJVAPCD, exposure to elevated levels of TACs contribute to elevated health risks. The CARB recommends that buffers should be included to avoid exposure of sensitive receptors to TAC sources. Risk levels drop dramatically beyond 500 feet from a source due to dispersion of emissions with distance.

It should be noted that the amount of emissions from a project does not necessarily correspond to the concentrations of air pollutants. A dispersion modeling analysis would be necessary to calculate

health risk from project implementation. However, since it is not possible to translate the amount of an unknown future specific project's emissions to a particular concentration, it is not possible to calculate the risk factor for a particular health effect at the time of this analysis.

Known health effects related to ozone include worsening of bronchitis, asthma, and emphysema and a decrease in lung function. Particulate matter can also lead to a variety of health effects in people. These include premature death of people with heart or lung disease, heart attacks, irregular heartbeat, decreased lung function, and increased respiratory symptoms.

Regional emissions of criteria pollutants contribute to these known health effects. The SJVAPCD is the primary agency responsible for ensuring the health and welfare of sensitive individuals and that they are not exposed to elevated concentrations of criteria pollutants in the SJVAB. The SJVAPCD's numeric regional mass daily emission thresholds are based in part on Section 180 (e) of the CAA. The numeric regional mass daily emission thresholds are intended to provide a means of consistency in significance determination within the environmental review process. To achieve the health-based standards established by the USEPA, the SJVAPCD prepares an AQMP that details regional programs to attain the ambient air quality standards.

Notwithstanding, simply exceeding the SJVAPCD's numeric regional mass daily emission thresholds does not constitute a particular health impact to an individual nearby. The reason for this is that the mass daily emission thresholds are in tons/year emitted into the air, whereas health effects are determined based on the concentration of a pollutant in the air at a particular location (e.g., ppm by volume of air or µg/$m^3$of air). CAAQS and NAAQS were developed to protect the most susceptible population groups from adverse health effects and were established in terms of ppm or µg/m^3 for the applicable emissions.

As shown in Table 4.1.G and Table 4.1.H, project emissions would not be expected to exceed the most stringent applicable NAAQS or CAAQS for NO_X, $PM_{2.5}$, and PM_{10}. It should be noted that the AAQS are developed and represent levels at which the most susceptible persons (children and the elderly) are protected. In other words, the AAQS are purposefully set low to protect children, the elderly, and those with existing respiratory problems. Furthermore, air quality trends for emissions of NO_X, VOCs, and O_3 (which is a byproduct of NO_X and VOCs) have been trending downward within the SJVAB even as development has increased over the last several years. Therefore, implementation of the Specific Plan Update is not expected to result in any SJVAB-wide increase in health effects.

As noted in the Brief of Amicus Curiae by the SJVAPCD (2015), the SJVAPCD has acknowledged that currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts. (See page 4 of the SJVAPCD Brief of Amicus Curiae.)

Additionally, the SJVAPCD acknowledges that health effects quantification from O_3, as an example, is correlated with the increases in ambient level of O_3 in the air (concentration) that an individual person breathes. The SJVAPD indicates that it would take a large amount of additional emissions to result in a modeled increase in ambient O_3 levels over the entire region. As such, it is not currently possible to accurately quantify O_3-related health impacts caused by NO_X or VOC emissions from

relatively small projects (defined as projects with a regional scope) due to photochemistry and regional model limitations.

Therefore, the project's emissions are not sufficiently high to use a regional modeling program to correlate health effects on a Basin-wide level. Further, the SJVAPCD acknowledges the same:

> "…the Air District is simply not equipped to analyze and to what extent the criteria pollutant emissions of an individual CEQA project directly impact human health in a particular area…even for projects with relatively high levels of emissions of criteria pollutant precursor emissions." (See page 8 of the SJVAPCD Brief of Amicus Curiae.)

The SJVAPCD Brief of Amicus Curiae is incorporated by reference into this environmental documentation for this project. Current scientific, technological, and modeling limitations prevent the relation of expected adverse air quality impacts to likely health consequences.

Since the results shown in Table 4.1.H indicate the proposed project's operational emissions would not exceed significance criteria, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the proposed project region is in nonattainment under an applicable federal or State ambient air quality standard. The State and federal ambient air quality standards were established to protect public health. Therefore, since the significance criteria was set at a level to protect public health, the proposed project would not generate operational emissions that would result in impacts to public health.

Toxic Air Contaminant Emissions. Emissions of TACs would be controlled through permits issued by SJVAPCD and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits. Since it is not possible to determine the amount of TAC concentrations at the time of this analysis, it is not possible to calculate the risks for a particular health effect within the Specific Plan Area. The proposed project is a programmatic project and until specific future projects are proposed, the associated TAC emissions cannot be determined or modeled at this time. Future development projects subject to environmental review under CEQA would be required to analyze potential TAC emissions and include mitigation as appropriate.

During construction and operation, the proposed project could result in emissions of several TACs that could potentially impact nearby sensitive receptors. The SJVAPCD has defined health risk significance thresholds. These thresholds are represented as a cancer risk to the public and a non-cancer hazard from exposures to TACs. Cancer risk represents the probability (in terms of risk per million individuals) that an individual would contract cancer resulting from exposure to TACs continuously over a period of several years. The SJVAPCD's latest threshold of significance for TAC emissions is an increase in cancer risk for the maximally exposed individual of 20 in a million (formerly 10 in a million). Exposures to TACs can also result in both short-term (acute) or long-term (chronic) non-cancer health impacts. Such impacts could include illnesses related to reproductive effects, respiratory effects, eye sensitivity, immune effects, kidney effects, blood effects, central nervous system, birth defects, or other adverse environmental effects.

Project construction would involve the use of diesel-fueled vehicles and equipment that emit DPM, which is considered a TAC. Industrial land uses, such as chemical processing facilities, chrome-

plating facilities, dry cleaners, and gasoline-dispensing facilities, have the potential to be substantial stationary sources that would require a permit from the SJVAPCD for emissions of TACs. The proposed project would allow for commercial and light industrial land uses that may include dry cleaners and gasoline-dispensing facilities. Emissions of TACs would be controlled through permits issued by the SJVAPCD and would be subject to further study and an HRA prior to the issuance of any necessary air quality permits. In addition to stationary/area sources of TACs, commercial and industrial operations could generate a substantial amount of diesel particulate matter emissions from off-road equipment use and truck idling. Land use projects are required to comply with AB 2588 and CARB standards for diesel engines. As stated above, until specific future projects are proposed, the associated emissions cannot be determined or modeled at this time. However, mitigation has been identified so that future projects would be subject to environmental review under CEQA and would be required to analyze potential emissions and include mitigation as appropriate.

Siting of Sensitive Receptors. Because placement of sensitive land uses falls outside CARB's jurisdiction, CARB developed and approved the 2005 Air Quality and Land Use Handbook[20] address the siting of sensitive land uses in the vicinity of freeways, distribution centers, rail yards, ports, refineries, chrome-plating facilities, dry cleaners, and gasoline-dispensing facilities. This guidance document was developed to assess compatibility and associated health risks when placing sensitive receptors near existing pollution sources.

CARB's recommendations for the siting of new sensitive land uses were based on a compilation of recent studies that evaluated data on the adverse health effects from proximity to air pollution sources. The key observation in these studies is that proximity to air pollution sources substantially increases both exposure and the potential for adverse health effects. Respiratory and cardiovascular problems including asthma, lung cancer, and premature death have been associated with living near major roadways and freeways.[21] Children who live near major roadways and freeways have been found to have higher asthma rates and reduced lung function.[22] There are three carcinogenic toxic air contaminants that constitute the majority of the known health risks from motor vehicle traffic: DPM from trucks and benzene and butadiene from passenger vehicles. Exposure to DPM accounts for more than 80 percent of the total carcinogenic risk in the SJVAB.[23] It has been found that outdoor concentrations are highest near the roadway and decrease with increasing distance downwind of the source.[24] CARB recommends avoiding siting new sensitive land uses within 500

[20] California Air Resources Board (CARB). 2005. *Air Quality and Land Use Handbook: A Community Health Perspective.* April.

[21] Balmes, J.R., Earnest, G., Katz, P.P., Yelin, E.E., Eisner, M.D., Chen, H., Trupin, L., Lurmann, F., and Blanc, P.D. 2009. *Exposure to traffic: Lung function and health status of adults with asthma. The Journal of Allergy and Clinical Immunology*, 123(3):626–631.

[22] California Air Resources Board (CARB). 2013. Overview of the Children's Health Study. Website: https://ww2.arb.ca.gov/resources/documents/childrens-health-study (accessed July 2025).

[23] South Coast Air Quality Management District (SCAQMD). 2008. *Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES III).* September.

[24] Zhu, Y., Hinds, W.C., Kim, S., Shen, S., and Sioutas, C. 2002. *Study of ultrafine particles near a major roadway with heavy-duty diesel traffic*. Atmospheric Environment, 36(27):4323-4335.

feet of urban roads with more than 100,000 vehicles per day or rural roads with more than 50,000 vehicles per day.[25]

Table 4.1.I shows a summary of the other CARB recommendations for siting new sensitive land uses within the vicinity of air pollutant sources. Recommendations in the table are based on data that show that localized air pollution exposures can be reduced by as much as 80 percent by following CARB minimum distance separations.

Table 4.1.I: CARB Recommendations for Siting New Sensitive Land Uses

Source/Category	Advisory Recommendations
Freeways and High-Traffic Roads	Avoid siting 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.
Distribution Centers	Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units [TRUs] per day, or where TRU unit operations exceed 300 hours per week). Take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points.
Rail Yards	Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. Within 1 mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	Avoid siting new sensitive land uses immediately downwind of ports in the most heavily affected zones. Consult local air districts or CARB on the status of pending analyses of health risks.
Refineries	Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.
Chrome Platers	Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry Cleaners using Perchloroethylene	Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with three or more machines, consult with the local air district. Do not site new sensitive land uses in the same building with perchloroethylene dry cleaning operations.
Gasoline Dispensing Facilities	Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for typical gas dispensing facilities.

Source: CARB (2005).
CARB = California Air Resources Board

New sensitive receptors, such as proposed residential uses, could be sited within the buffer distances (shown in Table 4.1.I) to TAC sources associated with areas designated for commercial and industrial operations. CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents. However, as with other laws and regulations enforced by other agencies that protect public health and safety, the City, as the Lead Agency, has authority other than CEQA to require measures to protect public health and safety.

[25] California Air Resources Board (CARB). 2005. *Air Quality and Land Use Handbook: A Community Health Perspective.* April.

Future development associated with the implementation of the proposed project would be required to comply with AB 2588, and CARB standards for diesel engines. While existing City policies and regulations are intended to minimize impacts associated with sensitive receptors, mitigation measures for future project developments that implement these policies and regulations are identified to ensure that the intended environmental protections are achieved.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact AIR-1: The proposed project would expose sensitive receptors to substantial pollutant concentrations.

Mitigation Measure AIR-1a Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical health risk assessment (HRA) evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology for assessing construction impacts. If construction-related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, project applicants for new development projects shall be required to incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. Mitigation measures can include, but are not limited to:

- Maintain construction equipment and provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [CCR Title 13, Sections 2449 and 2449.1] to SJVAPCD; and

- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. Documentation of a certified mechanic's inspection and determinations shall be maintained by the Construction Manager and available for City inspection upon reasonable request.

The identified measures shall be included as part of the project Conditions of Approval. If the recommendations of the HRA are insufficient to reduce impacts to levels at or below SJVAPCD's threshold of 20 in one million, such development with significant cancer risk (i.e., that exceed that threshold) shall be prohibited.

Mitigation Measure AIR-1b

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), the City of Fresno (City) shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a HRA to the City Department of Development and Resource Management. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to an acceptable level. T-BACTs may include, but are not limited to:

- Restrict idling on site by shutting equipment off when not in use or reducing idling time to 3 minutes as enforced by an identified compliance officer within the construction crew. Idling restrictions shall be enforced by highly visible posting at the site entry, posting at other on-site locations frequented by truck drivers, conspicuous inclusion in employee training and guidance material and owner, operator or tenant direct action as required;

- Electrify warehousing docks to reduce diesel particulate matter; Reque use of newer equipment and/or vehicles;

- Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or

- Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.

T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

Mitigation Measure AIR-1c Locate sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a HRA to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

Level of Significance With Mitigation: Less than Significant Impact

Compliance with Mitigation Measure AIR-1a would require future development projects in the Planning Area to evaluate and mitigate potential TAC exposure related to project-level construction activity. Mitigation Measure AIR-1b would ensure that mobile sources of TACs not covered under SJVAPCD permits are considered during subsequent project-level environmental review. Mitigation Measure AIR-1b would require the preparation of project-specific technical health risk assessments for certain discretionary large industrial or warehousing uses to evaluate operational-related health risk impacts to further ensure that operational-related emissions are reduced to a less than significant level. However, information regarding operational characteristics of future specific development projects and the associated emissions cannot be determined at the time of this analysis; therefore, cumulative growth within the City could result in potential TAC health could cumulatively contribute to elevated health risks in the city. Mitigation Measure AIR-1c identifies the use of the discretionary review process for residential and other sensitive land uses near freeways to impose site plan and design features aimed at minimizing exposure to environmental pollution.

Implementation of Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would serve to ensure that the impacts due to the implementation of the proposed project are assessed to determine if they would expose sensitive receptors to potentially significant impacts from TAC emissions. Therefore, compliance with Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would ensure the potential TAC health risk impact associated with the implementation of the proposed project would be less than significant.

AIR-4 The proposed project would result in other emissions (such as those leading to odors) adversely 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. Based on review of odor complaint history, very few of these facilities experience substantial odor complaints over the last three years. Implementation of the proposed project could result in the odor sources being located near sensitive receptors and could result in significant impacts on sensitive receptors. These potential odor impacts on new sensitive receptors could be significant. When potential odor impacts on these

new sensitive receptors occur, the SJVAPCD has authority under Rule 4102 to require the owner of the odor-generating source to take actions that would reduce impacts to less than significant.

In addition, potential impacts from odor sources would be mitigated through compliance with General Plan Policy PU-9-d and by enforcement actions by agencies with regulatory authority over odors. General Plan Policy PU-9-d would ensure that waste and recycling facilities are properly located. Potential odor impacts from waste and recycling facilities is one of the primary factors considered in the location decision and are regulated by the State of California through the California Department of Resources Recycling and Recovery (CalRecycle) and the Local Enforcement Agency delegated by the State. The SJVAPCD addresses odor issues through Rule 4102 – Nuisance. Facilities creating nuisance odors generating public complaints can result in SJVAPCD enforcement action. Individual development projects are required to determine if odors would be a potentially significant impact as part of CEQA review. The approved General Plan does not identify specific projects that are likely to result in an increase in odors. However, projects meeting the screening criteria are likely to be proposed in the Specific Plan Area. In addition, projects containing sensitive receptors are likely to be proposed near existing odor sources. Projects proposing new receptors within screening level distances will reduce the impact to less than significant through procedures provided by Rule 4102. Proposal of a new source within the screening distance would require the applicant to demonstrate that the proposed facility includes odor controls within its design and through implementation of odor management practices to reduce odors to less than significant. Therefore, impacts would be less than significant. No mitigation would be required.

Level of Significance Without Mitigation: Less than Significant Impact

4.1.5.2 Cumulative Impacts

AIR-5 The proposed project would have a significant effect on the environment if it – in combination with other projects – would contribute to a significant cumulative impact related to air quality.

According to the SJVAPCD, regional air pollution is largely a cumulative impact. No single project is sufficient in size to independently create regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts.

The SJVAPCD is currently designated as a nonattainment area for State and national ozone standards and national particulate matter ambient air quality standards. SJVAPCD nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SJVAPCD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions.

Therefore, if the proposed project's annual emissions of construction- or operational-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. As shown in Table 4.1.G and Table 4.1.H, the proposed project would not generate significant construction and operational emissions. As shown in the project-specific air quality impacts discussion above, the proposed project would not result in significant impacts and therefore the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts. Cumulative impacts would be considered less than significant. However, future development under the proposed project would be required to comply with CARB motor vehicle standards, SJVAPCD regulations from stationary sources and architectural coatings, Title 24 energy efficiency standards, and the General Plan and policies.

As demonstrated in the analysis, cumulative growth within the city could result in potential TAC health risks exceeding applicable standards and cumulatively contributing to elevated health risks in the SJVAB. While existing City policies and regulations are intended to minimize impacts associated with sensitive receptors, mitigation measures for future project developments that implement these policies and regulations are identified to ensure that the intended environmental protections are achieved. The implementation of Mitigation Measure AIR-1 would reduce the potential of potential TAC exposure from construction activities envisioned under the proposed project. Compliance with Mitigation Measure AIR-2 would ensure that mobile sources of TACs not covered under SJVAPCD permits are considered during subsequent project-level environmental review. However, information regarding operational characteristics of future specific development projects and the associated emissions cannot be determined at the time of this analysis; therefore, cumulative growth within the City could result in potential TAC health could cumulatively contribute to elevated health risks in the city. Mitigation Measure AIR-3 identifies the use of the discretionary review process for residential and other sensitive land uses near freeways to impose site plan and design features aimed at minimizing exposure to environmental pollution.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact AIR-2: The proposed project could contribute to a significant cumulative impact related to air quality

Mitigation Measures: Implement Mitigation Measures AIR-1a, AIR-1b, and AIR-1c.

Level of Significance With Mitigation: Less than Significant Impact

Compliance with Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would ensure the potential TAC health risk impact associated with the implementation of the proposed project would be less than significant. Therefore, with the implementation of mitigation, the proposed project's cumulative air quality impacts on sensitive receptors are less than significant.

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4.2 BIOLOGICAL RESOURCES

4.2.1 Introduction

This section describes how implementation of the Tower District Specific Plan Update (proposed project or Specific Plan Update) for the City of Fresno (City) may affect biological resources that are known to occur within the Tower District Specific Plan Area (Specific Plan Area), including vegetation communities, special-status plant and wildlife species and their associated habitats, and special-status natural communities, including riparian communities and wetlands. This section also addresses local, State, and federal regulations as they pertain to project impacts on biological resources. For the proposed project, the Specific Plan Area encompasses the Tower District, which is centrally located within Fresno and is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad (UPRR) tracks to the west.

As discussed in the Initial Study to this Draft Environmental Impact Report (EIR) (Appendix C), the proposed project would result in a potentially significant impact related to a special-status animal species. The analysis included in the Initial Study addresses all other potential environmental impacts to biological resources related to implementation of the proposed project. Therefore, this section is limited to impact discussions related to special-status animal species and cumulative impacts to biological resources.

For the purposes of this evaluation, "special-status species" are those species that meet one or more of the following criteria:

4.2.1.1 Listed Species

"Listed species" includes those species that are:

1. Listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (ESA) or candidates for possible future listing as threatened or endangered under the ESA (50 Code of Federal Regulations [CFR] §17.12); and/or

2. Listed or candidates for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (Fish and Game Code §2050 et seq.).

4.2.1.2 "Other Special-Status Species"

"Other special-status species" include those species that are:

1. Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 et seq.).

2. Meet the definition of rare or endangered under the California Environmental Quality Act [CEQA] §15380(b) and (d). Species that may meet the definition of rare or endangered include the following:

- Species considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (California Rare Plant Ranks (CRPR) 1A, 1B, 2A, and 2B);
- Species that may warrant consideration on the basis of local significance or recent biological information; or
- Some species included on the California Natural Diversity Database's (CNDDB) Special Plants, Bryophytes, and Lichens List.

3. Considered a locally significant species, that is, a species that is not rare from a statewide perspective but is rare or uncommon in a local context such as within a county or region (CEQA §15125 (c)) or is so designated in local or regional plans, policies, or ordinances (*State CEQA Guidelines*, Appendix G). Examples include a species at the outer limits of its known range or a species occurring on an uncommon soil type.

4. Listed as "Species of Special Concern" or as California Fully Protected Species by the California Department of Fish and Wildlife (CDFW);

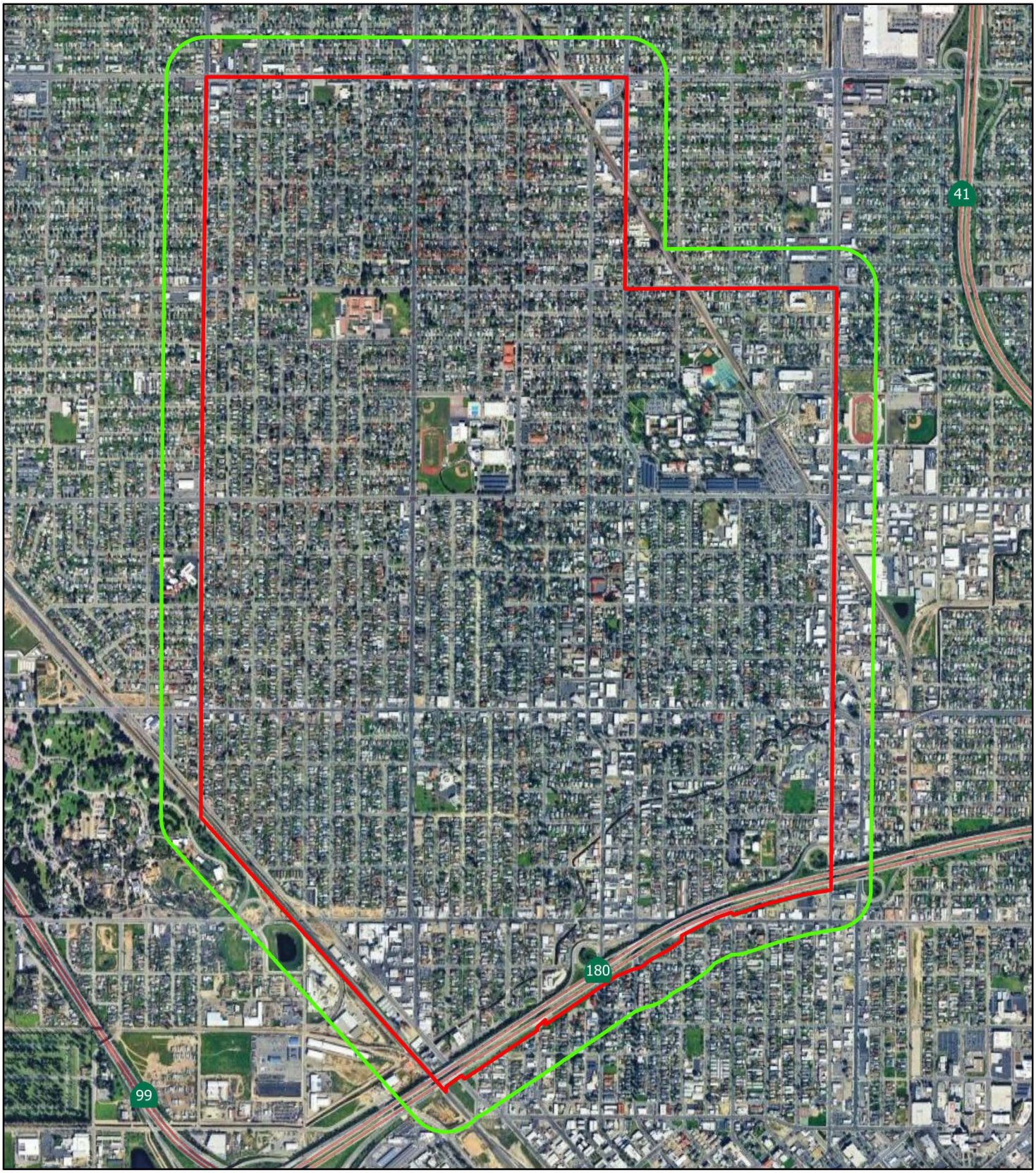
5. Listed as "Species of Concern" by the United States Fish and Wildlife Service (USFWS).

4.2.1.3 "Special-Status Natural Communities"

In general, "special-status natural communities" include those communities that are of limited distribution statewide or within a county or region; communities that are of special concern to resource agencies; and communities that, because they are vulnerable to the environmental effects of projects, are assessed or protected under CEQA Section 1600 of the California Fish and Game Code, and/or Section 404 of the Clean Water Act, among others. The most current version of the CDFW's List of Vegetation Alliances and Associations (or "Natural Communities List") (2010) indicates which natural communities are considered "special-status" in the State of California.

4.2.2 Existing Environmental Setting

The Specific Plan Area covers an approximately 1,870-acre area located immediately north of Downtown Fresno and SR-180, and 1 mile east of the SR-99 corridor in Fresno, Fresno County, California. The Specific Plan Area is generally flat, occupied by a mix of residential, commercial, and light industrial uses, and bounded by West Shields Avenue to the north, North Blackstone Avenue to the east, SR-180 to the south, and North Fruit Avenue and UPRR tracks to the west. The Biological Study Area (BSA) for project impacts to biological resources includes the Specific Plan Area and a 500-foot buffer surrounding the Specific Plan Area, as shown in Figure 4.2-1, Biological Study Area, as this is the area that may have either direct or indirect effects on biological resources.



LSA

Project Boundary

Biological Study Area (500-ft Buffer)

FIGURE 4.2-1

N

0 850 1700

FEET

SOURCE: Google Maps (2025)

Tower District Specific Plan Update

Biological Study Area

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4.2.2.1 Vegetation and Other Land Cover

The BSA is entirely developed and qualifies as Urban under the California Wildlife Habitat Relationships (CWHR). Most of the Specific Plan Area consists of single-family residential use, interspersed with multi-family residential, commercial, institutional, and light industrial use. Institutional developments include Fresno City College, Fresno High School, and several grade school facilities. Commercial development is concentrated along North Blackstone Avenue, Belmont Avenue, East Olive Avenue, and North Van Ness Avenue. Light industrial use is present in the southwestern portion of the Specific Plan Area, along North Palm Avenue and south of Belmont Avenue. Several native and non-native trees are present throughout the developed habitat but are most dense where residential development dominates. Within the Specific Plan Area, there are a wide variety of native and non-native trees and shrubs, including palms (*Washingtonia* sp.), magnolias *(Magnolia* sp.), eucalyptus (*Eucalyptus* sp.), cypress (*Cupressus* sp., *Hesperocyparis* sp.), pines (*Pinus* sp.), sycamores (*Platanus racemosa*), pepper trees (*Schinus* sp.), and more.

4.2.2.2 General Wildlife

Observed wildlife were typical of the landscape and time of year and included California ground squirrel (*Otospermophilus beecheyi*), northern mockingbird (*Mimus polyglottos*), scrub jays (*Aphelocoma californica*), rock doves (*Columba livia*), mourning doves (*Zenaida macroura*), European starlings (*Sturnus vulgaris*), and numerous small songbirds (e.g., house sparrows [*Passer domesticus*] and house finches [*Haemorrhous mexicanus*]).

4.2.2.3 Special-Status Species

A Biological Resource Evaluation (BRE)[1] was completed for the proposed project in July 2025, and is included as Appendix F of the EIR. The literature review identified eight special-status plant species known or with potential to occur in the vicinity of the BSA; however, none of the eight special-status plant species has the potential to occur within the vicinity of the BSA due to the highly disturbed nature of the Specific Plan Area and the lack of suitable habitat conditions. The literature review identified 22 special-status animal species known or with potential to occur in the vicinity of the BSA, of which only one special-status animal species was determined to have a potential to occur within the vicinity of the BSA, the Western mastiff bat. The complete list of special-status species evaluated for the proposed project is included in Table 4.2.A, below.

[1] LSA Associates, Inc. (LSA). 2025b. *Biological Resources Evaluation Tower District Specific Plan Update Fresno, Fresno County, California*. July.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Plants				
Castilleja campestris var. *succulenta* succulent owl's clover	US: T CA: — CRPR: 1B.2	Annual herb (hemiparasitic); blooms (March) April-May; vernal pools (often acidic); elevation from 165 to 2,460 feet; Fresno, Madera, Merced, Mariposa, San Joaquin, Stanislaus counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Caulanthus californicus California jewelflower	US: E CA: E CRPR: 1B.1	Annual herb; blooms February-May; chenopod scrub, pinyon and juniper woodland, valley and foothill grassland; elevation from 200 to 3,280 feet; Fresno, Kings, Kern, Santa Barbara, San Luis Obispo, Tulare counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Imperata brevifolia California satintail	US: — CA: — CRPR: 2B.1	Perennial rhizomatous herb; blooms September-May; chaparral, coastal scrub, meadows and seeps (often alkali), Mojavean desert scrub, riparian scrub, elevation from 0 to 3,985 feet; Butte, Fresno, Imperial, Inyo, Kern, Lake, Los Angeles, Orange, Riverside, San Bernardino, Tehama, Tulare, Ventura counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Leptosiphon serrulatus Madera leptosiphon	US: — CA: — CRPR: 1B.2	Annual herb; blooms April-May; cismontane woodland, lower montane coniferous forest; elevation from 985 to 4,265 feet; Fresno, Kern, Madera, Mariposa, Tulare counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Orcuttia inaequalis San Joaquin Valley Orcutt grass	US: T CA: E CRPR: 1B.1	Annual herb; blooms April-September; vernal pools; elevation from 35 to 2,475 feet; Fresno, Madera, Merced, Solano, Stanislaus, Tulare counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Orcuttia pilosa hairy Orcutt grass	US: E CA: E CRPR: 1B.1	Annual herb; blooms May-September; vernal pools; elevation from 150 to 655 feet; Glenn, Madera, Merced, Stanislaus, Tehama counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Sagittaria sanfordii Sanford's arrowhead	US: — CA: — CRPR: 1B.2	Perennial rhizomatous herb (emergent); blooms May-October (November); marshes and swamps (shallow freshwater); elevation from 0 to 2,135 feet; Butte, Del Norte, El Dorado, Fresno, Kings, Los Angeles, Madera, Merced, Mariposa, Marin, Napa, Orange, Sacramento, San Bernardino, Santa Clara, Shasta, San Joaquin, San Mateo, Solano, Sutter, Tehama, Tulare, Ventura, Yuba counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Tuctoria greenei Greene's tuctoria	US: E CA: R CRPR: 1B.1	Annual herb; blooms May-July (September); vernal pools; elevation from 100 to 3,510 feet; Butte, Fresno, Glenn, Madera, Merced, Modoc, Shasta, San Joaquin, Stanislaus, Tehama, Tulare counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Fish				
Mylopharodon conocephalus hardhead	US: — CA: SSC	Found in Klamath/North Coast flowing waters and Sacramento/San Joaquin flowing waters; require clear, deep pools with sand/gravel/boulder bottoms and slow water velocity.	No	Dry Creek Canal is not part of the species range. The BSA intersects the range for this species, but the BSA is nearly 5 miles south of the range.
Invertebrates				
Branchinecta lynchi vernal pool fairy shrimp	US: T CA: —	Occur in a variety of vernal pool habitats that range from small, clear pools to large, turbid and alkaline pools; more common in pools less than 0.05 acre, typically as part of larger vernal pool complexes; adults active from early December to early May; pools must hold water for at least 18 days, the minimum to complete the life cycle if temperatures are optimal; eggs are laid in spring and persist through the dry season as cysts; current California distribution includes the Central Valley and coast ranges; threatened by habitat loss, degradation, and fragmentation, and interference with vernal pool hydrology.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Bombus crotchii Crotch's bumble bee	US: — CA: C	Nearly endemic to California; occurs in grassland and shrublands in southern and central California; flight period for queens is from late February to late October; flight period for workers and males is from late March through September; nests underground; likely overwinters in soft soil or under leaf litter; generalist forager; food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	No	The BSA is heavily developed and lacks natural habitat that could support this species.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Desmocerus californicus dimorphus valley elderberry longhorn beetle	US: T CA: —	Requires elderberry shrubs for reproduction and survival, with stems greater than 1 inch; occurs only in the Central Valley north of the San Joaquin River; occurs below 500 feet elevation; eggs laid on elderberry shrubs; larvae burrow into stems for food and metamorphosis; adults emerge from the stem and spend the remainder of their lives on the same shrub or on the ground underneath.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Danaus plexippus monarch butterfly	US: PT CA: —	Migrant; lays eggs on milkweed (primarily *Asclepias* spp.); overwinters along the coast in dense stands of eucalyptus, Monterey pine, and Monterey cypress that provide indirect sunlight, moisture for hydration, protection from winds, and above-freezing temperatures.	No	No recorded occurrences within 5 miles of the BSA. No suitable wintering or breeding habitat is present.
Amphibians				
Ambystoma californiense California tiger salamander pop. 1	US: T CA: T, SSC	Small salamander found in vernal and seasonal pools and associated grasslands, oak savanna and woodland, and coastal scrub in the Central Valley from Tulare County north to the Sacramento area and along the Central Coast from Santa Barbara County north to the San Franciso Bay; 0–3,200 feet elevation; spends most of the year in small mammal burrows; breeding season is November–February; requires seasonal ponds for breeding and egg laying; can travel more than 3,000 feet between aquatic and upland habitats.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Spea hammondii western spadefoot	US: PT CA: SSC	Species relies on vernal pools for breeding where predators cannot become established; open areas with sand or gravelly soils in a variety of habitats: grasslands, coastal scrub, woodlands, chaparral, sandy washes, lowland river floodplains, alkali flats, foothills, and mountains; endemic to California and northern Baja California; distribution is from Redding south throughout the Central Valley and foothills, throughout the South Coast Ranges into coastal southern California to the Transverse and Peninsular mountains; elevation is from sea level to 4,500 feet.	No	The BSA is heavily developed and lacks natural habitat that could support this species.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Reptiles				
Actinemys marmorata northwestern pond turtle	US: PT CA: SSC	Highly aquatic and diurnally active; found in ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches with vegetation and rocky/muddy bottoms; wide variety of habitats; needs basking areas near water (logs, rocks, vegetation mats, banks); may enter brackish water and even seawater; digs nest on land near water; range is from north of the San Francisco Bay area south, including the Central Valley.	No	The BSA is heavily developed and lacks suitable upland habitat. High levels of disturbance would preclude this species from using Dry Creek Canal.
Anniella pulchra northern California legless lizard	US: — CA: SSC	Secretive fossorial lizard found in many habitats, especially valley and foothill grassland, chaparral, coastal scrub, and coastal dune; most commonly associated with sandy or loose organic soils with leaf litter; elevation from near sea level to 6,000 feet; may hibernate in inland areas with colder winter temperatures; primarily associated with foothills and mountains from Ventura County north to San Joaquin and Contra Costa counties, and in the western Sierra Nevada foothills in Fresno and Tulare counties.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Arizona elegans occidentalis California glossy snake	US: — CA: SSC	Scrub and grassland habitats, often with loose or sandy soils. Patchily distributed from the eastern portion of San Francisco Bay to southern San Joaquin Valley and in non-desert areas of southern California. Also occurs in Baja California, Mexico.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Gambelia silus [=sila] blunt-nosed leopard lizard	US: E CA: E, FP	Occurs in semiarid habitats within the southern Central Valley and Cuyama Valley; habitats typically are flat and have large open areas with scattered shrubs for refuge; uses small mammal burrows for shelter; spends most of the year underground, surfacing in spring/early summer to breed and eat; hatchlings surface in the fall to eat; may interbreed with long-nosed leopard lizard in Cuyama Valley; threatened by habitat loss/fragmentation and drought; elevation from 100–2,400 feet.	No	The BSA is heavily developed and lacks natural habitat that could support this species.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Phrynosoma blainvillii coast horned lizard	US: — CA: SSC	Prefers sandy/loose soils in grassland, forests, woodlands, and open chaparral; often found along sand washes and dirt roads with scattered shrubs for refuge; specializes in consuming ants; distribution includes coastal California from Baja California north to the Bay Area, southeastern desert regions, southern Central Valley flats and foothills, and surrounding mounts on drier, warmer slopes; threatened by habitat loss/fragmentation and the spread of invasive ant species displacing native prey; elevation from sea level to 8,000 feet.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Birds				
Agelaius tricolor tricolored blackbird	US: — CA: T, SSC	Colonial breeder that prefers freshwater, emergent wetlands with tall, dense cattails or tules, but also thickets of willow, blackberry, wild rose, and tall herbs; breeding colonies are minimum approximately 50 pairs; forages in pastures, grain fields, and similar habitats near breeding areas.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Athene cunicularia burrowing owl	US: — CA: C, SSC	Occupies a variety of open, semi-arid to arid habitats throughout central and southern California, including desert regions; prefers open habitats with few shrubs or trees; most active around sunrise and sunset; utilizes burrows constructed by mammals year-round for shelter and nesting; well documented in urban areas where patches of undeveloped areas are present (e.g., canals, airports, drainage basins) and in areas of dense agricultural development, particularly where canals provide burrow habitat; forages primarily for rodents and insects within several miles of its burrow, usually in open, grassy habitats if available; has been observed hunting bats and insects around parking lot lights; threats include development resulting in habitat loss/fragmentation.	No	Unprocessed CNDDB record of an owl less than 1 mile to the south of the BSA from 2018 in the UPRR corridor. No records confirm nests within the BSA. Burrowing owls can adapt to urban areas but still need open space, which is lacking in the BSA.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Buteo swainsoni Swainson's hawk	US: — CA: T	Resident and migrant throughout the Central Valley, Klamath Basin, Northeastern Plateau, Mojave Desert, Antelope Valley, and elsewhere; breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannahs; usually nests in scattered trees surrounded by foraging habitat; forages primarily for small mammals in grasslands and open desert scrublands or suitable grain fields or livestock pastures; occasionally eats insects, amphibians, reptiles, and birds; usually found near water.	No	Several recorded occurrences in the area, many of which are considered historic. Species is now largely constrained to the outer margins of the city. There is a very high level of disturbance within the BSA that would discourage both the hawks and their prey.
Coccyzus americanus yellow-billed cuckoo	US: T CA: E	Found in scattered occurrences of valley foothill and desert riparian habitats in the Sacramento and Owens valleys, the southern San Joaquin Valley, and southern California; migrant; winters in South America and breeds in California from June to September; prefers dense riparian thickets, especially willows; breeds in river bottoms and other mesic habitats where humidity is high; forages for insects but occasionally eats frogs, lizards, and sometimes fruit.	No	The BSA is heavily developed and lacks natural habitat that could support this species.
Vireo bellii pusillus least Bell's vireo	US: E CA: E	Widespread throughout western Sierra Nevada and coastal valleys and foothills south of Santa Clara County; occurs below 2,000 feet elevation; migrant; winters in Mexico and breeds in California from March to August; nests in dense riparian habitat along streams; prefers willows, cottonwoods, Baccharis, wild blackberry, or mesquite; feeds on insects and some fruits.	No	The BSA is heavily developed and lacks natural habitat that could support this species.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Mammals				
Antrozous pallidus pallid bat	US: — CA: SSC	Occurs in low elevations in deserts, grasslands, shrublands, woodlands, and forest throughout California from sea level up through mixed conifer forests; most common in open, dry, habitats with rocky areas for roosting; roosts usually in groups of 20 or more; day roosts in caves, crevices, mines, and occasionally hollow trees and buildings; night roosts sometimes in more open areas; roost must protect against high temps; maternity colonies form in April; hibernates in winter; needs water; very sensitive to roost disturbance.	No	One recorded occurrence within the BSA from 1909 (EONDX 66606). There is a very high level of disturbance that would discourage this species from roosting within the BSA.
Dipodomys nitratoides exilis Fresno kangaroo rat	US: E CA: E	Occurs on alkali open grassland on bare alkaline clay-based soils; nocturnal species; burrows with tunnels approximately 12 to 15 inches below ground; threatened by predation and disease; historically occurred on the valley floor in Kings, Fresno, Madera, and Merced counties, but may be extirpated.	No	Two recorded occurrences within the BSA are historic and considered extirpated. The BSA is heavily developed and lacks natural habitat that could support this species.
Eumops perotis californicus western mastiff bat	US: — CA: SSC	Uncommon resident in southeastern San Joaquin Valley and Coast Ranges; conifer and deciduous woodlands, coastal scrub, annual and perennial grassland, desert scrub, chaparral, palm oases, and urban habitats; roosts in crevices on cliff faces, high buildings, trees, and tunnels; needs vertical faces to drop off to take flight; nursery roosts in tight rock crevices or buildings; rarely uses night roosts; nonmigratory; active year-round; eats insects.	**Yes**	Nearest record is less than 0.5 mile to the southeast and presumed extent (EONDX 66374). Known to occur in urban areas. Several large trees in BSA that could support species.
Taxidea taxus American badger	US: — CA: SSC	Found throughout California except in the North Coast area; open grasslands, deserts, and edge of scrub and woodland habitats; requires loose soils; does not occur in irrigated agriculture; active year-round, both nocturnal and diurnal; young are born in March and April; primarily eats small mammals and occasionally reptiles, insects, birds, eggs, and carrion; capable of digging a new den each night.	No	Two recorded occurrences in the BSA are on the outskirts of the city. The BSA is heavily developed and lacks natural habitat that could support this species.

Table 4.2.A: Special-Status Species in the Vicinity of the Specific Plan Area

Scientific Name / Common Name	Status	Habitat Requirements	Potential to Occur	Rationale
Vulpes macrotis mutica San Joaquin kit fox	US: E CA: T	Endemic to the Central Valley; San Joaquin Valley, Carrizo Plain, Salinas Valley, Cuyama Valley, and other small valleys in western foothills; arid to semi-arid grasslands, open shrublands, savannahs, and grazed lands with loose-textured soils; highly adaptable and documented in urban developed areas; uses burrows year-round for shelter, escape from predators, and rearing young; will use man-made structures, such as pipes, for denning; feeds primarily on small mammals but will also consume birds, reptiles, and insects and scavenge for human food; intensively maintained agricultural areas avoided; threatened by habitat loss and fragmentation, vehicle strikes, and disease; current mange outbreak in urban population in Bakersfield and in nearby natural areas.	No	One recorded occurrence within the BSA from 1993 with a non-specific location (EONDX 53873). Although the species can adapt to urban environments, it has not been seen in decades in the Fresno area, and the urban density of the BSA is considerably higher than other urban areas in which this species has been documented.

Sources: CDFW (2025a, 2025b); CNPS (2025); USFWS (2025b); Zeiner et al. (1990).

Status:
E Listed as endangered
T Listed as threatened
PT Proposed Threatened
C Candidate for federal Listing
FP California Fully Protected
SSC California Species of Special Concern

CRPR (California Rare Plant Rank):
1A Presumed Extinct in California
1B Rare, Threatened, or Endangered in California and elsewhere
2A Plants presumed extirpated in California, but more common elsewhere
2B Plants Rare, Threatened, or Endangered in California, but more common elsewhere

CRPR Threat Code Extension:
.1 Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 Fairly endangered in California (20–80% occurrences threatened)
.3 Not very endangered in California (<20% of occurrences threatened)

Abbreviations:
BSA = Biological Study Area
CA = California
CDFW = California Department of Fish and Wildlife
CNDDB = California Natural Diversity Database
CNPS = California Native Plant Society
EONDX = Element Occurrence Index
US = United States
USFWS = United States Fish and Wildlife Service

As shown in Table 4.2.B, western mastiff bat (*Eumops perotis californicus*) is the one state species of special concern that has the potential to occur within the Specific Plan Area. It is an uncommon resident in southeastern San Joaquin Valley and Coast Ranges and occurs in a wide variety of habitats including conifer and deciduous woodlands, coastal scrub, annual and perennial grassland, desert scrub, chaparral, palm oases, and urban habitats. It roosts in crevices on cliff faces, high buildings, trees, and tunnels that include vertical faces to drop off to take flight. Nursery roosts are typically found in in tight rock crevices or buildings. It rarely uses night roosts. The nearest occurrence was recorded in 1991 in downtown Fresno and is presumed extant (Element Occurrence Index [EONDX] 66374; CDFW 2025a). Trees throughout the BSA could be suitable for roosting, and the BSA contains suitable foraging habitat for western mastiff bat.

Table 4.2.B: Special-Status Species with Potential to Occur within the Specific Plan Area

Scientific Name / Common Name	Status	Potentially Affected by Project	Viability Threat?
Mammals			
Eumops perotis californicus western mastiff bat	US: — CA: SSC	Yes	No

Source: Compiled by LSA (2025)
SSC = California Species of Special Concern

4.2.3 Regulatory Setting

This section describes the relevant federal, State, and local (County and City) laws, regulations and policies pertaining to environmental impacts within the Specific Plan Area.

4.2.3.1 Federal Policies and Regulations

Federal Endangered Species Act. The USFWS administers the federal Endangered Species Act (ESA). The ESA provides a process for listing species as either threatened or endangered and methods of protecting listed species. The ESA defines as "endangered" any plant or animal species that is in danger of extinction throughout all or a significant portion of its known geographic range. A "threatened" species is a species that is likely to become endangered. A "proposed" species is one that has been officially proposed by the USFWS for addition to the federal threatened and endangered species list.

Per Section 9 of the ESA, "take" of threatened or endangered species is prohibited. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in such conduct (codified at 16 USC §1532(19). "Take" can include disturbance to habitats used by a threatened or endangered species during any portion of its life history. The presence of any federally threatened or endangered species in a project area generally imposes severe constraints on development, particularly if development would result in "take" of the species or its habitat. Under the regulations of the ESA, the USFWS may authorize "take" when it is incidental to, but not the purpose of, an otherwise lawful act.

Federal Clean Water Act - Section 404. The U.S. Army Corps of Engineers (USACE) administers Section 404 of the federal Clean Water Act (CWA). This section regulates the discharge of dredge and fill material into waters of the United States. "Discharge of fill material" is defined as the addition of fill material into waters of the United States, including, but not limited to, the following: placement of fill that is necessary for the construction of any structure or impoundment requiring rock, sand, dirt, or other material for the structure's construction; site development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; and fill for intake and outfall pipes and sub-aqueous utility lines (33 CFR §328.2[f]).

The USACE has established a series of nationwide permits that authorize certain activities in waters of the United States, if a proposed activity can demonstrate compliance with standard conditions. Normally, USACE requires an individual permit for an activity that will affect an area equal to or in excess of 0.5 acre of waters of the United States. Projects that result in impacts to less than 0.5 acre can normally be conducted pursuant to one of the nationwide permits, if consistent with the standard permit conditions. USACE also has discretionary authority to require an Environmental Impact Statement for projects that result in impacts to an area between 0.1 and 0.5 acre. Use of any nationwide permit is contingent on the activities having no impacts to endangered species.

Federal Clean Water Act - Section 401. Per Section 401 of the CWA, "any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters, shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharge will comply with the applicable provisions of sections 1311, 1312, 1313, 1316, and 1317 of this title" (33 USC §1341(a)(1)). Therefore, before the USACE will issue a Section 404 permit, applicants must apply for and receive a Section 401 water quality certification from the Regional Water Quality Control Board (RWQCB).

Waters of the United States. USACE has primary federal responsibility for administering regulations that concern "waters of the U.S." The USACE acts under two statutory authorities, the Rivers and Harbors Act (Sections 9 and 10), which governs specified activities in "navigable waters of the U.S.," and the Clean Water Act (CWA) (Section 404), which governs specified activities in "other waters of the U.S.," including wetlands. The USACE requires that a permit be obtained if a project proposes placing structures within, over, or under navigable waters or discharging dredged or fill material into "waters of the U.S." below the ordinary high-water mark in non-tidal waters. The U.S. Environmental Protection Agency (USEPA), USFWS, National Marine Fisheries Service (NMFS), and several other agencies can provide comments on USACE permit applications.

The federal government defines wetlands in CWA Section 404 as "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support (and do support, under normal circumstances) a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR §328.3(b) and 40 CFR §230.3). The federal definition of wetlands requires three wetland identification parameters to be present: wetland hydrology, hydric soils, and hydrophytic vegetation.

"Other waters of the U.S." refers to those hydric features that are regulated by the CWA but are not wetlands (33 CFR §328.4). To be considered jurisdictional, these features must exhibit a defined bed and bank and an ordinary high-water mark. Examples of other waters of the U.S. include rivers, creeks, intermittent and ephemeral channels, ponds, and lakes. Human-made wetland areas that are not regulated under this act include stock watering ponds and created water treatment facilities.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act (MBTA) protects all common wild birds found in the United States except the house sparrow, starling, feral pigeon, and resident game birds such as pheasant, grouse, quail, and wild turkey. Resident game birds are managed separately by each state. Under the MBTA, "it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof …" (16 USC §703(a)).

4.2.3.2 State Policies and Regulations

California Endangered Species Act. The California Department of Fish and Wildlife (CDFW) administers the California Endangered Species Act (CESA). CESA applies to "endangered" or "threatened" birds, mammals, fish, amphibians, reptiles, and plants, but does not apply to insects (see 81 Cal. Op. Att'y Gen. 222 (1998)). The State of California considers an "endangered" species one whose prospects of survival and reproduction are in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease. Any species determined by the commission as "endangered" on or before January 1, 1985, is an "endangered species." A "threatened" species is one present in such small numbers throughout its range that it is likely to become an endangered species in the foreseeable future in the absence of special protection or management. The California Endangered Species Act of 1970 created the categories of "Endangered" and "Rare." The California Endangered Species Act of 1984 created the categories of "Endangered" and "Threatened." On January 1, 1985, all animal species designated as "Rare" were reclassified as "Threatened" (see California Fish and Game Code §2067).

Section 2080 of the Fish and Game Code prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA allows for take incidental to otherwise lawful development projects. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate mitigation planning to offset project caused losses of listed species populations and their essential habitats.

"Candidate species" means a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for

which the commission has published a notice of proposed regulation to add the species to either list (Fish and Game Code §2068).

The CDFW exercises authority over mitigation projects involving State-listed species, including those resulting from CEQA mitigation requirements. Lead agencies are directed by the CESA to consult with the CDFW on projects or actions that could affect listed species. A "taking" may be authorized by the CDFW if an approved habitat management plan or management agreement that avoids or compensates for possible jeopardy is implemented. In addition, the CDFW requires preparation of mitigation plans in accordance with published guidelines.

California Department of Fish and Wildlife "Species of Special Concern." A Species of Special Concern (SSC) is a species, subspecies, or distinct population of an animal (i.e., fish, amphibian, reptile, bird and mammal) native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- Is extirpated from the State or, in the case of birds, in its primary seasonal or breeding role;
- Is listed as Federally-, but not State-, threatened or endangered;
- Meets the State definition of threatened or endangered but has not formally been listed;
- Is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status;
- Has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for State threatened or endangered status.

SSCs tend to have a number of factors in common, including that they:

- Occur in small, isolated populations or in fragmented habitat, and are threatened by further isolation and population reduction;
- Show marked population declines;
- Depend on a habitat that has shown substantial historical or recent declines in size and/or quality or integrity;
- Have few California records, or which historically occurred in the State but for which there are no recent records; and
- Occur largely in areas where current management practices are inconsistent with the animal's persistence.

"Species of Special Concern" is an administrative designation that carries no formal legal status per se, but signifies that the species is recognized as sensitive by the CDFW. Section 15380 of the *State*

CEQA Guidelines clearly indicates that species of special concern should be included in an analysis of project impacts if they can be shown to meet the criteria of sensitivity outlined therein.

California Native Plant Protection Act. In 1977, the Legislature formally recognized the status of rare or endangered plants with the passage of the Native Plant Protection Act (NPPA) (Fish and Game Code, Section 1900 et seq.). The NPPA directed the CDFW to preserve, protect, and enhance rare and endangered plants in California. The NPPA also authorized the Fish and Game Commission to designate native plants as "rare" or "endangered" and to require permits for collecting, transporting, or selling such plants.

Under Section 1901 of the California Fish and Game Code, "native plant" means a plant growing in a wild uncultivated state, which is normally found native to the plant life of this state. A species, subspecies, or variety is considered "endangered" when its prospects of survival and reproduction are in immediate jeopardy from one or more causes. A species, subspecies, or variety is considered "rare" when, although not presently threatened with extinction, it is in such small numbers throughout its range that it may become endangered if its present environment worsens.

Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of plant.

Fish and Wildlife Protection - California Fish and Game Code, Sections 1600 to 1603. The California Fish and Game Code mandates that "it is unlawful for any person to substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds, without first notifying the department of such activity." CDFW jurisdiction includes ephemeral, intermittent, and perennial watercourses, including dry washes, characterized by the presence of hydrophytic vegetation, the location of definable bed and banks, and the presence of existing fish or wildlife resources.

Furthermore, CDFW jurisdiction is often extended to habitats adjacent to watercourses, such as oak woodlands in canyon bottoms or willow woodlands that function as part of the riparian system. Historic court cases have further extended CDFW jurisdiction to include watercourses that seemingly disappear, but re-emerge elsewhere. Under the CDFW definition, a watercourse need not exhibit evidence of an OHWM to be claimed as jurisdiction. However, CDFW does not regulate isolated wetlands; that is, those that are not associated with a river, stream, or lake.

Porter-Cologne Water Quality Act. The RWQCB regulates actions that would involve "discharging waste, or proposing to discharge waste, within any region that could affect the water of the state" (Water Code Section 13260(a)), pursuant to provisions of the Porter-Cologne Water Quality Act. "Waters of the State" are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (Water Code Section 13050 (e)).

Regional Water Quality Control Board Regulated Activities. Under Section 401 of the CWA, the RWQCB regulates all activities that are regulated by the USACE. Additionally, under the Porter-Cologne Water Quality Act, the RWQCB regulates all activities, including dredging, filling, or

discharge of materials into waters of the state that are not regulated by the USACE due to a lack of connectivity with a navigable water body and/or lack of an OHWM.

California Fish and Game Code - Section 3503 and Section 3511. The CDFW administers the California Fish and Game Code. There are particular sections of the Fish and Game Code that are applicable to natural resource management. For example, Section 3503 of the Fish and Game Code states it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird that is protected under the MBTA. Fish and Game Code Section 3503.5 further protects all birds in the orders Falconiformes and Strigiformes, birds of prey such as hawks and owls, and their eggs and nests, from any form of take. Disturbance that causes nest abandonment and/or loss of reproductive effort is also considered a "taking" by the CDFW. Fish and Game Code Section 3511 lists fully protected bird species where the CDFW is unable to authorize the issuance of permits or licenses to take these species.

Natural Community Conservation Planning Act - Fish and Game Code Sections 2800 et seq. The State of California has adopted the Natural Community Conservation Planning and Habitat Conservation Planning (NCCP/HCP) program to focus on creating a multiple-species, multiple-habitat subregional Reserve System and implementing a long-term "adaptive management" program. To accomplish this, the NCCP/HCP creates a subregional habitat Reserve System and implements a coordinated program to manage biological resources within the habitat reserve. The creating of a defined Reserve System provides certainty to the public and to affected landowners with respect to the location of future development and open space within the subregion. The NCCP/HCP was developed with coordination through the CDFW and the USFWS, in order to account for the CESA and the federal ESA. The Specific Plan Area does not occur within any NCCP/HCP designated area.

California Native Plant Society. The California Native Plant Society (CNPS) maintains a list of plant species native to California that have low numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California. Potential impacts to populations of CNPS-listed plants require consideration under CEQA. The following identifies the definitions of the California Rare Plant Ranks (formerly known as the CNPS lists):

- California Rare Plant Rank 1A: Plants believed extirpated in California and either rare or extinct elsewhere.
- California Rare Plant Rank 1B: Plants rare, threatened, or endangered in California and elsewhere.
- California Rare Plant Rank 2A: Plants presumed extirpated in California, but more common elsewhere.
- California Rare Plant Rank 2B: Plants rare threatened or endangered in California but more common elsewhere.

- California Rare Plant Rank 3: Plants about which more information is needed - a review list.
- California Rare Plant Rank 4: Plants of limited distribution – a watch list.

The CNPS Threat Rank is an extension added onto the California Rare Plant Rank, which designates the level of threats by a 1 to 3 ranking, with 1 being the most threatened and 3 being the least threatened. Each threat rank is defined as follows:

- 0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat).
- 0.2-Moderately threatened in California (20 - 80% occurrences threatened / moderate degree and immediacy of threat).
- 0.3-Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known).

4.2.3.3 Local Policies and Regulations

The following is a summary of the applicable policies included in the City's approved General Plan and Municipal Code that are related to biological resources and applicable to the proposed project.

City of Fresno General Plan. The approved General Plan is a set of policies and programs that form a blueprint for the physical development of the City. The following objectives and policies related to biological resources are presented in various elements of the approved General Plan:

Parks, Open Space, and Schools Element.

Objective POSS-5: Provide for long-term preservation, enhancement, and enjoyment of plant, wildlife, and aquatic habitat.

Policy POSS-5-a: Habitat Area Acquisition: Support federal, State, 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, including:

- Protocols for the evaluation of a site's environmental setting and proposed design and operating parameters of proposed mitigation measures.

- Methodology for the analysis depiction of land to be acquired or set aside for mitigation activities.

- Parameters for specification of the types and sources of plant material used for any re-vegetation, irrigation requirements, and 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.

Commentary: Establishment of wildlife and aquatic habitat is unsuitable along primary conveyance systems to existing and future water treatment facilities. Certain waterways may be excluded from habitat development for this reason.

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.

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. Support the San Joaquin River Conservancy in its efforts to update the San Joaquin River Parkway Master Plan by working with the other jurisdictions and the River Conservancy to create a comprehensive and feasible plan for preservation, conservation, and Parkway 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.

- Avoid discharge of runoff from urban uses to the San Joaquin River or other riparian corridors.

- Approve development on sites having drainage (directly or indirectly) to the San Joaquin River or other riparian areas only 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. Institute remedial measures promptly if unacceptable levels of contaminant(s) occur.

Objective POSS-7: Support the San Joaquin River Conservancy in its collaborative, multiagency efforts to develop the San Joaquin 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 open space land and water areas parallel to the San Joaquin River within the jurisdiction of the City.

- Preserve a minimum width of 200 feet of riparian vegetation on both sides of the river.
- Require the corridor to be wider when possible and/or necessary to protect additional areas of native plants and critical habitat (such as wildlife breeding areas). Re-establishment of a 200-foot or wider band of native plants is recommended in areas where 200 feet of riparian vegetation no longer exists along the river bank, to the maximum extent feasible from topologic and hydrologic standpoints.
- Allow exceptions where the minimum-width corridor is infeasible due to topography, hydrology, or other constraints. An offsetting expansion may be approved in those instances on the opposite side of the river. Incorporate the bluff face into the wildlife corridor where steep bluffs drop directly into or close to the river.

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.

- Pursue a Memorandum of Understanding (MOU) or other agreement 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 wildlife corridor areas in the San Joaquin River corridor whenever more intensive human uses exist or are proposed on adjacent lands. Use buffer zones to 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. Evaluate and address 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) before these uses are be approved for buffering.

- For nearby areas of the San Joaquin River corridor outside of the exclusive jurisdiction of the City, support efforts to work with other jurisdictions to achieve this policy.

City of Fresno Municipal Code. ***Chapter 13, Article 3 Street Trees and Parkways.*** This section of the City's Municipal Code provides guidelines and requirements for the preservation and protection of existing street trees, as well as guidelines establishing the installation of City-owned trees along streets.

4.2.4 Significance Criteria

The thresholds for impacts to biological resources used in this analysis are consistent with Appendix G of the *State CEQA Guidelines*. Implementation of the Specific Plan Update would result in a significant impact related to biological resources if it 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;

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

- 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;

- 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;

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

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

As discussed in the Initial Study to this Draft EIR (Appendix C), the proposed project would result in a potentially-significant impact related to a special-status animal species. The analysis included in the Initial Study addresses all potential environmental impacts to biological resources related to implementation of the proposed project. Therefore, this section is limited to impact discussions related to special-status animal species and cumulative impacts to biological resources.

4.2.5 Impacts and Mitigation Measures

This section describes the potential for significant impacts to biological resources associated with implementation of the proposed project, based on the standards of significance listed in the *State CEQA Guidelines* Appendix G, Environmental Checklist, along with consideration for other federal and State laws. The section begins with the criteria of significance, which establish the thresholds to determine if an impact is significant. The latter part of this section presents the impacts associated with implementation of the Specific Plan Update and the recommended mitigation measures, if required. Mitigation measures are recommended, as appropriate, for significant impacts to eliminate or reduce them to a less than significant level. Cumulative impacts are also addressed.

4.2.5.1 Project Impacts

The following discussion describes the potential impacts related to biological resources that could result from the implementation of the Specific Plan Update.

BIO-1 ***The proposed 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.***

The BRE identified eight special-status plant species known or with potential to occur in the vicinity of the Specific Plan Area; however, none of the eight special-status plant species have the potential to occur within the Specific Plan Area due to the highly disturbed nature of the area and the lack of suitable habitat conditions. Therefore, the proposed project would have no impact on special-status plant species.

The BRE identified 22 special-status animal species known or with potential to occur in the vicinity of the Specific Plan Area, of which only one special-status animal species, the western mastiff bat, was determined to have a potential to occur within the Specific Plan Area.

As described in Section 4.2.2 above, the western mastiff bat occurs in a wide variety of habitats including conifer and deciduous woodlands, coastal scrub, annual and perennial grassland, desert scrub, chaparral, palm oases, and urban habitats. It roosts in crevices on cliff faces, high buildings, trees, and tunnels that include vertical faces to drop off to take flight. Nursery roosts are typically found in in tight rock crevices or buildings. While the nearest occurrence was recorded in 1991 in downtown Fresno and is presumed extant (Element Occurrence Index [EONDX] 66374; CDFW 2025a), trees throughout the BSA could be suitable for roosting, and the BSA contains suitable foraging habitat for western mastiff bat. Direct impacts could occur if the species is roosting in these trees when the project is constructed. Avoidance and minimization measures are prescribed below.

The BSA contains suitable habitat that could support a variety of ground- and tree-nesting bird species protected under the MBTA and the California Fish and Game Code. Impacts to active nests could occur from direct disturbance of active nests during implementation of the proposed project, and from noise and vibration caused by construction activities; however, implementation of the proposed project is not expected to cause a significant reduction in nesting habitat in the area.

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 or absence of a special-status species in the Specific Plan Area and the potential for implementation of the proposed project to impact a special-status species must be determined prior to project construction. If development within the Specific Plan Area would result in the direct take or loss of suitable habitat for the special-status animal species that has the potential to occur in the Specific Plan Area, project-level site-specific mitigation would be required to reduce the potential impacts to less-than-significant levels. 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 Specific Plan Area would incorporate project design features outlined in the objectives and policies of the General Plan. The General Plan includes specific implementing policies pertaining to biological resources that must be adhered to for development within the Specific Plan 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 would reduce potential project impacts to special-status species and their associated habitats.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact BIO-1: Implementation of the Specific Plan Update would have a substantial adverse effect, either directly or through habitat modifications, on a 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.

Mitigation Measure BIO-1a **Avoidance Measures for Bats.**

1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees to be removed during construction for suitability as bat roosts. If a tree is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately.
2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small

branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree.

3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats:

    a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs).

    b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours).

Mitigation Measure BIO-1b **Pre-activity Nesting Bird Surveys.** If future development and site-specific project activities facilitated by the implementation of the Specific Plan Update must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys will be conducted by a qualified biologist in accordance with the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) no more than 7 days prior to the start of construction at the construction site, and a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson's hawk [*Buteo swainsoni*]) will be installed. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during future project construction facilitated by implementation of the Tower District Specific Plan Update, the project proponent shall install an avoidance buffer ranging from 50 feet to 350 feet will be required, as determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The qualified biologist will have the ability to stop construction if nesting adults show signs of distress.

Level of Significance With Mitigation: Less than Significant Impact

Implementation of Mitigation Measure BIO-1a and BIO-1b would serve to ensure that the impacts of the implementation of the proposed project would reduce impacts to special-status animal species to a less than significant level.

4.2.5.2 Cumulative Impacts

State CEQA Guidelines Section 15355 requires an analysis of cumulative impacts, which are defined as, "two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts."

BIO-2 The project, in combination with other projects, could contribute to a significant cumulative impact related to biological resources.

As discussed in Section 4.2.5.1, the proposed project could have significant impacts on special-status species prior to the incorporation of mitigation measures. Most direct and indirect impacts would result from construction-related disturbances and residential, industrial, and commercial development. However, the incremental effect of the proposed project, when combined with the effects created by other past and reasonably foreseeable projects, would not be cumulatively considerable or significant because future projects under implementation of the Specific Plan Update would be required to obtain regulatory approvals and implement the mitigation measures identified throughout this chapter. Potential impacts related to biological resources would be reduced through implementation of applicable local policies and objectives, and Mitigation Measure BIO-1a and BIO-1b, which would ensure protection of existing habitat, special-status plant and animal species, and potential wetlands, and ensure there are no conflicts with existing policies and regulations related to the protection of biological resources within the Specific Plan Area.

Also, because it would be speculative to assume the exact location and extent of development that would occur during implementation of the proposed project, future projects would be subject to project-level CEQA analysis which would further identify project specific impacts and mitigation measures at that time to ensure protection of biological resources. Therefore, because future projects would be subject to similar policies, mitigation, and regulations as the proposed project, for the protection of biological resources, as well as future CEQA analysis, a less than significant cumulative impact would occur.

Level of Significance Without Mitigation: Potentially Significant Impact.

Impact BIO-2: Implementation of the Specific Plan Update could result in cumulative impacts to biological resources.

Mitigation Measures: Refer to Mitigation Measures BIO-1a and BIO-1b.

Level of Significance With Mitigation: Less than Significant Impact

Implementation of Mitigation Measures BIO-1a and BIO-1b would serve to ensure that the impacts of the implementation of the proposed project would reduce cumulative impacts to biological resources to a less than significant level.

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4.3 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

4.3.1 Introduction

This section describes how implementation of the Tower District Specific Plan Update (proposed project or Specific Plan Update) for the City of Fresno (City) may affect the existing cultural and tribal cultural resources within the Tower District Specific Plan Area (Specific Plan Area). For the proposed project, the Specific Plan Area encompasses the Tower District, which is centrally located within Fresno and is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad (UPRR) tracks to the west.

The descriptions in this section are based in part on information obtained from a records search conducted at the Southern San Joaquin Valley Information Center (SSJVIC) completed prior to adoption of the Specific Plan Update, background literature research, and a review of environmental compliance documents in and near the Specific Plan Area.

For the purposes of this analysis, an archaeological resource is considered any cultural resource that was deposited before Europeans established a Franciscan Mission in California (1769), although it has long been recognized that Europeans were present along the California Coast as early as the mid-16th century and landed on the California Coast on several occasions. Buried resources deposited after 1769 are technically considered historical resources. Such resources would also include Native American resources deposited after that date.

The following information is provided in accordance with Section 15125 of the California Environmental Quality Act (CEQA). The environmental setting discussion provides a baseline discussion of the existing conditions within the Specific Plan Area and surrounding area. This section also addresses local, State, and federal regulations as they pertain to project impacts on cultural resources.

4.3.2 Existing Environmental Setting

The Tower District (District) was established in the early 20th century as one of Fresno's first suburbs and is a typical representation of an American streetcar suburb. Streetcar lines extended from Downtown Fresno, located south of the District, and provided access to what was once farmland at the edge of the city. During the decades after World War II, conventions in development and neighborhood design changed dramatically as the emphasis shifted away from streetcars and pedestrians and catered to automobiles. Traditional building style changed from street-facing patterns to parking lots which lined public streets, changing the District's character. Today, the District exhibits an exemplary heritage of buildings and site features from the early decades of the 20th century.

Cultural resources include prehistoric-era archaeological sites, historic-era archaeological sites, Native American traditional cultural properties, sites of religious and cultural significance, and historical buildings, structures, objects, and sites. The importance of any single cultural resource is defined by the context in which it was first created, current public opinion and modern yet evolving

analysis. From the analytical perspective, temporal and geographic considerations help to define the historical context of the Specific Plan Area.

4.3.2.1 Prehistoric Era and Ethnographic Overview

The San Joaquin Valley, along with the adjacent Sierra Nevada foothills and Coastal Ranges, possesses a rich and complex cultural history that spans over 11,000 years prior to European contact. The earliest widely accepted evidence of prehistoric occupation includes basally thinned, fluted projectile points—typically found along the shores of now-extinct lakes—indicating the presence of Paleo-Indian hunters between approximately 11,550 and 8,550 B.C.E.

At the time of European contact, the San Joaquin Valley and surrounding foothills were home to approximately 40 autonomous groups collectively identified as the Yokuts. These groups were traditionally divided into three major subgroups based on geography and language: the Northern Valley, the Foothill, and the Southern Valley Yokuts. Ethnographic evidence suggests that the area now encompassing the City of Fresno was historically within the territory of the Southern Valley Yokuts.[1]

The Southern Valley Yokuts practiced a semi-sedentary hunter-gatherer lifestyle, relying on the seasonal availability of regional plant and animal resources. They resided in permanent villages during the fall through spring and moved within their territories during the summer to gather food, fish, and hunt game. Principal villages were commonly situated along perennial streams, while temporary camps and activity areas were distributed across the landscape. Bedrock milling features—frequently located near reliable water sources—represent some of the most enduring archaeological evidence of their long-term habitation.

The Yokuts were organized into distinct tribelets, each with its own name, dialect, and defined territory. These tribelets were typically governed by a hereditary chief residing in the principal village, who was aided by one or more advisors. Chiefs were responsible for community leadership, trade oversight, dispute resolution, and hosting visiting parties. Marriage customs were generally informal and patrilocal, leading to extended family groupings clustered around the male head of household. Polygamy was permitted but primarily practiced by men. There is limited evidence of widespread organized religious ceremonies among the Southern Valley Yokuts.

Material culture among the Southern Valley Yokuts was shaped by their resource-rich environment and supplemented through trade. They relied heavily on locally available materials such as tule, which was used extensively in house construction, basketry, mats, cradles, and watercraft. The abundance of waterways made rafts a central mode of transportation. Tools and weapons were crafted from wood, bone, and stone. Resources not available locally—such as obsidian, salt, acorns, and seashells—were acquired through an extensive trade network in exchange for asphaltum, steatite, and animal skins. Sweathouses, used exclusively by men, were a common feature in village life.

[1] Wallace, William J. 1978. Southern Valley Yokuts. In *Handbook of North American Indians*, Vol 8, California. Smithsonian Institution, Washington D.C.

Following European and, later, Mexican settlement in the San Joaquin Valley, the Yokuts population experienced a dramatic decline. By the latter half of the 19th century, widespread disease and displacement associated with European colonization had devastated indigenous communities. Like many Native groups in California, the Southern Valley Yokuts suffered a severe population decline.

4.3.2.2 Historic Era

Spanish exploration of the Central Valley began in the early 19th century, led by Gabriel Moraga.[2] In expeditions between 1805 and 1808, Moraga named several key rivers including the Calaveras, Merced, Stanislaus, and Kings, and identified a tributary which would later become known as the San Joaquin River that borders the City of Fresno to the north. Moraga's journeys were undertaken to locate sites for potential missions and to recover runaway neophytes. Following the transition from Spanish to Mexican rule, American trappers began utilizing the region's natural resources, and the 1848 discovery of gold in California accelerated the influx of settlers. This wave of migration and development, particularly in the nearby mountains and foothills, led to a dramatic decline in Yokuts populations in the latter half of the 19th century, primarily due to introduced diseases and expanding European settlements.

The discovery of additional mineral resources in the mid-19th century led to the establishment of small communities along rivers and streams in the foothills and mountains east and northeast of the city. Fresno County was formed in 1856, with its original county seat set in the foothill town of Millerton. Following a devastating flood in 1867 that affected Millerton and other nearby settlements, efforts began to establish a more secure regional trading center within the San Joaquin Valley. That same year, A.Y. Easterby founded a large agricultural enterprise in what is now central Fresno, and his partner Moses Church developed an innovative water delivery system that diverted water from the nearby Kings River. By 1871, Easterby's 5,000-acre farm was producing irrigated wheat fields. The area gained further prominence when Central Pacific Railroad officials visited the site and designated it as a stop on the Central California Railroad, later known as the Southern Pacific line, following the company's renaming in 1884. After locals realized Fresno Station would become the trading center for the area, development spread beyond the original Easterby plat and began to be oriented toward roadways put in along Section lines in cardinal directions.

Eventually, irrigation companies, colonies, and districts were formed in the vicinity of various small towns including Fresno to promote agriculture. In 1875, the Central California Colony was established south of Fresno, which set the model for a system of development that was used throughout the San Joaquin Valley. Tracts of land were subdivided into 20–40 acre parcels, irrigated from a system of canals and often landscaped with boulevards of palms, eucalyptus or other drought-resistant trees. By 1903, there were 48 separate colonies or tracts in Fresno County, which drew farmers and their families from Scandinavia and from across the United States. Fresno incorporated in 1885, with a population of over 3,000. Development was restricted to a six-block area beginning at and northeast from the Southern Pacific Railroad Depot.

[2] Bancroft, Hubert Howe. 1884-1890. *History of California*, 7 vols. The History Company, San Francisco, California.

The first three decades of the 20th century were a period of steady growth and increasing prosperity for Fresno during which the City established itself as the primary city of the San Joaquin Valley. The City's first electric streetcar was in use in 1902. By 1909, the first double-track streetcar line was installed along J Street (now Fulton Street). By the early 1920s, streetcar lines would radiate out from the central business district to the north, east, south, and west, including into the Tower District, where farmland was being subdivided for suburban development. The expanding transit infrastructure, along with exponentially increasing private automobile ownership, made living further from the city center possible. Land within the central city became increasingly used for commercial and civic purposes.

4.3.2.3 Archaeological Resources

Archaeological resources may be considered to be either "unique archaeological resources" or "historical resources" as defined by CEQA and described previously. *State CEQA Guidelines* Section 21083.2 defines a "unique archaeological resource" as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is a demonstrable public interest in that information;
- Has a special and particular quality, such as being the oldest of its type or the best available example of its type; and/or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Sites in the nearby foothills exhibit groundstone assemblages suggest that acorns and pine nuts were harvested when ripe by bands of mobile groups. Comparative ethnographic data suggests that mobile peoples with a seasonal round may have created a home base (village) in winter during these periods, then travelled to exploit pockets of certain resources in temporary encampments.

Lowland groups may have predominated in the Fresno area during the late Middle Holocene and archaeological sites dated to this time would likely exhibit foodstuff and processing tools more focused on lakeshore resources than grinding implements seen in upland sites. Soil strata found in the northwestern portion of the city has been defined as a Late Pleistocene non-marine alluvial fan covered with a veneer of late Holocene soil. In general, early and Middle Holocene alluvial deposits with cultural resources in them would typically be exposed only after several feet of soil has been removed. Soils near active stream channels are younger and are less likely to exhibit sites from this period except on intact dunes and at some depth.

Further, a cultural resources study found that no archaeological resources have been discovered within the Specific Plan Area. Known resources within a half-mile radius of the Specific Plan Area include buildings and structures and not buried resources. No pre-historic resources have been recorded in the vicinity and no ethnographic villages or camps are reported within or near the Specific Plan Area.

4.3.2.4 Known Historical Resources

The City of Fresno has experienced extensive growth since the 1800s when the railroad arrived and the broad plain between the Kings River and San Joaquin River was hand-cleared of brush and native grasses. As agricultural commerce strengthened, most of the downtown area was transformed from little farms and railroad-supply businesses to a burgeoning agricultural center, then to the development of Victorian style blocks with grand hotels, to more modern styles evidenced in many Classical Revival buildings.

A Constraints Assessment (LSA 2025c)[3] was prepared for the proposed project in July 2025 (Appendix G). On May 21, 2025, staff at the Southern San Joaquin Valley Information Center (SSJVIC) at California State University, Bakersfield, conducted a record search. The SSJVIC is an affiliate of the California Office of Historic Preservation and is the official State repository for cultural resource records and reports for Fresno County. The objectives of this research are to (1) establish the status and extent of previously recorded resources and studies in the Specific Plan Area, and (2) note what types of previously undocumented resources might be expected within the various Drainage Areas and Growth Areas described above, based upon the existing data of known cultural resources and studies in the California Historical Resources Information System database. The record search included a review of previously documented prehistoric and historic-period and cultural resource records within the project site, as well as a review of cultural resources reports in the database.

The City of Fresno retains many of its historically significant buildings and structures through listings on various registers; local and national. Within the Specific Plan Area, data from the record search conducted at the SSJVIC indicates that there are 44 recorded resources and 20 reports that have been prepared within the Specific Plan Area. All resources recorded within the Specific Plan Area are historic. Of these 44 historic resources, 40 records are historic structures. The remaining four historic resources include two railroads, an overcrossing, and a debris deposit and associated trash deposit. These resources are listed in Table 4.3.A, below.

4.3.2.5 Native American Consultation

City staff consulted with the Native American Heritage Commission (NAHC) in July 2025. A letter to the NAHC was sent by City staff requesting a sacred lands search. The NAHC identified that there were no known sacred lands that were located within the Specific Plan Area; however, the NAHC provided a list of 10 Native American tribes to consult. The City sent letters to each of the tribes in July 2025. Appendix J includes the Native American consultation information.

[3] LSA Associates, Inc. (LSA). 2025c. *Constraints Assessment for the Tower District Specific Plan in Fresno, Fresno County, California.* July.

Table 4.3.A: Cultural Resources Within the Project Area

Primary #	Trinomial #	Address	Site Description
10-003930	CA-FRE-003109H	Fresno County Southern Pacific Railroad	Historic railroad
10-004245	-	Hayhurst Residence 405 North Broadway	Historic building
10-004246	-	Mission Funeral Home 475 North Broadway	Historic building
10-004247	-	315 East Brown	Historic building
10-004271	-	415 North Ferger Avenue	Historic building
10-004285	-	J.B. Hill Feed Company 315 North H Street	Historic structure
10-004309	-	Paul Kindler House 1520 East Olive Avenue	Historic building
10-004313	-	The Mosgrove Home 660 East Pine Street	Historic building
10-004319	-	The Vincent Home 921 North San Pablo Avenue	Historic building
10-004357	-	Porteous Home 1095 North Van Ness Boulevard	Historic building
10-004380	-	McIndoo Residence 410 North Van Ness Boulevard	Historic building
10-004381	-	William Hanger Residence 425 North Van Ness Boulevard	Historic building
10-004385	-	375 North Fulton Street	Historic building
10-004386	-	The Cobb Home 437 North Fulton Street	Historic building
10-004387	-	Stone Residence 408 North Fulton Street	Historic building
10-004388	-	The Proffitt Home 405 North Fulton Street	Historic building
10-004431	-	Fresno State Normal School 1101 East University Avenue	Historic building
10-004432	-	Fresno State College Library 1101 East University Avenue	Historic building
10-004513	-	Belmont Avenue Subway	Historic railroad
10-004675	-	Burlington Northern and Santa Fe Railway	Historic railroad
10-005207	-	Carnation Restaurant 644 East Olive Avenue	Historic building
10-005208	-	John G Porter House 420 North Van Ness Boulevard	Historic building
10-005211	-	254 North Roosevelt	Historic building
10-005213	-	Newman J Levinson House 439 North Van Ness Boulevard	Historic building
10-005216	-	Ira H Brooks House 350 North Fulton Street	Historic building
10-005217	-	Fresno Veterinary Hospital 1212 East Belmont	Historic building
10-005224	-	The Turnbull/Butcher Residence 1614 East Englewood Avenue	Historic building
10-005401	-	Tower Theatre 1201 North Wishon Avenue	Historic building

Table 4.3.A: Cultural Resources Within the Project Area

Primary #	Trinomial #	Address	Site Description
10-005448	-	841-861 East Pine Apartment Court 841-861 East Pine Street	Historic building
10-005449	-	830-844 East Pine Apartment Court 830-844 East Pine Street	Historic building
10-005450	-	850-858 East Hedges Apartment Court 850-858 Hedges	Historic building
10-005452	-	1333-1353 North Palm Bungalow Court 1353 North Palm Avenue	Historic building
10-005454	-	Normandy Village Apartments 840 East Brown	Historic building
10-005455	-	Tower Village Apartment Court 826-844 East Hedges	Historic district
10-005913	-	Fresno High School/Josiah Royce Hall 1839 North Echo Avenue	Historic building
10-006032	-	Weber Avenue Overcrossing	Historic bridge
10-006099	-	I.D. Schnabel Home 610 East McKinley Avenue	Historic building
10-006528	-	John M Wrightson Home 605 East McKinley Avenue	Historic building
10-006529	-	S.S. Beran Home 606 East McKinley Avenue	Historic building
10-006960	-	1538 East Cinton Avenue	Historic building
10-006961	-	1605 East Vassar Avenue	Historic building
10-006962	CA-FRE-003814H	1533 and 1539 East Vassar Avenue, 1688 East Clinton Avenue	Historic site
10-006963	-	David's Tire Shop 2315 North Blackstone Avenue	Historic building
10-007545	-	Belmont and Weber Archaeological Site	Historic site

Source: Southern San Joaquin Valley Information Center (2025).

4.3.3 Regulatory Setting

Federal, State, and local laws, regulations, plans, or guidelines that are potentially applicable to the Specific Plan Area are summarized below. The Section 106 compliance process associated with the National Historic Preservation Act of 1966 (NHPA) is commonly discussed within environmental impact reports (EIRs) but the process holds no regulatory requirement within Fresno unless cultural resources listed on the National Register of Historic Places (National Register) are adversely affected by a City-approved project. Therefore, a review of the Federal process is necessary here only to provide background. Cultural resource law and regulations associated with the CEQA process are based upon, but are statutorily distinct from, the Section 106 process.

4.3.3.1 Federal Policies and Regulations

National Historic Preservation Act. The NHPA is the most concise and effective federal law dealing with historic preservation. Federal preservation law does not apply to the purpose of this analysis but a short review of the legislation is needed because the State and Local requirements have been derived from this legislation. The NHPA established guidelines to "preserve important historic,

cultural, and natural aspects of our cultural heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice." The NHPA includes regulations specifically for federal land-holding agencies, but also includes regulations (known as Section 106) which pertain to all projects that are funded, permitted, or approved by any federal agency and which have the potential to affect cultural resources. In addition, the NHPA authorizes the Secretary of the Interior to establish the National Register of Historic Places (The National Register). The National Register is an inventory of districts, sites, buildings, structures and objects significant at a national, State, or local level in American history, architecture, archaeology, engineering, and culture. The National Register is wholly maintained by the National Park Service, the Advisory Council on Historic Preservation, and the State Office of Historic Preservation (SHPO) and grants-in-aid programs.

According to the National Park Service (NPS) and the SHPO, the City is a Certified Local Government (CLG). The CLG program is a preservation partnership between local, State, and national governments focused on promoting historic preservation at the grass roots level. The program is jointly administered by NPS and SHPO, with each local community working through a certification process to become recognized as a CLG. CLG's become an active partner in the Federal Historic Preservation Program and the opportunities (and funding) it provides.

American Indian Religious Freedom Act (AIRFA) and Native American Graves Repatriation Act (NAGPRA). The American Indian Religious Freedom Act and Native American Graves Repatriation Act are designed to protect the rights of American Indians to practice their traditional religions and allow American Indians to reclaim human remains and other culturally significant items. AIRFA grants access to sacred sites, allows the use of sacred objects, and allows American Indians to participate in tradition religious ceremonies. NAGPRA provides an avenue for the return of Native American remains and other significant cultural items to be returned to their respective tribes by requiring consultation with tribes whose culturally significant artifacts are in the possession of a federally funded museum or agency. Additionally, NAGPRA also prohibits the unauthorized excavation or removal of Native American remains from federal or tribal lands.

4.3.3.2 State Policies and Regulations

California Register of Historical Resources. The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. Important cultural resources can be listed in the California Register through a number of methods, and listing requires approval from the State Historic Resources Commission. Properties can be nominated to the California Register by local governments, private organizations, or citizens. State Historical Landmarks and National Register-listed properties gain automatic listing in the California Register. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register of Historic Places. In order for a cultural resource to be significant, or in other words eligible, for listing in the California Register, it must reflect one or more of the following criteria (Public Resources Code [PRC] 5024.1c):

- Criterion 1 (Events): Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

- Criterion 2 (Persons): Resources that are associated with the lives of persons important to local, California, or national history.

- Criterion 3 (Architecture): Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.

- Criterion 4 (Information Potential): Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation.

California Environmental Quality Act. CEQA requires that public agencies assess the effects on historical resources of public or private projects that the agencies finance or approve. Historical resources are defined as buildings, sites, structures, objects, areas, places, records, or manuscripts that the lead agency determines to have historical significance, including architectural, archaeological, cultural, or scientific significance. CEQA requires that if a project results in an effect that may cause a substantial adverse change in the significance of a historical resource, alternative plans or mitigation measures must be considered.

However, only significant historical resources need to be addressed. Therefore, before the assessment of effects or development of mitigation measures, the significance of cultural resources must be determined. The steps that are normally taken in a cultural resources investigation for CEQA compliance are as follows:

1. Identify potential historical resources.

2. Evaluate the eligibility of historical resources.

3. Evaluate the effects of the project on all eligible historical resources.

In addition, properties that are listed in or eligible for listing in the National Register are considered eligible for listing in the California Register and thus are significant historical resources for the purposes of CEQA (PRC Section 5024.1[d][1]).

According to CEQA, a project with an effect that may cause a substantial adverse change in the significance of a historical resource may have a significant impact on the environment (*State CEQA Guidelines* Section 15064.5[b]). CEQA also states that a substantial adverse change in the significance of a resource means the physical demolition, destruction, relocation, or alteration of an historical resource or its immediate surroundings such that the significance of the resource would be materially impaired. Actions that would materially impair the significance of a historical resource are any actions that would demolish or materially and adversely alter the physical characteristics of a historical resource that convey its historical significance and qualify or justify its eligibility for

inclusion in the California Register or in a local register or survey that meet the requirements of PRC Sections 5020.1(k) and 5024.1(g).

Significant Historical Resources under CEQA Guidelines. In completing an analysis of a project under CEQA, it must first be determined if the project site possesses a historical resource. A site may qualify as a historical resource if it falls within at least one of four categories listed in CEQA Guidelines Section 15064.5(a). The four categories are:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et seq.).

2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1 (g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852).

These conditions are related to the eligibility criteria for inclusion in the California Register (PRC Sections 5020.1[k], 5024.1, 5024.1[g]). A cultural resource may be eligible for inclusion in the California Register if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

- Is associated with the lives of persons important in our past;

- Embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values; or

- Has yielded, or may be likely to yield, information important in prehistory or history.

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Pub. Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Pub. Resources Code) does not preclude a lead

agency from determining that the resource may be an historical resource as defined in Pub. Resources Code sections 5020.1(j) or 5024.1.

A lead agency must consider a resource that has been listed in, or determined to be eligible for listing in the California Register (Category 1) as an historical resource for CEQA purposes. In general, a resource that meets any of the other three criteria listed in CEQA Guidelines Section 15064.5(a) is also considered to be a historical resource unless "the preponderance of evidence demonstrates" that the resource is not historically or culturally significant."

State Health and Safety Code. The discovery of human remains is regulated according to California Health and Safety Code Section 7050.5, which states, "If human remains are encountered, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify Most Likely Descendant (MLD). With the permission of the landowner or his or her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials."

California Government Code 65352.3-5: Local Government-Tribal Consultation. California Government Code Sections 65092, 65351, 65352, 65352.3, and 65352.4, formally known as Senate Bill (SB) 18, regulate the consultation with California Native American tribes having traditional lands located within the jurisdiction of applicable cities and counties. The intent of the underlying legislation was to provide all California Native American tribes that are on the contact list maintained by the Native American Heritage Commission, an opportunity to consult with specific local governments for the purpose of preserving and protecting their sacred places. Such consultations apply to the preparation, adoption and amendment of general plans.

Senate Bill 18. Senate Bill (SB) 18, signed into law in September 2004, requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places through local land use planning. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting or mitigating impacts to cultural places. The consultation and notice requirements apply to adoption and amendment of both general plans (Government Code Section 65300 et seq.) and specific plans (Government Code Section 65450 et seq.). Specifically, Government Code Section 65352.3 requires local governments, prior to making a decision to adopt or amend a general plan, to consult with California Native American tribes identified by the NAHC for the purpose of protecting or mitigating impacts to cultural places. As previously discussed, the NAHC is the State agency responsible for the protection of Native American burial and sacred sites.

Assembly Bill 52. Assembly Bill (AB) 52, the Native American Historic Resource Protection Act, sets forth a proactive approach intended to reduce the potential for delay and conflicts between Native American and development interests. Projects subject to AB 52 are those that file a notice of preparation for an EIR or notice of intent to adopt a negative or mitigated negative declaration on or

after July 1, 2015. AB 52 adds tribal cultural resources (TCR) to the specific cultural resources protected under CEQA. Under AB 52, a TCR is defined as a site, feature, place, cultural landscape (must be geographically defined in terms of size and scope), sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources. A Native American Tribe or the lead agency, supported by substantial evidence, may choose at its discretion to treat a resource as a TCR. AB 52 also mandates lead agencies to consult with tribes, if requested by the tribe, and sets the principles for conducting and concluding consultation.

Public Resources Code Section 5097.5. California Public Resources Code (PRC) Section 5097.5 prohibits the "knowing and willful" excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined as land that is owned or under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof.

4.3.3.3 Local Policies and Regulations

City of Fresno General Plan. The approved General Plan is a set of policies and programs that form a blueprint for the physical development of the City. The following objectives and policies related to cultural resources are presented in various elements of the approved General Plan:

Historic and Cultural Resources Element.

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-a: Certified Local Government. Maintain the City's status as a Certified Local Government (CLG), and use CLG practices as the key components of the City's preservation program.

Policy HCR-1-b: Preservation Office, Commission and Program. Maintain the Preservation Office, Historic Preservation Commission, and preservation program to administer the City's preservation functions and programs

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. Work to identify and evaluate potential historic resources and districts and prepare nomination forms for Fresno's Local Register of Historic Resources and California and National registries, as appropriate.

Policy HCR-2-b: Historic Surveys. Prepare historic surveys according to California Office of Historic Preservation protocols, as funding is available.

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. Council may, but is not required, to adopt an ordinance to implement this policy.

Policy HCR-2-d: Native American Sites. Work with local Native American tribes to protect recorded and unrecorded cultural and sacred sites, as required by State law, and educate developers and the community-at-large about the connections between Native American history and the environmental features that characterize the local landscape.

Policy HCR-2-f: Archaeological Resources. Consider State Office of Historic Preservation guidelines when establishing CEQA mitigation measures for archaeological resources.

Policy HCR-2-g: Demolition Review. Review all demolition permits to determine if the resource scheduled for demolition is potentially eligible for listing on the Local Register of Historic Resources. Consistent with the Historic Preservation Ordinance, refer potentially eligible resources to the Historic Preservation Commission and as appropriate to the City Council.

Policy HCR-2-k: 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.

Policy HCR-2-m: Local Register Listing. Recommend that property owners, who receive funds from the City of Fresno for rehabilitation of a property, consent to listing it on the Local Register of Historic Resources if the property meets the criteria for age, significance, and integrity. Publicly funded rehabilitation properties which may meet Local Register criteria will be presented to the City's Historic Preservation Commission for review.

Policy HCR-2-n: Property Database and Informational System. Identify all historic resources within the city designated on the Local, State, or National register, and potential significant resources (building, structure, object or site) in existence for at least 45 years, and provide this information on the City's website.

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-a: Adaptive Reuse. Promote the adaptive reuse and integration of older buildings into new projects as part of the City's commitment to nurturing a sustainable Fresno.

Policy HCR-3-b: Collaborate with the arts community to promote the integration of public art into historic buildings and established neighborhoods. Link arts activities (such as Art Hop) with preservation activities.

Policy HCR-3-c: Context Sensitive Design. Work with architects, developers, business owners, local residents and the historic preservation community to ensure that infill development is context-sensitive in its design, massing, setbacks, color, and architectural detailing.

Objective HCR-4: Foster an appreciation of Fresno's history and cultural resources.

Policy HCR-4-d: Public Archives. Maintain public archives that include information on all designated historic properties, as well as historic surveys, preservation bulletins, and general local history reference materials. Post survey reports, Historic Preservation Commission minutes and agendas, and other information of public interest on the historic preservation page of the City's website

City of Fresno Municipal Code.

Historic Preservation Ordinance. The City of Fresno has established a Historic Preservation Commission and a Local Register of Historic Resources (Fresno Municipal Code, Chapter 12, Article 16). The Ordinance is used to provide local levels of control over the historical aesthetics of cultural resources within the City, and to ensure that the potential impact to locally significant historical resources that may be the subject of redevelopment are given reasonable consideration. The purpose of the ordinance is to:

> …continue to preserve, promote and improve the historic resources and districts of the City of Fresno for educational, cultural, economic and general welfare of the public; to continue to protect and review changes to these resources and districts which have a distinctive character or a special historic, architectural, aesthetic or cultural value to this city, state and nation; to continue to safeguard the heritage of this city by preserving and regulating its historic buildings, structures, objects, sites and districts which reflect elements of the city's historic, cultural, social, economic, political and architectural history; to continue to preserve and enhance the environmental quality and safety of these landmarks and districts; to continue to establish, stabilize and improve property values and to foster economic development. (Article 16 Section 12-1602(a).)

The ordinance provides legislative mechanisms to protect certain historical resources. Local registers of identified historical resources are known, including:

1. **Heritage Properties.** These are defined as a resource which is worthy of preservation because of its historical, architectural or aesthetic merit but which is not proposed for and is not designated as an Historic Resource under the ordinance.

2. **Historic Resources.** These are defined as any building, structure, object or site that has been in existence more than fifty years and possesses integrity of location, design, setting, materials, workmanship, feeling and association, and is associated with events that have made a significant contribution to the broad patterns of city history, or is associated with the lives of persons significant in our past, or embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master or possesses high artistic values; or has yielded, or may be likely to yield, important information in prehistory or history; and has been designated as such by the Council pursuant to the provisions of the ordinance.

3. **Local Historic Districts.** These are defined as any finite group of resources related to one another in a clearly distinguishable way or any geographically definable area which possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development. The Local Historic District must be significant as well as identifiable and it must meet Local Register Criteria for listing on that Register. Contributors to Historic Districts are defined as any Historic Resource that contributes to the significance of the specific Local Historic District or a proposed National Register Historic District under the criteria set forth in the ordinance.

4. **National Register Historic Districts**, which shall mean any finite group of resources related to one another in a clearly distinguishable way or any geographically definable area which possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development. A National Register Historic District must be significant as well as identifiable and it must meet National Register Criteria for listing on that Register. Contributors to a National Register Historic District are defined as any individual Historic Resource which contributes to the significance of a National Register Historic District under the criteria set forth in the ordinance.

Certified Local Government. The Certified Local Government (CLG) Program is administered by the State Office of Historic Preservation (OHP). When a Lead Agency becomes a CLG it agrees to carry out the intent of and serve as a local steward of the National Historic Preservation Act and the Secretary of the Interior's Standards. In meeting those standards, OHP serves as an advisor. The use of the National Register/California Register criteria and the Secretary of the Interior Standards integrates local, State, and federal levels of review. It brings clarity to the question of what resources are significant when it comes to CEQA and Section 106 of the National Historic Preservation Act. Adopting the Secretary of the Interior's Standards will allow the use of categorical exemptions under CEQA, and likely result of findings of no adverse effect under Section 106. The use of these criteria and standards make environmental review faster, more efficient, and reduces costs and delays. The City has been certified as a CLG since September 1996.

4.3.4 Significance Criteria

The thresholds for impacts to cultural resources used in this analysis are consistent with Appendix G of the *State CEQA Guidelines*. Implementation of the proposed project would result in a significant impact related to cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;

- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;

- Disturb any human remains, including those interred outside of formal cemeteries;

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or

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

4.3.5 Impacts and Mitigation Measures

The following section presents a discussion of the impacts related to cultural resources that could result from implementation of the Specific Plan Update. The section begins with the criteria of significance, which establish the thresholds to determine if an impact is significant. The latter part of this section presents the impacts associated with implementation of the Specific Plan Update and the recommended mitigation measures, if required. Mitigation measures are recommended, as appropriate, for significant impacts to eliminate or reduce them to a less-than-significant level. Cumulative impacts are also addressed.

4.3.5.1 Project Impacts

The following discussion describes the potential impacts related to cultural resources that could result from implementation of the Specific Plan Update.

CUL-1 The project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

A Constraints Assessment was prepared for the project in July 2025, which listed 44 resources recorded within the Specific Plan Area. All resources recorded within the Specific Plan Area are historic. Of these historic resources, 40 records are historic structures. The remaining four historic resources include two railroads, an overcrossing, and a debris deposit and associated trash deposit. Additionally, as discussed in Section 4.3.2 Existing Environmental Setting, much of the development within the Specific Plan Area occurred during the early to mid-20th century and thus would have the potential to meet the criteria for inclusion on the California Register of Historical Resources.

The proposed project would support mixed-use development in targeted areas by developing or redeveloping vacant and underutilized parcels within the Specific Plan Area. Future development under the proposed project would include site preparation, grading, demolition, and other various construction activities which have the potential to result in an adverse change to a historic resource through demolition, destruction, alteration, or relocation.

As described in Section 4.3.3, Regulatory Setting, there are several existing regulations that would govern implementation of the proposed project. The California Historical Building Code establishes specific standards for the rehabilitation, preservation, restoration (including reconstruction), and relocation of buildings and properties formally recognized as historically significant by a State or local agency. Additionally, the City of Fresno's Historic Preservation Ordinance provides a framework for the protection, enhancement, and management of designated Historic Resources and Historic Districts. Future development within the Specific Plan Area would also be required to adhere to General Plan Objectives HCR-1, HCR-2, HCR-3, and HCR-4 along with associated policies, which direct the City to identify, designate, and conserve sites and structures of historical, archaeological, and cultural value. Furthermore, Policies HCR-2-c and HCR-2-g require that evaluations of potential impacts on such resources be conducted by professionals who meet the Secretary of the Interior's professional qualification standards.

The Specific Plan Update proposes objectives and policies to be implemented that focus on conservation and historic preservation of the Tower Districts resources and identity, as outlined in Table 4.3.B, below.

Table 4.3.B: Tower District Specific Plan Update – Conservation & Historic Preservation Objectives and Policies

Objective CHP 1: Recognize and Protect the Tower District's Historic and Cultural Identity	
Policy CHP 1.1: Develop a historic context statement for the Tower District.	A comprehensive historic context statement should be developed by a qualified cultural resource professional, which describes: the district's physical, social, and cultural development; identifies physical patterns associated with those developments; and recommends eligibility criteria and integrity thresholds for the designation of historic resources. The context statement should provide a consistent foundation for decisions about the identification, evaluation, and designation of historic properties in the community. The historic context statement should be developed in accordance with the standards and guidance provided by the National Park Service and the California Office of Historic Preservation. The historic context statement should be developed with the input of community members, local historic and cultural organizations, local social and educational institutions, and should consider the large body of previous historic resources studies developed for the City of Fresno, including studies within the Tower District. Recognize that the historic context statement will be used to evaluate whether a potential historic resource should be designated, and that, by identifying character defining features within subdistricts, the statements can guide the development of context-appropriate development standards and guidelines. Also note that the historic context statement should address contributions by persons and populations that have previously been overlooked or marginalized, such as women, communities of color, and the LGBTQ+ community.

Table 4.3.B: Tower District Specific Plan Update – Conservation & Historic Preservation Objectives and Policies

Policy CHP 1.2: Protect the Tower District's cultural history and resources.	Using historic context statements as a guide, continue to apply standards and procedures that regulate the alteration of designated historic resources, whether buildings and/or site features, and seek to prevent their loss. Require the character of infill development to comply with the Tower District Standards & Design Guidelines to be compatible within its historic context. In accordance with State law, adopt context-appropriate design standards and guidelines, in recognition that some new housing projects may not be exempt from discretionary review. Note that incompatible new construction could distract from historic buildings, especially when adjacent to historic buildings, and could alter the character within historic districts. Also reinforce the historic character of the Tower District public streets and open spaces, by establishing design standards and guidelines for features like lighting, furnishings, trees, and landscape.
Policy CHP 1.3: Conduct new historic resources survey(s) of the Tower District.	Update historic resource surveys for the area. An updated historic resource survey should be used to establish a new baseline for historic preservation within the Tower District.
Policy CHP 1.4: Revive designation efforts for previously proposed historic districts.	The 1991 Tower District Specific Plan proposed several areas as potential historic districts that have not been formally listed or designated in the intervening years. The identified potential historic districts include: ● Adoline-Palm District (proposed) ● Terrace Gardens District (proposed) ● Wilson's North Fresno Tract District (proposed) ● Lower Fulton-Van Ness (proposed) ● Bungalow Court District (proposed) Prioritize these areas for historic resource surveys and the evaluation of designated and potential resources, to provide for their potential designation as historic districts.
Policy CHP 1.5: Initiate a study for the historic designation of the following areas: • Area bounded by Olive and Van Ness, down to Elizabeth and San Pablo – east of Van Ness • South of Belmont, West of Broadway	Prioritize these areas for historic resource surveys and the evaluation of designated and potential resources, to provide for their potential designation as historic districts.
Policy CHP 1.6: In keeping with the historic designation status, protect the Tower Theater as a community asset in alignment with the historic preservation ordinance.	
Policy CHP 1.7: Evaluate designation of potential resources in the public right-of-way.	Using historic resource survey(s) and community engagement for guidance, identify and evaluate public realm design elements that may be eligible for historic designation. These elements should be researched for their historic significance and, if eligible, nominated for designation accordingly. Elements located in the Tower District that have been discussed as [potential resources include but are not limited to the following: ● Historic hitching posts ● Van Ness Avenue "pineapple" streetlights

Table 4.3.B: Tower District Specific Plan Update – Conservation & Historic Preservation Objectives and Policies

	● Historic signage ● Sidewalk WPA stamps ● Stone gateway features on palm and Van Ness
Policy CHP 1.8: Highlight assets important to community identity.	Buildings, structures, objects and sites that are not eligible for listing or designation as historic resources may still contribute to the character and identity of the community. These can include: ● Buildings that house or once housed long-term local businesses or institutions. ● Neighborhood-serving commercial nodes such as Weldon and Echo avenues near Fresno High School, the intersection of Van Ness and Floradora (Van Ness Village), and Fulton Stret (south of Olive). ● Street features such as streetlights, street signs, street trees, sidewalk parkways, and street medians not distinguished as historically significant, ● Recognize historic businesses and institutions which continue to operate in the district. These and other features may be highlighted using signage, maps, online resources, walking tours or other means.
Policy CHP 1.9: Elevate the visibility of historic elements in the Tower District.	Actively promote historic resources in the Tower District through walking tours, brochures, online resources, interpretive signage, plaques and displays. Use the District's rich history as a draw for economic activity, including historic tourism, and community enjoyment.
Policy CHP 1.10: Heritage Trust and Historic Preservation Fund.	Support the creation of a City of Fresno Heritage Trust and Historic Preservation Fund to support acquisition, rehabilitation, and maintenance of historic resources. Evaluate the feasibility of a right-of first refusal program for the trust to acquire historic properties.
Policy CHP 1.11: Historic museum	Support the establishment of a museum in the Tower District, representing the Tower District, using a historic building or other building as an interactive place of learning.
Objective CHP 2: Maintain and Enhance Neighborhood Character-Defining Elements	
Policy CHP 2.1: Provide historic preservation information, training and accountability.	Provide information and training to help community members, new buyers, real estate professionals, government officials, staff, and other stakeholders to better understand the benefits, responsibilities, and potential difficulties of owning and managing historic properties. Work to preserve historic properties that have fallen into disrepair due to the neglect of their owners. Information readily available and helpful to community members should include the following: ● Basics regarding historic context, significance, integrity, and eligibility for historic listing on both local and national registers. ● Processes and requirements for nomination and designation of historic resources. ● Conformance with existing preservation standards and guidelines. ● Available preservation incentives including Mills Act contracts, use of the California Historic Building Code, and technical assistance. ● Environmental benefits of reusing existing materials and infrastructure. ● Potential economic benefits of preservation, by creating new opportunities for education, cultural activities, and a recognizable destination. ● Education to City leaders, community members, real estate professionals and other stakeholders on the value of historic preservation.

Table 4.3.B: Tower District Specific Plan Update – Conservation & Historic Preservation Objectives and Policies

Policy CHP 2.2: Protect and maintain existing character-defining streetscape elements.	Provide protection and maintenance, including replacement when necessary, of existing character-defining streetscape elements such as streetlights, tree lawns, and street trees in addition to elements as referenced in CHP 1.5. Consider reinstallation of elements that have been removed such as granite curbs, "pineapple" streetlights and other features.
Policy CHP 2.3: Accessory Dwelling Units (ADUs) in historic properties	Work with the Historic Preservation Commission and the Tower Design Review Committee to create ADU design standards to maintain ADU compatibility within historic districts.
Policy CHP 2.4: Affordable housing	Work with affordable housing developers to promote acquiring historic and/or vacant buildings for the creation of affordable, multifamily housing through appropriate modernization and adaptive reuse.
Objective CHP 3: Use Zoning and Design Standards and Guidelines to Support Conservation of Historic Neighborhood Character	
Policy CHP 3.1: Refine design standards and guidelines.	Work with the Historic Preservation Commission and the Tower Design Review Committee to craft design standards and guidelines as may be used for historic properties, districts and centers. Recognize that California law has eliminated discretionary authority over the review of qualifying multifamily housing and residential solar projects and that, in such instances, objective standards are needed to maintain compatibility.
Policy CHP 3.2: Pedestrian-oriented commercial development.	Prohibit development of suburban-style, strip commercial uses. Establish development standards and guidelines that support the creation of new and maintenance of existing pedestrian-oriented storefronts, by regulating ground-level use, entry, and window patterns.
Policy CHP 3.3: Encourage the rehabilitation and adaptive reuse of historic buildings.	Continue to establish streamlined approval processes, clear standards, guidance, and example plans for the reuse of historic buildings to allow alterations that maintain the building's historic significance and integrity. Standards should address typical reuse strategies such as additions to historic buildings, adaptive reuse of historic buildings for new uses, conversion of historic single-family properties for multi-family use, and the construction of ADUs. These standards can be tailored to specific property types within the Tower District.
Policy CHP 3.4: Continue to pursue Code Enforcement to ensure historic resources are adequately maintained.	
Objective CHP 4: Coordinate Plans and Programs of the Tower District and Downtown Fresno to Emphasize the Historic Connection	
Policy CHP 4.1: Connection to Downtown.	In all facets of development including streetscape, land-use and urban form, reinforce the historic relationship between Fulton and Van Ness Corridor and Downtown, through building form, street design, and signage.

Source: City of Fresno (2025).

While implementation of the Historic Preservation Ordinance, along with applicable State policies, General Plan objectives and policies, and the proposed Specific Plan Update objectives and policies would reduce potential impacts to historical resources, demolition of historic resources could still be necessary as part of implementation of the proposed project due to health and safety concerns. Additionally, modifications to historical resources may be proposed, which would be required to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties, as referenced in the Historic Preservation Ordinance. Compliance with all applicable Federal, State, and

local regulations and policies governing the protection of historic resources would reduce potential adverse changes to historical resources within the Specific Plan Area. However, the Historic Preservation Ordinance and the General Plan objectives and policies do not prohibit the City from approving a proposed project which has a significant impact on a historical resource. Therefore, even with adherence to all federal, State, and local regulations, potential adverse impacts to historical resources are still considered potentially significant.

Additionally, implementation of the proposed project has the potential to adversely affect previously unidentified historic resources located below the surface. While the Specific Plan Area consists of largely developed and previously disturbed land, the potential for historic deposits to be uncovered during implementation of the proposed project remains.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact CUL-1: Implementation of the Specific Plan Update would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

Mitigation Measure CUL-1a 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 of Fresno (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 *State 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 *State 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 City of Fresno 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.

Mitigation Measure CUL-1b Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of the

Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development.

During project-specific environmental review of development under the proposed plan, before altering or otherwise affecting a building or structure that is 50 years old or older, the City shall require project applicants to retain a qualified architectural historian meeting the Secretary of Interior's Professional Qualifications Standards to record the building or structure on a California Department of Parks and Recreation DPR 523 form or equivalent documentation, if the building has not previously been evaluated. Its significance shall be assessed and documented by a qualified architectural historian in accordance with the significance criteria set forth for historic resources under CEQA Guidelines Section 15064.5. The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the structure in the history of the City and the region. For buildings, structures, and other resources determined through this evaluation process not to meet the CEQA historical resource criteria, no further mitigation is required. For any building, structure, and or other resource that qualifies as a historic resource, the architectural historian and the future project-specific applicant shall consult to consider measures that would enable projects under the proposed plan to avoid direct or indirect impacts to the historic building or structure. These could include preserving the building on site, using it "as is," or other measures that would not materially alter the historically significant components of the building or structure. If the project cannot feasibly avoid modifications to the historically significant features of the historic building or structure, the following measures shall be undertaken as appropriate:

- If the building or structure can be preserved on-site, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (NPS 2017).

- If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, the City shall ensure that a qualified architectural historian thoroughly documents the building and associated

landscaping and setting. Documentation shall include still and video photography and a written documentary record of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. A copy of the record shall be provided to the City. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.

- If preservation and reuse at the site are not feasible, the historical building shall be documented as described in item (2) and, when physically and financially feasible, be moved and preserved or reused.

Level of Significance with Mitigation: Less Than Significant Impact

Compliance with Mitigation Measures CUL-1a and CUL-1b would ensure that implementation of the Specific Plan Update would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, and impacts associated with the proposed project would be less than significant.

CUL-2 The project could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Prehistoric archaeological resources are cultural resources which were deposited before Europeans established a Franciscan Mission in California (1769). Prehistoric archaeological 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 established in 21083.2(g) and therefore need not be avoided under *State CEQA Guidelines*.

Based on the data sources reviewed for the Specific Plan Area and identified above in Section 4.5.2 and in the Constraints Assessment, there have been no prehistoric archaeological resources found within the Specific Plan Area. The absence of prehistoric resources previously documented within the Specific Plan Area, and severe disturbance associated with development, suggest that sensitivity for in situ pre-contact archaeological resources is low. However, the establishment of Fresno as a streetcar suburb in the early 20th century and the subsurface debris and associated trash within the Specific Plan Area indicate that the area retains some potential for archaeological resources which could be discovered during implementation of the proposed project, particularly in previously undisturbed areas. Therefore, the proposed project could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact CUL-2: The project could cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the *State CEQA Guidelines*.

Mitigation Measure CUL-2 Subsequent to a preliminary City review of grading plans for future development projects facilitated by the Specific Plan Update, 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 of Fresno 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 *State CEQA Guidelines*. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the *State CEQA Guidelines,* mitigation measures shall be identified by the monitor and recommended to the City of Fresno. 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. 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.

Level of Significance with Mitigation: Less Than Significant Impact

Compliance with Mitigation Measure CUL-2 would ensure that implementation of the Specific Plan Update would not cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the *State CEQA Guidelines*, and impacts associated with the proposed project would be less than significant.

CUL-3 The project could disturb human remains, including those interred outside of formal cemeteries.

As described in Section 4.3.2 Existing Environmental Setting, there is currently no evidence that the Specific Plan Area contains prehistoric cemeteries or Native American cemeteries. Additionally, there are no formal cemeteries located within the Specific Plan Area. The proposed project would allow development and redevelopment of sites within the Specific Plan Area and 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. Therefore, implementation of the proposed project would have the potential to disturb human remains and the impact is considered potentially significant.

Level of Significance Without Mitigation: Potentially Significant Impact.

Impact CUL-3: The project could disturb human remains, including those interred outside of formal cemeteries.

Mitigation Measure CUL-3 In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (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 MLDs 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.

Level of Significance With Mitigation: Less Than Significant Impact

Compliance with Mitigation Measure CUL-3 would ensure that implementation of the Specific Plan would not disturb human remains, including those interred outside of formal cemeteries, and the impact would be less than significant.

CUL-4 The project could result a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Sections, 21074, 5020.1(k), or 5024.1.

As previously described in Section 4.3.2.2, a TCR is defined as a site, feature, place, cultural landscape (must be geographically defined in terms of size and scope), sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources, or if the City of Fresno, acting as the lead agency, supported by substantial evidence, chooses at its discretion to treat the resources as a TCR.

On July 15, 2025, compliant with AB 52 and SB 18, the City provided formal notification to interested Native American tribes that may be culturally or traditionally affiliated with the project area and vicinity to conduct consultation. Ten tribes were formally notified regarding AB 52 consultation and SB 18 consultation. A letter to the NAHC was sent by City staff requesting a sacred lands search. The NAHC identified that there were no known sacred lands that were located within the Specific Plan Area; however, the NAHC provided a list of 10 Native American tribes to consult, including:

- Amah Mutsun Tribal Band
- Kitanemuk & Yowlumne Tejon Indians
- Northern Valley Yokut/Ohlone Tribe
- Picayune Rancheria of the Chukchansi Indians
- Table Mountain Rancheria
- Tule River Indian Tribe
- Wuksachi Indian Tribe/Eschom Valley Band

The City sent letters to each of the tribes in July 2025. Appendix J includes the Native American consultation information.

As discussed under impact discussions CUL-1a, CUL-1b, CUL-2, and CUL-3, impacts from future development within the Specific Plan Area could impact unknown archaeological resources including Native American artifacts and human remains. Impacts would be reduced to a less than significant level with implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3.

Therefore, compliance with existing federal, State, and local laws and regulations, would protect unrecorded TCRs on the project site by providing for the early detection of potential conflicts between implementation of the proposed project and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to convey their significance through excavation or preservation.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact CUL-4: Implementation of the proposed project would have the potential to impact TCRs, the disturbance of which could result in a significant impact under CEQA.

Mitigation Measures: Refer to Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3.

Level of Significance With Mitigation: Less Than Significant Impact

Compliance with Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3 would ensure that implementation of the Specific Plan Update would not have the potential to impact TCRs, the disturbance of which could result in a significant impact under CEQA, and impacts associated with the proposed project would be less than significant.

4.3.5.2 Cumulative Impacts

CUL-5 The project, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to cultural resources.

The proposed project would have a significant effect on the environment if it, in combination with other projects, would contribute to a significant cumulative impact related to cultural resources. The study area for the analysis of cumulative cultural resources includes the Specific Plan Area and the surrounding areas within the City of Fresno, and the analysis is based on the summary of projections approach discussed in Section 15130(b)(1)(B) of the *State CEQA Guidelines*.

Future development within the Specific Plan Area as well as other cumulative development could result in impacts to known and unknown historical resources. All future development facilitated by the implementation of the Specific Plan Update would similarly require separate environmental review under CEQA to evaluate project-level potential impacts to historical resources and to identify any required mitigation. Implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3 would ensure a historical resources assessment is prepared to identify any previously unrecorded historic resources and evaluate impacts of future development on such resources.

Current Federal, State, and local regulations to preserve historical resources, including those discussed in Section 4.3.2, are expected to reduce potential impacts to known resources. While the City could implement all feasible measures to reduce impacts to known historical resources, impacts may remain significant. In addition, construction activities associated with implementation of the proposed project could result in potential significant impacts to unknown buried historical resources. Development both within and outside the Specific Plan Area could result in significant impacts to historical resources. Since implementation of the proposed project could result in significant impacts to historical resources, the project's contribution to cumulative impacts would be cumulatively considerable and therefore cumulatively significant.

Due to the nominal amount of prehistoric archaeological information in the vicinity of the Specific Plan Area, future development in areas outside the Specific Plan Area as well as other cumulative development, 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 Specific Plan 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.

Although no known prehistoric or Native American human remains have been identified within or in the vicinity of the Specific Plan 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 implementation of the proposed 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.

Also, because it would be speculative to assume the exact location and extent of development that would occur during implementation of the proposed project, future projects would be subject to project-level CEQA analysis which would further identify project specific impacts and mitigation measures at that time to ensure protection of biological resources. Therefore, because future projects would be subject to similar policies, mitigation, and regulations as the proposed project, for the protection of biological resources, as well as future CEQA analysis, a less than significant cumulative impact would occur.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact CUL-5: Implementation of the Specific Plan Update could result in cumulative impacts to cultural resources.

Mitigation Measures: Refer to Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3.

Level of Significance with Mitigation: Less Than Significant Impact

Compliance with Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3 would serve to ensure that the impacts associated with the implementation of the Specific Plan Update would reduce cumulative impacts to cultural resources to a less than significant level.

4.4 GREENHOUSE GAS EMISSIONS

4.4.1 Introduction

This section provides a discussion of greenhouse gas emissions (GHG), existing regulations pertaining to GHGs, and an analysis of GHG emissions impacts associated with the construction and operation associated with implementation of the Tower District Specific Plan Update (proposed project or Specific Plan Update) for the City of Fresno (City). This analysis examines the short-term construction and long-term operational impacts within the Tower District Specific Plan Area (Specific Plan Area) and evaluates the effectiveness of measures incorporated as part of the Specific Plan Update. For the proposed project, the Specific Plan Area encompasses the Tower District, which is centrally located within Fresno and is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad (UPRR) tracks to the west.

4.4.2 Existing Environmental Setting

The following discussion describes existing GHG emissions in the city of Fresno and the San Joaquin Valley Air Basin (SJVAB), beginning with a discussion of typical GHG types and sources, impacts of global climate changes, and current emission levels.

The study area for project impacts regarding GHG is the Specific Plan Area because potential development under the implementation of the Specific Plan Update is limited to areas where the emissions are generated. It should be noted that GHG impacts are inherently cumulative impacts.

The study area for the analysis of cumulative GHG impacts is the State of California. This analysis will be based on a summary of projections approach as provided in Section 15130(b)(1)(B) of *the State CEQA Guidelines*. The applicable projections include those provided by the State pursuant to Assembly Bill (AB) 32 and the California Air Resources Board (CARB) Scoping Plan prepared to address AB 32 requirements.

4.4.2.1 Greenhouse Gas Emissions and Global Climate Change

The following section provides background information on GHGs and global climate change.

Global Climate Change. Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans in recent decades. The Earth's average near-surface atmospheric temperature rose 0.6 ± 0.2 degrees Celsius (°C) or 1.1 ± 0.4 degrees Fahrenheit (°F) in the 20th century. The prevailing scientific opinion on climate change is that most of the warming observed over the last 50 years is attributable to human activities. The increased amounts of carbon dioxide (CO_2) and other GHGs are the primary causes of the human-induced component of warming.

GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities, and lead to an increase in the greenhouse effect.[1]

GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- CO_2
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur hexafluoride (SF_6)

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global warming. While manmade GHGs include naturally occurring GHGs (e.g., CO_2, methane, and N_2O), some gases (e.g., HFCs, PFCs, and SF_6) are completely new to the atmosphere.

Certain gases (e.g., water vapor) are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this air quality analysis, the term "GHGs" will refer collectively to the six gases listed above.

These gases vary considerably in terms of global warming potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The global warming potential is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of each gas is measured relative to carbon dioxide, the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO_2 over a specified time period. GHG emissions are typically measured in terms of pounds or tons of CO_2 equivalents (CO_2e). Table 4.4.A shows the GWP for each type of GHG. For example, SF_6 is 23,900 times more potent at contributing to global warming than CO_2.

[1] The temperature on Earth is regulated by a system commonly known as the "greenhouse effect." Just as the glass in a greenhouse lets heat from sunlight in and reduces the heat escaping, greenhouse gases like carbon dioxide, methane, and nitrous oxide in the atmosphere keep the Earth at a relatively even temperature. Without the greenhouse effect, the Earth would be a frozen globe; thus, although an excess of greenhouse gas results in global warming, the naturally occurring greenhouse effect is necessary to keep our planet at a comfortable temperature.

Table 4.4.A: Global Warming Potential of Greenhouse Gases

Gas	Atmospheric Lifetime (Years)	Global Warming Potential (100-Year Time Horizon)
Carbon Dioxide	50-200	1
Methane	12	25
Nitrous Oxide	114	310
HFC-23	270	11,700
HFC-134a	14	140
HFC-152a	1.4	140
PFC: Tetrafluoromethane (CF_4)	50,000	6,500
PFC: Hexafluoromethane (C_2F_6)	10,000	9,200
Sulfur Hexafluoride (SF_6)	3,200	23,900

Source: *Second Update to the Climate Change Scoping Plan: Building on the Framework* (CARB 2017b). Website: www.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2017-scoping-plan-documents (accessed June 2025).
CARB = California Air Resources Board
HFC = hydrofluorocarbon
PFC = perfluorocarbon

The following discussion summarizes the characteristics of the six GHGs and black carbon.

Carbon Dioxide. In the atmosphere, carbon generally exists in its oxidized form, as CO_2. Natural sources of CO_2 include the respiration (i.e., breathing) of humans, animals and plants, volcanic out gassing, decomposition of organic matter, and evaporation from the oceans. Human-caused sources of CO_2 include the combustion of fossil fuels and wood, waste incineration, mineral production, and deforestation. Natural sources release approximately 150 billion tons of CO_2 each year, far outweighing the 7 billion tons of manmade emissions of CO_2 each year. Nevertheless, natural removal processes (e.g., photosynthesis by land- and ocean-dwelling plant species) cannot keep pace with this extra input of manmade CO_2, and consequently, the gas is building up in the atmosphere.

In 2021, total annual CO_2 accounted for approximately 81.2 percent of California's overall GHG emissions.[2] Transportation is the single largest source of CO_2 in California, which is primarily comprised of on-road travel. Electricity production, industrial, and residential sources also make important contributions to CO_2 emissions in California.

Methane. CH_4 is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites[3], and oceans. Decomposition occurring in landfills accounts for the majority of human-generated CH_4 emissions in California and in the United States as a whole. Agricultural processes such as intestinal fermentation, manure management, and rice cultivation are also significant sources of CH_4 in California. Total annual emissions of CH_4 accounted for approximately 9.8 percent of GHG emissions in California in 2021.[4]

2 California Air Resources Board (CARB). 2022b. GHGs Descriptions & Sources in California. Website: ww2.arb.ca.gov/ghg-descriptions-sources (accessed July 2025).
3 Termites are important decomposers of plant material. During digestion, microbes in their guts break down the plant material, producing methane.
4 California Air Resources Board (CARB). 2022b. Op. cit.

Nitrous Oxide. N_2O is produced naturally by a wide variety of biological sources, particularly microbial action in soils and water. Tropical soils and oceans account for the majority of natural source emissions. Nitrous oxide is a product of the reaction that occurs between nitrogen and oxygen during fuel combustion. Both mobile and stationary combustion emit N_2O, and the quantity emitted varies according to the type of fuel, technology, and pollution control device used, as well as maintenance and operating practices. Agricultural soil management and fossil fuel combustion are the primary sources of human-generated N_2O emissions in California. N_2O emissions accounted for approximately 3.4 percent of GHG emissions in California in 2021.[5]

Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride. HFCs are primarily used as substitutes for ozone-depleting substances regulated under the Montreal Protocol.[6] PFCs and SF_6 are emitted from various industrial processes, including aluminum smelting, semiconductor manufacturing, electric power transmission and distribution, and magnesium casting. There is no aluminum or magnesium production in California; however, the rapid growth in the semiconductor industry leads to greater use of PFCs. HFCs, PFCs, and SF_6 accounted for about 5.6 percent of GHG emissions in California in 2021.[7]

Black Carbon. Black carbon is the most strongly light-absorbing component of PM formed by burning fossil fuels such as coal, diesel, and biomass. Black carbon is emitted directly into the atmosphere in the form of $PM_{2.5}$ and is the most effective form of PM, by mass, at absorbing solar energy. Per unit of mass in the atmosphere, black carbon can absorb one million times more energy than CO_2.[8] Black carbon contributes to climate change both directly, such as absorbing sunlight, and indirectly, such as affecting cloud formation. However, because black carbon is short-lived in the atmosphere, it can be difficult to quantify its effect on global warming.

Most United States emissions of black carbon come from mobile sources (52 percent), particularly from diesel-fueled vehicles. The other major source of black carbon is open biomass burning, including wildfires, although residential heating and industry also contribute. The California Air Resources Board (CARB) estimates that the annual black carbon emissions in California will be reduced approximately 50 percent below 2013 levels by 2030.[9]

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5 Termites are important decomposers of plant material. During digestion, microbes in their guts break down the plant material, producing methane.

6 The Montreal Protocol is an international treaty that was approved on January 1, 1989, and was designated to protect the ozone layer by phasing out the production of several groups of halogenated hydrocarbons believed to be responsible for ozone depletion.

7 California Air Resources Board (CARB). 2022b. *GHGs Descriptions & Sources in California.* Website: ww2.arb.ca.gov/ghg-descriptions-sources (accessed July 2025).

8 United States Environmental Protection Agency (USEPA). 2015. Black Carbon, Basic Information. February 14, 2017. Website: 19january2017snapshot.epa.gov/www3/airquality/blackcarbon/basic.html (accessed July 2025).

9 California Air Resources Board (CARB). 2017c. *Short-Lived Climate Pollutant Reduction Strategy.* March. Website: https://ww2.arb.ca.gov/sites/default/files/2020-07/final_SLCP_strategy.pdf (accessed July 2025).

4.4.2.2 Emission Inventories

An emissions inventory that identifies and quantifies the primary human-generated sources and sinks of GHGs is a well-recognized and useful tool for addressing climate change. This section summarizes the latest information on global, United States, and California GHG emission inventories.

Global Emissions. Worldwide emissions of GHGs in 2022 were 36.8 billion tons of CO_2e.[10]

United States Emissions. In 2022, the year for which the most recent data are available, the United States emitted about 6,343 million metric tons (MMT) CO_2e. Overall, emissions in 2022 increased by 1 percent relative to the 2021 total GHG emissions. This increase in total GHG emissions was driven by fossil fuel combustion due primarily to increased energy use, due inpart to the continued rebound in economic activity after the height of the COVID-19 pandemic. However, GHG emissions in 2022 were 17 percent below those of 2005 levels. Of the five major sectors—residential and commercial, agricultural, industry, transportation, and electricity generation—transportation accounted for the highest amount of GHG emissions in 2022 (approximately 28 percent), with electricity generation second at 25 percent and emissions from industry third at 23 percent.[11]

State of California Emissions. The State emitted 381.3 MMT CO_2e emissions in 2021, 12.6 MMT CO_2e higher than 2020 levels but 23.1 MMT CO_2e below the 2019 levels.[12] CARB estimates that transportation was the source of 38 percent of the State's GHG emissions in 2021, which is 7.4 percent higher than the 2020 emissions. This increase was most likely from passenger vehicles whose activity and emissions rebounded after the COVID-19 pandemic. The next largest sources included industrial sources at approximately 19 percent and electricity generation at 16 percent. The remaining sources of GHG emissions were commercial and residential activities at 10 percent, agriculture at 8 percent, high GWP at 6 percent, and waste at 2 percent.[13]

City of Fresno Emissions. The City of Fresno baseline inventory year was 2010. The City has prepared an updated inventory for 2016 that accounts for regulations adopted to that point in time. Therefore, 2016 provides the best available baseline for the GHG Plan and can be compared directly with State progress to date and targets. Table 4.4.B shows the baseline inventory.

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10 International Energy Agency. CO_2 Emissions in 2022. Website: https://www.iea.org/reports/co2-emissions-in-2022 (accessed July 2025).

11 United States Environmental Protection Agency (USEPA). 2023. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2022. Website: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks (accessed July 2025).

12 California Air Resources Board (CARB). 2023. *California Greenhouse Gas Emissions for 2000 to 2021, Trends of Emissions and Other Indicators Report*. Website: https://ww2.arb.ca.gov/sites/default/files/2023-12/2000_2021_ghg_inventory_trends.pdf (accessed July 2025).

13 Ibid.

Table 4.4.B: City of Fresno GHG Emissions by Sector for 2016

Sector	2016 (MT CO_2e)	Percent of Total Emissions
Motor Vehicles	1,520,052	52
Residential Energy	479,371	16
Commercial Energy	524,838	18
Fugitive Emissions	270,130	9
Solid Waste	119,167	4
Industrial Energy	10,055	<1
Agricultural Energy	20	<1
Total	**2,923,633**	**100**

Source: *International Council for Local Environmental Initiatives (ICLEI) Local Governments for Sustainability, City of Fresno 2016 Inventory Update* (City of Fresno 2018).

As shown in Table 4.4.B, motor vehicles were the largest source at approximately 52 percent of the city's GHG emissions in 2016, followed by commercial and residential energy at 18 and 16 percent, respectively. The remaining sources included fugitive emissions at 9 percent and solid waste sources at 4 percent. Agriculture and industrial energy emissions each account for less than 1 percent of total emissions.

4.4.3 Regulatory Setting

4.4.3.1 Federal Policies and Regulations

The United States has historically had a voluntary approach to reducing GHG emissions. However, on April 2, 2007, the United States Supreme Court ruled that the USEPA has the authority to regulate CO_2 emissions under the federal Clean Air Act (CAA).

Although there currently are no adopted federal regulations for the control or reduction of GHG emissions, the USEPA commenced several actions in 2009 to implement a regulatory approach to global climate change, including the 2009 USEPA final rule for mandatory reporting of GHGs from large GHG emission sources in the United States. Additionally, the USEPA Administrator signed an endangerment finding action in 2009 under the CAA, finding that seven GHGs (CO_2, CH_4, N_2O, HFCs, NF_3, PFCs, and SF_6) constitute a threat to public health and welfare, and that the combined emissions from motor vehicles cause and contribute to global climate change, leading to national GHG emission standards.

4.4.3.2 State Policies and Regulations

The CARB is the lead agency for implementing climate change regulations in the State. Since its formation, the CARB has worked with the public, the business sector, and local governments to find solutions to California's air pollution problems. Key efforts by the State are described below.

Assembly Bill 1493 (2002). In response to the transportation sector's significant contribution to California's CO_2 emissions, Assembly Bill (AB) 1493 was enacted on July 22, 2002. AB 1493 requires the CARB to set GHG emission standards (the Pavley Standards) for passenger vehicles and light duty trucks (and other vehicles whose primary use is noncommercial personal transportation in the State) manufactured in 2009 and all subsequent model years. These standards (starting in model years

2009 to 2016) were approved by the CARB in 2004, but the needed waiver of California Clean Air Act (CCAA) Preemption was not granted by the USEPA until June 30, 2009. The CARB responded by amending its original regulation, now referred to as Low Emission Vehicle III, to take effect for model years starting in 2017 to 2025. The Trump administration revoked California's waiver in 2019; however, the Biden administration restored California's waiver in 2021.

Executive Order S-3-05 (2005). Governor Arnold Schwarzenegger signed Executive Order (EO) S-3-05 on June 1, 2005, which proclaimed that California is vulnerable to the impacts of climate change. To combat those concerns, the executive order established California's GHG emissions reduction targets, which established the following goals:

- GHG emissions should be reduced to 2000 levels by 2010;
- GHG emissions should be reduced to 1990 levels by 2020; and
- GHG emissions should be reduced to 80 percent below 1990 levels by 2050.

The Secretary of the California Environmental Protection Agency (CalEPA) is required to coordinate efforts of various State agencies in order to collectively and efficiently reduce GHGs. A biannual progress report must be submitted to the Governor and State Legislature disclosing the progress made toward GHG emission reduction targets. In addition, another biannual report must be submitted illustrating the impacts of global warming on California's water supply, public health, agriculture, the coastline, and forestry, and report possible mitigation and adaptation plans to address these impacts.

The Secretary of CalEPA leads this climate action team (CAT) made up of representatives from State agencies as well as numerous other boards and departments. The CAT members work to coordinate statewide efforts to implement global warming emission reduction programs and the State's Climate Adaptation Strategy. The CAT is also responsible for reporting on the progress made toward meeting the statewide GHG targets that were established in the executive order and further defined under AB 32, the "Global Warming Solutions Act of 2006." The first CAT Report to the Governor and the Legislature was released in March 2006, which it laid out 46 specific emission reduction strategies for reducing GHG emissions and reaching the targets established in the executive order. The most recent report was released in December 2020.

Assembly Bill 32 (2006), California Global Warming Solutions Act. California's major initiative for reducing GHG emissions is AB 32, passed by the State legislature on August 31, 2006. This effort aims at reducing GHG emissions to 1990 levels by 2020. The CARB has established the level of GHG emissions in 1990 at 427 MMT CO_2e. The emissions target of 427 MMT CO_2e requires the reduction of 169 MMT CO_2e from the State's projected business-as-usual (BAU) 2020 emissions of 596 MMT CO_2e. AB 32 requires the CARB to prepare a Scoping Plan that outlines the main State strategies for meeting the 2020 deadline and to reduce GHGs that contribute to global climate change. The Scoping Plan was approved by the CARB on December 11, 2008, and contains the main strategies California will implement to achieve the reduction goals and includes CARB-recommended GHG reductions for each emissions sector of the State's GHG inventory.

The CARB approved the *First Update to the Climate Change Scoping Plan* on May 22, 2014. The First Update identifies opportunities to leverage existing and new funds to further drive GHG emission

reductions through strategic planning and targeted low carbon investments. The First Update defines CARB climate change priorities until 2020, and also sets the groundwork to reach long-term goals set forth in EOs S-3-05 and B-16-2012. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals as defined in the initial Scoping Plan. It also evaluates how to align the State's "longer-term" GHG reduction strategies with other State policy priorities for water, waste, natural resources, clean energy, transportation, and land use. CARB released a second update to the Scoping Plan, the 2017 Scoping Plan,[14] to reflect the 2030 target set by EO B-30-15 and codified by Senate Bill (SB) 32.

The 2022 Scoping Plan[15] was approved in December 2022 and assesses progress towards achieving the SB 32 2030 target and lay out a path to achieve carbon neutrality no later than 2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

The 2022 Scoping Plan focuses on building clean energy production and distribution infrastructure for a carbon-neutral future, including transitioning existing energy production and transmission infrastructure to produce zero-carbon electricity and hydrogen and utilizing biogas resulting from wildfire management or landfill and dairy operations, among other substitutes. The 2022 Scoping Plan states that in almost all sectors, electrification will play an important role. The 2022 Scoping Plan evaluates clean energy and technology options and the transition away from fossil fuels, including adding four times the solar and wind capacity by 2045 and about 1,700 times the amount of current hydrogen supply. As discussed in the 2022 Scoping Plan, EO N-79-20 requires all new passenger vehicles sold in California to be zero-emission by 2035, all other existing fleets will need to be transitioned to zero-emission as fully possible by 2045, which will reduce the percentage of fossil fuel combustion vehicles.

Senate Bill 97 (2007). SB 97, signed by the Governor in August 2007 (Chapter 185, Statutes of 2007; PRC Sections 21083.05 and 21097), acknowledges climate change is a prominent environmental issue that requires analysis under the California Environmental Quality Act (CEQA). This bill directed the Governor's Office of Planning and Research (OPR) to prepare, develop, and transmit to the California Resources Agency guidelines for mitigating GHG emissions or the effects of GHG emissions, as required by CEQA.

The California Natural Resources Agency adopted the amendments to the *State CEQA Guidelines* in November 2018, which went into effect in December 2018. The amendments do not identify a threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. The amendments encourage lead agencies to consider many factors in performing a CEQA analysis, but preserve the discretion granted by CEQA to lead agencies in making their own determinations based on substantial evidence. The amendments also encourage public

[14] California Air Resources Board (CARB). 2017a. *California's 2017 Climate Change Scoping Plan*. November.
[15] California Air Resources Board (CARB). 2022a. *2022 Scoping Plan Update*. May 10. Website: https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp.pdf (accessed July 2025).

agencies to make use of programmatic mitigation plans and programs when they perform individual project analyses.

Senate Bill 375 (2008). Signed into law on October 1, 2008, SB 375 supplements GHG reductions from new vehicle technology and fuel standards with reductions from more efficient land use patterns and improved transportation. Under the law, CARB-approved GHG reduction targets in February 2011 for California's 18 federally designated regional planning bodies, known as Metropolitan Planning Organizations (MPOs). CARB may update the targets every 4 years and must update them every 8 years. MPOs, in turn, must demonstrate how their plans, policies, and transportation investments meet the targets set by CARB through Sustainable Community Strategies (SCSs). The SCSs are included with the Regional Transportation Plan (RTP), a report required by State law. However, if an MPO finds that its SCS will not meet the GHG reduction targets, it may prepare an Alternative Planning Strategy. The Alternative Planning Strategy identifies the impediments to achieving the targets.

Senate Bill 743 (Steinberg, 2013). SB 743, which was signed into law in 2013, initiated an update to the CEQA Guidelines to change how lead agencies evaluate transportation impacts under CEQA, with the goal of better measuring the actual transportation-related environmental impacts of any given project. Starting on July 1, 2020, agencies analyzing the transportation impacts of new projects must now look at a metric known as vehicle miles traveled (VMT) instead of LOS. The goal of SB 743 is to promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations.

Executive Order B-30-15 (2015). Governor Jerry Brown signed EO B-30-15 on April 29, 2015, which added the immediate target of:

- GHG emissions should be reduced to 40 percent below 1990 levels by 2030.

All State agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. CARB was directed to update the AB 32 Scoping Plan to reflect the 2030 target and, therefore, is moving forward with the update process. The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue reducing emissions.

Senate Bill 350 (2015) Clean Energy and Pollution Reduction Act. SB 350, signed by Governor Jerry Brown on October 7, 2015, updates and enhances AB 32 by introducing the following set of objectives in clean energy, clean air, and pollution reduction for 2030:

- Raise California's renewable portfolio standard from 33 percent to 50 percent; and
- Increasing energy efficiency in buildings by 50 percent by the year 2030.

The 50 percent renewable energy standard will be implemented by the California Public Utilities Commission (CPUC) for the private utilities and by the California Energy Commission (CEC) for municipal utilities. Each utility must submit a procurement plan showing it will purchase clean

energy to displace other non-renewable resources. The 50 percent increase in energy efficiency in buildings must be achieved through the use of existing energy efficiency retrofit funding and regulatory tools already available to State energy agencies under existing law. The addition made by this legislation requires State energy agencies to plan for and implement those programs in a manner that achieves the energy efficiency target.

Senate Bill 32, California Global Warming Solutions Act of 2016, and Assembly Bill 197. In summer 2016, the Legislature passed, and the Governor signed, SB 32, and AB 197. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in Governor Brown's April 2015 EO B-30-15. SB 32 builds on AB 32 and keeps us on the path toward achieving the State's 2050 objective of reducing emissions to 80 percent below 1990 levels, consistent with an Intergovernmental Panel on Climate Change (IPCC) analysis of the emissions trajectory that would stabilize atmospheric GHG concentrations at 450 parts per million CO_2e and reduce the likelihood of catastrophic impacts from climate change.

The companion bill to SB 32, AB 197, provides additional direction to CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 meant to provide easier public access to air emissions data that are collected by CARB was posted in December 2016.

Senate Bill 100. On September 10, 2018, Governor Brown signed SB 100, which raises California's Renewables Portfolio Standard (RPS) requirements to 60 percent by 2030, with interim targets, and 100 percent by 2045. The bill also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Executive Order B-55-18. EO B-55-18, signed September 10, 2018, sets a goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." EO B-55-18 directs CARB to work with relevant State agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal. The goal of carbon neutrality by 2045 is in addition to other statewide goals, meaning not only should emissions be reduced to 80 percent below 1990 levels by 2050, but that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO_2e from the atmosphere, including through sequestration in forests, soils, and other natural landscapes.

Title 24, Part 11, Building Standards Code and CALGreen Code. In November 2008, the California Building Standards Code established the California Green Building Standards Code (CALGreen Code), which sets performance standards for residential and non-residential development to reduce environmental impacts and encourage sustainable construction practices. The CALGreen Code addresses energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. The CALGreen Code is updated every 3 years and was most recently updated in 2022 to include new mandatory measures for residential as well as non-residential uses; the new measures took effect on January 1, 2023. Energy efficient buildings require less electricity;

therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions.

Title 24, Part 6, California Building Efficiency Standards. The California Building Standards Code, or Title 24 of the California Code of Regulations (CCR) contains the regulations that govern the construction of buildings in California. Part 6 is California's Energy Efficiency Standards for Residential and Non-Residential Buildings. These standards were first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption and are updated on an approximately 3-year cycle to allow consideration and possible incorporation of new energy efficient technologies and methods. All buildings for which an application for a building permit is submitted on or after January 1, 2023, must follow the 2022 standards. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions.

Executive Order N-79-20, Executive Order B-48-18, Low Carbon Fuel Standard and the Advanced Clean Cars Program. EO N-79-20, which was signed by the Governor on September 23, 2020, sets the following goals for the State: 100 percent of in-state sales of new passenger cars and trucks shall be zero-emission by 2035; 100 percent of medium- and heavy-duty vehicles in the State shall be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks; and 100 percent of off-road vehicles and equipment in the State shall be zero-emission by 2035, where feasible. EO B-48-18 requires all State entities to work with the private sector to have at least 5 million zero-emission vehicles (ZEVs) on the road by 2030, as well as install 200 hydrogen fueling stations and 250,000 electric vehicle (EV) charging stations by 2025. This order also requires all State entities to continue to partner with local and regional governments to streamline the installation of ZEV infrastructure. EO S-01-07 calls for a statewide goal to be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020, and that a Low Carbon Fuel Standard (LCFS) for transportation fuels be established for California. In 2018, CARB approved amendments to the LCFS regulation to readjust carbon intensity benchmarks to meet California's 2030 GHG reductions targets under SB 32. These amendments include opportunities to promote ZEV adoption, carbon capture and sequestration, and advanced technologies for decarbonization of the transportation sector. Furthermore, CARB adopted the Advanced Clean Cars program, which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of ZEVs, into a single package of regulatory standards for vehicle model years 2017 through 2025. The program's ZEVs regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025.

California Integrated Waste Management Act. To minimize the amount of solid waste that must be disposed of in landfills, the State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties were required to divert 25 percent of all solid waste from landfill facilities by January 1, 1995, and 50 percent by January 1, 2000. In 2011, AB 341 modified the California Integrated Waste Management Act and directed the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling. AB 341 also established a statewide recycling goal of 75 percent; the 50 percent disposal reduction mandate still applies for cities and counties under AB 939. In April 2016, AB 1826 further modified the California

Integrated Waste Management Act, requiring businesses that generate a specified amount of organic waste per week to arrange for recycling services for that organic waste in a specified manner.

4.4.3.3 Regional Policies and Regulations

San Joaquin Valley Air Pollution Control District. Fresno is within the SJVAB, which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD has regulatory authority over certain stationary and industrial GHG emission sources and provides voluntary technical guidance on addressing GHGs for other emission sources in a CEQA context. District initiatives related to GHGs are described below.

Climate Change Action Plan. The San Joaquin Valley Air Pollution Control District Climate Change Action Plan (CCAP) was adopted on August 21, 2008. The CCAP includes suggested best performance standards for proposed development projects. However, the SJVAPCD's CCAP was adopted in 2009 and was prepared based on the State's 2020 GHG targets, which are now superseded by State policies (i.e., the 2019 CALGreen Code) and the 2030 GHG targets, established in SB 32.

San Joaquin Valley Carbon Exchange and Rule 2301. The SJVAPCD initiated work on the San Joaquin Valley Carbon Exchange in November 2008. The carbon exchange was implemented with the adoption of Amendments to Rule 2301 Emission Reduction Credit Banking on January 19, 2012. The purpose of the carbon exchange is to quantify, verify, and track voluntary GHG emissions reductions generated within the San Joaquin Valley.

The SJVAPCD incorporated a method to register voluntary GHG emission reductions with amendments to Rule 2301. The purposes of the amendments to the rule include the following:

- Provide an administrative mechanism for sources to bank voluntary GHG emission reductions for later use.
- Provide an administrative mechanism for sources to transfer banked GHG emission reductions to others for any use.
- Define eligibility standards, quantitative procedures, and administrative practices to ensure that banked GHG emission reductions are real, permanent, quantifiable, surplus, and enforceable.

The SJVAPCD is participating in a new program developed by the California Air Pollution Control Officers Association (CAPCOA) to encourage banking and use of GHG reduction credits referred to as the CAPCOA Greenhouse Gas Reduction Exchange (GHGRx). The GHGRx provides information on GHG credit projects within participating air districts. The SJVAPCD is one of the first to have offsets available for trading on the GHGRx.

Fresno Council of Governments. Fresno Council of Governments (FCOG) is responsible for regional transportation planning in Fresno County and participates in developing mobile source emission inventories used in air quality attainment plans.

Regional Transportation Plan/Sustainable Communities Strategy. Regional Transportation Plans (RTPs) are State-mandated plans that identify long-term transportation needs for a region's transportation network. FCOG's 2022 RTP charts the long-range vision of regional transportation in Fresno county through the year 2046. The RTP identifies existing and future transportation related needs, while considering all modes of travel, analyzing alternative solutions, and identifying priorities for the anticipated available funding for the 1,100 projects and multiple programs included within it. SB 375, which went into effect in 2009, added statutes to the California Government Code to encourage planning practices that create sustainable communities. It calls for each metropolitan planning organization to prepare a Sustainable Communities Strategy (SCS) as an integrated element of the RTP that is to be updated every 4 years. The SCS is intended to show how integrated land use and transportation planning can lead to lower greenhouse gas emissions from automobiles and light trucks. FCOG has included the SCS in its 2022 RTP.

4.4.3.4 Local Policies and Regulations

The following is a summary of the applicable policies included in the City's General Plan that are related to GHGs and applicable to the proposed project.

City of Fresno General Plan. The City of Fresno General Plan provides goals, policies, and action items that work to meet or exceed all current and future state-mandated targets for reducing emissions of GHGs. The following policies from the General Plan would apply to the proposed project:

Mobility and Transportation Element.

Objective MT-4: Establish and maintain a continuous, safe, and easily accessible bikeways system throughout the metropolitan area to reduce vehicle use, improve air quality and the quality of life, and provide public health benefits.

Objective MT-8: Provide public transit options that serve existing and future concentrations of residences, employment, recreation and civic uses and are feasible, efficient, safe, and minimize environmental impacts.

Resource Conservation and Resilience Element.

Objective RC-2: Promote land uses that conserve resources.

Policy RC-2-a: Link Land Use to Transportation. Promote mixed-use, higher density infill development in multi-modal corridors. Support land use patterns that make more efficient use of the transportation system and plan future transportation investments in areas of higher-intensity development. Discourage investment in infrastructure that would not meet these criteria.

Policy RC-2-b: Provide Infrastructure for Mixed-Use and Infill. Promote investment in the public infrastructure needed to allow mixed-use and denser infill development to occur in targeted locations, such as expanded water and wastewater conveyance systems, complete streetscapes, parks and open space amenities, and trails. Discourage investment in infrastructure that would not meet these criteria.

Policy RC-4-c: Evaluate Impacts with Models. Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.

Policy RC-4-i: Methane Capture. Continue to pursue opportunities to reduce air pollution by using methane gas from the old City landfill and the City's wastewater treatment process.

Objective RC-5: In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, take timely, necessary, and the most cost-effective actions to achieve and maintain reductions in greenhouse gas emissions and all strategies that reduce the causes of climate change in order to limit and prevent the related potential detrimental effects upon public health and welfare of present and future residents of the Fresno community.

Policy RC-5-a: Support State Goal to Reduce Statewide GHG Emissions. As is consistent with State law, strive to meet AB 32 goal to reduce greenhouse gas emissions to 1990 levels by 2020 and strive to meet a reduction of 80 percent below 1990 levels by 2050 as stated in Executive Order S-03-05. As new statewide GHG reduction targets and dates are set by the State update the City's Greenhouse Gas Reduction Plan to include a comprehensive strategy to achieve consistency with those targets by the dates established.

Policy RC-5-b: Greenhouse Gas Reduction Plan. As is consistent with State law, prepare and adopt a Greenhouse Gas Reduction Plan as part of the Master Environmental Impact Report to be concurrently Draft with the Fresno Specific Plan in order to achieve compliance with State mandates, assist development by streamlining the approval process, and focus on feasible actions the City can take to minimize the adverse impacts of growth and development on global climate change. The Greenhouse Gas Reduction Plan shall include, but not be limited to:

- A baseline inventory of all known or reasonably discoverable sources of GHGs that currently exist in the city and sources that existed in 1990.
- A projected inventory of the GHGs that can reasonably be expected to be emitted from those sources in the year 2035 with implementation of this Specific Plan and foreseeable communitywide and municipal operations.
- A target for the reduction of emissions from those identified sources.
- A list of feasible GHG reduction measures to meet the reduction target, including energy conservation and "green building" requirements in municipal buildings and private development.

- Periodically update municipal and community-wide GHG emissions inventories to determine the efficacy of adopted measures and to guide future policy formulation needed to achieve and maintain GHG emissions reduction targets.

Policy RC-5-c: GHG Reduction through Design and Operations. Increase efforts to incorporate requirements for GHG emission reductions in land use entitlement decisions, facility design, and operational measures subject to City regulation through the following measures and strategies:

- Promote the expansion of incentive-based programs that involve certification of projects for energy and water efficiency and resiliency. These certification programs and scoring systems may include public agency "Green" and conservation criteria, Energy Star™ certification, CALGreen Tier 1 or Tier 2, Leadership in Energy Efficient Design (LEED™) certification, etc.

- Promote appropriate energy and water conservation standards and facilitate mixed-use projects, new incentives for infill development, and the incorporation of mass transit, bicycle and pedestrian amenities into public and private projects.

- Require energy and water audits and upgrades for water conservation, energy efficiency, and mass transit, pedestrian, and bicycle amenities at the time of renovation, change in use, change in occupancy, and change in ownership for major projects meeting review thresholds specified in an implementing ordinance.

- Incorporate the City's "Guidelines for Ponding Basin/Pond Construction and Management to Control Mosquito Breeding" as conditions of approval for any project using an on-site stormwater basin to prevent possible increases in vector-borne illnesses associated with global climate change.

- Periodically evaluate the City's facility maintenance practices to determine whether there are additional opportunities to reduce GHGs through facility cleaning and painting, parks maintenance, road maintenance, and utility system maintenance.

- Periodically evaluate standards and mitigation strategies for highly vehicle-dependent land uses and facilities, such as drive-through facilities and auto-oriented development.

Policy RC-5-d: SCS and CAP Conformity Analysis. Ensure that the City includes analysis of a project's conformity to an adopted regional Sustainable Community Strategy or Alternative Planning Strategy (APS), an adopted Climate Action Plan (CAP), and any other applicable City and regional greenhouse gas reduction strategies in affect at the time of project review.

Policy RC-5-e: Ensure Compliance. Ensure ongoing compliance with GHG emissions reduction plans and programs by requiring that air quality measures are incorporated into projects' design, conditions of approval, and mitigation measures.

Policy RC-5-f: Toolkit. Provide residents and project applicants with a "toolkit" of generally feasible measures that can be used to reduce GHG emissions, including educational materials on energy-efficient and "climate-friendly" products.

Policy RC-5-g: Evaluate Impacts with Models. Continue to use computer models such as those used by SJVAPCD to evaluate greenhouse gas impacts of plans and projects that require such review.

Objective RC-8: Reduce the consumption of non-renewable energy resources by requiring and encouraging conservation measures and the use of alternative energy sources.

Policy RC-8-a: Existing Standards and Programs. Existing Standards and Programs. Continue existing beneficial energy conservation programs, including adhering to the California Energy Code in new construction and major renovations.

Policy RC-8-b: Energy Reduction Targets. Strive to reduce per capita residential electricity use to 1,800 kWh per year and non-residential electricity use to 2,700 kWh per year per capita by developing and implementing incentives, design and operation standards, promoting alternative energy sources, and cost-effective savings.

Policy RC-8-c: Energy Conservation in New Development. Consider providing an incentive program for new buildings that exceed California Energy Code requirements by fifteen percent.

Policy RC-8-d: Incentives. Establish an incentive program for residential developers who commit to building all of their homes to ENERGY STAR performance guidelines.

Policy RC-8-e: Energy Use Disclosure. Promote compliance with State law mandating disclosure of a building's energy data and rating of the previous year to prospective buyers and lessees of the entire building or lenders financing the entire building.

Policy RC-8-f: City Heating and Cooling. Reduce energy use at City facilities by updating heating and cooling equipment and installing "smart lighting" where feasible and economically viable.

Policy RC-8-g: Revolving Energy Fund. Create a City Energy Fund which uses first year savings and rebates from completed City-owned energy efficiency projects to provide resources for additional energy projects. Dedicate this revolving fund to the sole use of energy efficiency projects that will pay back into the fund.

Policy RC-8-h: Solar Assistance. Identify and publicize information about financial mechanisms for private solar installations and provide over-the-counter permitting for solar installations meeting specified standards, which may include maximum size (in kV) of units that can be so Draft.

Policy RC-8-j: Alternative Fuel Network. Support the development of a network of integrated charging and alternate fuel station for both public and private vehicles, and if feasible, open up municipal stations to the public as part of network development.

Policy RC-8-k: Energy Efficiency Education. Provide long-term and on-going education of homeowners and businesses as to the value of energy efficiency and the need to upgrade existing structures on the regular basis as technology improves and structures age.

Policy RC-11-a: Waste Reduction Strategies. Maintain current targets for recycling and re-use of all types of waste material in the city and enhance waste and wastewater management practices to reduce natural resource consumption, including the following measures:

- Continue to require recyclable material collection and storage areas in all residential development.
- Establish recycling collection and storage area standards for commercial and industrial facilities to size the recycling areas according to the anticipated types and amounts of recyclable material generated.
- Provide educational materials to residents on how and what to recycle and how to dispose of hazardous waste.
- Provide recycling canisters and collection in public areas where trash cans are also provided.
- Institute a program to evaluate major waste generators and identify recycling opportunities for their facilities and operations.
- Continue to partner with the California Integrated Waste Management Board on waste diversion and recycling programs and the CalMAX (California Materials Exchange) program.
- Evaluate the feasibility of a residential, restaurant, and institutional food waste segregation and recycling program, to reduce the amount of organic material sent to landfill and minimize the emissions generated by decomposing organic material.
- Evaluate the feasibility of “carbon footprinting” for the City’s wastewater treatment facilities, biomass and composting operations, solid waste collection and recycling programs.
- Expand yard waste collection to divert compostable waste from landfills.
- Study the feasibility and cost-benefit analysis of a municipal composting program to collect and compost food and yard waste, including institutional food and yard waste, using the resulting compost matter for City park and median maintenance.

Policy RC-11-b: Zero Waste Strategy. Create a strategic and operations plan for fulfilling the City Council resolution committing the City to a Zero Waste goal.

4.4.4 Significance Criteria

The thresholds for greenhouse gas impacts used in this analysis are consistent with Appendix G of the *State CEQA Guidelines*. The proposed project may be deemed to have a significant impact with respect to greenhouse gases if it would:

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

- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

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

Neither the City of Fresno nor the SJVAPCD has developed or adopted numeric GHG significance thresholds. Therefore, this analysis evaluates the GHG emissions based on the project's consistency with State GHG reduction goals. The proposed project is evaluated for consistency with the 2022 Scoping Plan, including the proposed project's compliance with relevant Scoping Plan measures, as well as the FCOG 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). It should be noted that the Scoping Plan is consistent with the AB 1279 GHG reduction targets of achieving carbon neutrality by 2045, and reducing anthropogenic emissions to 85 percent below 1990 levels by 2045. Therefore, consistency with the CARB's 2022 Scoping Plan would also demonstrate consistency with the carbon neutrality requirements encapsulated by AB 1279.

4.4.5 Impacts and Mitigation Measures

The following section presents a discussion of the impacts related to greenhouse gas emissions that could result from implementation of the Specific Plan Update. The section begins with the criteria of significance, which establish the thresholds to determine if an impact is significant. The latter part of this section presents the impacts associated with implementation of the Specific Plan Update and the recommended mitigation measures, if required. Mitigation measures are recommended, as appropriate, for significant impacts to eliminate or reduce them to a less than significant level. Cumulative impacts are also addressed.

4.4.5.1 Project Impacts

The following discussion describes the potential impacts related to greenhouse gas emissions that could result from implementation of the Draft Specific Plan.

GHG-1 The proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The proposed project would result in GHG emissions from construction and operational sources. Construction activities would generate emissions from off-road construction equipment and on roadways as a result of construction-related truck hauling, vendor deliveries, and worker commuting. Operational GHG emissions are typically associated with mobile sources (e.g., vehicle trips), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). This analysis uses the California Emissions Estimator Model version 2022.1 (CalEEMod) to quantify GHG emissions for both construction and operations associated with buildout of the proposed project. CalEEMod output is contained in Appendix E of this EIR.

Construction Greenhouse Gas Emissions. Construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The City of Fresno does not have an adopted threshold of significance for construction-related GHG emissions. However, emissions that would occur during construction were quantified and are disclosed for informational purposes. Construction emissions for the proposed project were analyzed using CalEEMod. Buildout of the proposed project would occur over a 20-year period beginning with the adoption of the Specific Plan Update, conservatively assumed to being in 2026. The exact construction schedule is not yet known. Therefore, to provide a conservative estimate of the emissions that could occur due to construction activities, this analysis assumes that project construction will begin in January 2026 and be fully built-out in 2046. Construction phases are expected to occur consecutively; therefore, this analysis evaluates construction emissions as a whole and not per phase. Future site preparation would include removal of rocks, debris, and vegetation. Grading operation is anticipated to be balanced on-site and would not require import or export of materials, which was included in CalEEMod. In addition, this analysis assumes that the proposed project would be constructed using Tier 2 construction equipment, which was included in CalEEMod. Other precise details of construction activities are unknown at this time; therefore, default assumptions (e.g., construction worker and truck trips and construction fleet activities) from CalEEMod were used.

Using CalEEMod, it is estimated that construction of the proposed project would generate a total of 34,876.0 metric tons of CO_2e. As mentioned above, the SJVAPCD has not addressed GHG emissions

thresholds for construction. However, lead agencies are required to quantify and disclose GHG emissions that would occur during construction. . In order to account for the life cycle emissions during construction and operation, construction GHG emissions were amortized over the life of the project (assumed to be 30 years) and added to the operational emissions. When annualized over the life of the project, amortized construction emissions would be approximately 1,162.5 metric tons of CO_2e per year.

Operation. Long-term GHG emissions are typically generated from mobile sources (e.g., vehicle trips), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). Mobile-source GHG emissions would include project-generated vehicle trips to and from the development site. Area-source emissions would be associated with activities such as landscaping and maintenance within the Specific Plan Area. Energy source emissions would be generated at off-site utility providers because of increased electricity demand generated by the proposed project. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project-generated waste. In addition, water source emissions associated with the proposed project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

The proposed project would implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth. The majority of the area within the Specific Plan is already developed and not expected to change. However, implementation of the proposed project would allow for future development projects in the Specific Plan Area that would result in potential increase in planned residential uses and a decrease in commercial land uses when compared to the existing land uses.

CalEEMod was used to calculate the long-term operational emissions associated with implementation of the proposed project. Trip generation rates used in CalEEMod for the proposed project were based on the project's trip generation as shown in the Transportation Memorandum[16] prepared for the proposed project (Appendix I), which identifies that the proposed project would generate approximately 39,055 average daily traffic (ADT), which was included in CalEEMod. It is not yet known whether the proposed project would utilize natural gas; therefore, this analysis conservatively assumes that natural gas will be included as part of the project operations. In addition, this analysis assumes the proposed project would be operational in 2046, which is included in CalEEMod.

Long-term operational emissions associated with the land uses under the existing conditions were also evaluated in CalEEMod. The existing land use designations in the Tower District include a mix of residential, commercial, public institutions, and pockets of industrial uses. Trip generation rates used in CalEEMod were based on the trip generation described in Appendix I (*Tower District Specific Plan Update Transportation Memorandum*), which identifies that the buildout of the 1991 Specific Plan and existing uses allowed under the General Plan would generate approximately 36,054 ADT,

[16] LSA Associates, Inc. (LSA). 2025e. *Tower District Specific Plan Update Trip Generation and Vehicle Miles Traveled Analysis Memorandum.*

which was included in CalEEMod. This analysis assumes an operational year of 2025, to represent existing emissions associated with the land uses that are currently existing and operational in the planning area, which is included in CalEEMod. Where project-specific data were not available, default assumptions (e.g., energy usage, water usage, and solid waste generation) from CalEEMod were used to estimate project emissions. CalEEMod output sheets are included in Appendix E.

Table 4.4.C shows the estimated operational emissions associated with the proposed project and the Approved Specific Plan.

Table 4.4.C: Operational Greenhouse Gas Emissions

Emissions Category	Operational Emissions (Metric Tons per Year)				
	CO_2	CH_4	N_2O	CO_2e	Percentage of Total
Approved Specific Plan – Existing Emissions					
Mobile Sources	26,875.0	1.6	1.6	27,427.0	75
Area Sources	1,354.9	2.1	<0.1	1,408.3	4
Energy Sources	6,338.2	0.7	0.1	6,371.1	18
Water Sources	135.6	6.4	0.2	340.8	<1
Waste Sources	224.0	22.4	0.0	783.6	2
Total Existing Emissions				**36,330.8**	**100.0**
Proposed Project Emissions					
Mobile Sources	21,897.0	0.8	1.2	22,273.0	71
Area Sources	47.0	<0.1	<0.1	47.1	<1
Energy Sources	7,543.2	0.9	0.1	7,582.0	24
Water Sources	156.2	7.4	0.2	393.0	1
Waste Sources	270.2	27.0	0.0	945.5	3
Total Proposed Project Emissions				**31,240.6**	**100.0**
Amortized Construction Emissions				1,162.5	-
Total Proposed Project Operational Emissions				**32,403.1**	
Total Net Annual Emissions				**-3,927.7**	-

Source: Compiled by LSA (January 2024).
Note = Some values may not appear to add correctly due to rounding.
CH_4 = methane
CO_2 = carbon dioxide
CO_2e = carbon dioxide equivalent
N_2O = nitrous oxide

As shown in Table 4.4.C, the implementation of the proposed project would result in a net reduction of approximately 3,927.7 metric tons of CO_2e per year when compared to the emissions associated with the Approved Specific Plan. As discussed above, the majority of the area within the Specific Plan is already developed and not expected to change. However, the proposed project includes proposed land use changes which would promote more mixed-use development along commercial corridors by creating corridor/center mixed use and neighborhood mixed use areas, specifically on Blackstone Avenue and Shields Avenue. As such, implementation of the proposed project would allow for future development projects in the Specific Plan Area that would result in potential increase in planned residential uses and a decrease in commercial land uses when compared to the Approved Specific Plan. Additionally, policies included in the Specific Plan would reduce vehicle miles traveled by increasing amenities in the Specific Plan Area, as well as by promoting mixed use development and increasing opportunities for multi-modal transit.

Impacts associated with future operation of individual projects that may occur with implementation of the proposed project would be required to prepare project specific technical assessments evaluating operational-related GHG impacts to further reduce emissions to the maximum extent feasible for projects that require environmental evaluation under CEQA. Each discretionary development project is required to be analyzed for conformance with the General Plan, zoning requirements, and other applicable local and State requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.

While buildout of the proposed project would not result in an increase in emissions when compared to the buildout of the Approved Specific Plan, individual project emissions that could occur from implementation of the proposed project will contribute to global climate change. As discussed, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds or consistency with a regional GHG reduction plan (such as a Climate Action Plan). Neither the City nor the SJVAPCD has developed or adopted numeric GHG significance thresholds. In the absence of any City or SJVAPCD specific guidelines or thresholds, the proposed project and any future development that could occur from implementation of the proposed project would need to be analyzed for consistency with State goals for the purpose of reducing GHG emissions.

The Bay Area Air District's *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans* (Justification Report)[17] established guidance on how individual projects would be consistent with California's long-term climate goals and provides substantial evidence in supporting the use of Bay Area Air District thresholds for projects throughout California, because the thresholds are designed to meet the State's established GHG reduction goals, including the 2022 Scoping Plan goals. According to the Bay Area Air District Justification Report,[18] a project would have a less than significant impact related to consistency with the 2022 Scoping Plan if the proposed project achieves a reduction in project-generated VMT below the regional average consistent with the current version of the 2022 Scoping Plan (currently 15 percent) or meets a locally adopted SB 743 VMT target, reflecting the recommendations provided in the OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA*.[19] Additionally, new projects must not include natural gas appliances or natural gas plumbing and should not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the *State CEQA Guidelines*. It should be noted that natural gas is currently used in the Tower District, but the use of natural gas would not be expanded under the proposed project. Lastly, a project must achieve compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2. If a project is designed and built to incorporate these design elements related to VMT, natural gas, energy, and EVs, then it would contribute its portion of what is necessary to achieve California's long-term climate goals and

[17] Bay Area Air Quality Management District (Bay Area Air District). 2022. *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*. April. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en (accessed June 2025).

[18] Ibid.

[19] Governor's Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. April.

an agency reviewing the project under CEQA can conclude that the project would be consistent with the State's 2022 Scoping Plan.

Information regarding operational characteristics of future development projects envisioned under the Specific Plan Update and the associated emissions cannot be determined at the time of this analysis; therefore, implementation of the proposed project could result in potential significant impacts related to GHG. Mitigation Measure GHG-1 would require the preparation of a project-specific assessment of potential GHG impacts and implementation of feasible mitigation measures to reduce GHG emissions. As described above, neither the City of SJVAPCD have developed GHG thresholds. Future project developments can implement the design elements related to VMT, natural gas, energy, and EVs to demonstrate their "fair share" of emissions to meet California's long-term climate goals and an agency reviewing the project under CEQA can conclude that the project would be consistent with the State's 2022 Scoping Plan. As such, mitigation Measure GHG-1 would require individual projects to implement these design elements, as necessary, to further ensure that operational-related emissions are reduced to a less than significant level. Therefore, implementation of Mitigation GHG-1 would ensure impact associated with the continued implementation of the proposed project would be less than significant.

Since the 1991 Specific Plan, there has been a shift to mandate clean energy (such as solar, hydroelectric, wind, and nuclear sources), resulting in reductions in GHG emissions in addition to trip reduction and energy conservation measures. The State and the SJVAPCD would continue to adopt additional regulations on most sources of emissions to be implemented during the proposed project buildout period and result in much greater reductions than is predicted with the adopted regulations. In addition, expanded use of renewable fuels, zero emission vehicles, and replacing combustion sources with electrically powered alternatives will also result in reductions in GHG emissions. The proposed project would also be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24 and CALGreen Code standards which establish minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting, which would reduce energy usage. The proposed project would also comply with the applicable policies from the General Plan aimed at reducing GHG emissions, including Policies RC-5-c, RC-5-d, and RC-5-e.

Since implementation of the proposed project would result in a net reduction of GHG emissions when compared to the Approved Specific Plan, the proposed project would not result in a significant impact. In addition, with implementation of Mitigation Measure GHG-1, impacts associated with the implementation of the proposed project would be less than significant. Therefore, with implementation of Mitigation Measure GHG-1, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant effect on the environment and impacts would be less than significant.

Level of Significance Without Mitigation: Potentially Significant Impact.

Impact GHG-1: The proposed project would result in a potentially significant impact related to GHG emissions.

Mitigation Measure GHG-1

Prior to discretionary approval by the City of Fresno (City) for development projects subject to California Environmental Quality Act (CEQA) review (i.e., nonexempt projects), Project applicants shall prepare and submit a technical assessment evaluating potential project-related greenhouse gas (GHG) impacts to the City for review and approval. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology. While neither the City nor the SJVAPCD currently have established threshold of significance for evaluating the GHG emissions impact of a proposed project, if either the City or the SJVAPCD develop GHG thresholds in the future (i.e. CEQA qualified Greenhouse Gas Reduction Plan/Climate Action Plan or SJVAPCD project-specific GHG thresholds), the evaluation of project-related GHG emissions shall demonstrate consistency with those thresholds of significance. In the absence of project-specific GHG thresholds established by the City or SJVAPCD, projects shall demonstrate compliance with the 2022 Scoping Plan GHG requirements, consistent with State GHG emissions reduction and equity prioritization goals, by implementing the following design elements, where feasible:

- Projects shall not include natural gas appliances or natural gas plumbing.
- Projects shall achieve a reduction in project-generated VMT below the regional average consistent with the current version of the 2022 Scoping Plan (currently 15 percent) or meets the City's locally adopted target reduction (13 percent reduction).
- Projects shall not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the *State CEQA Guidelines.*
- Projects must achieve compliance with EV requirements in the most recently adopted version of CALGreen Tier 2.

Should a proposed project exceed established thresholds of significance, the City shall require that the proposed project implement GHG emission reduction measures to reduce emissions below applicable thresholds or to a level commensurate with implementing the recommended project-design features outlined above. Such mitigation measures could include, but are not limited to, energy efficiency measures, water conservation and efficiency measures, solid waste measures, and transportation and motor

vehicles measures. The identified measures shall be included as part of the conditions of approval.

Level of Significance with Mitigation: Less than Significant Impact

Implementation of Mitigation Measures GHG-1 would serve to ensure that the potential impacts of the proposed project are assessed to determine if they would have a significant impact on GHG. Therefore, compliance with Mitigation Measures GHG-1 would ensure the potential GHG impacts associated with the continued implementation of the proposed project would be less than significant.

GHG-2 The proposed project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

This section includes analysis of the proposed project's consistency with State and local plans, policies, and regulations that have been adopted for the purpose of reducing GHGs. As discussed above, the SJVAPCD has adopted a CCAP, which includes suggested best performance standards for proposed development projects. However, the SJVAPCD's CCAP was adopted in 2009 and was prepared based on the State's 2020 GHG targets, which are now superseded by State policies (i.e., the 2022 California Green Building Code) and the 2030 GHG targets, established in SB 32, as well as State goals for carbon neutrality, as included in Executive Orders and codified in AB 1279. Therefore, in this section, the proposed project is analyzed for consistency with the goals of EO B-30-15, SB 32, AB 197, and the 2022 Scoping Plan and the FCOG RTP.

2022 Scoping Plan. The following discussion evaluates the proposed project according to the goals of the 2022 Scoping Plan, EO B-30-15, SB 32, and AB 197.

EO B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. CARB released a second update to the Scoping Plan, the 2017 Scoping Plan,[20] to reflect the 2030 target set by EO B-30-15 and codified by SB 32. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. SB 32 builds on AB 32 and keeps us on the path toward achieving the State's 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32, AB 197, provides additional direction to the CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air emissions data that are collected by CARB was posted in December 2016.

In addition, the 2022 Scoping Plan assesses progress toward the statutory 2030 target, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

[20] California Air Resources Board (CARB). 2017a. *California's 2017 Climate Change Scoping Plan*. November.

The 2022 Scoping Plan focuses on building clean energy production and distribution infrastructure for a carbon-neutral future, including transitioning existing energy production and transmission infrastructure to produce zero-carbon electricity and hydrogen, and utilizing biogas resulting from wildfire management or landfill and dairy operations, among other substitutes. The 2022 Scoping Plan states that in almost all sectors, electrification will play an important role. The 2022 Scoping Plan evaluates clean energy and technology options and the transition away from fossil fuels, including adding four times the solar and wind capacity by 2045 and about 1,700 times the amount of current hydrogen supply. As discussed in the 2022 Scoping Plan, EO N-79-20 requires that all new passenger vehicles sold in California will be zero-emission by 2035, and all other fleets will have transitioned to zero-emission as fully possible by 2045, which will reduce the percentage of fossil fuel combustion vehicles.

Appendix D of the 2022 Scoping Plan includes local action recommendations that align with the state's climate strategies.[21] Land use development projects that are consistent with these, either through on-site project design features or mitigation strategies, would support state-level measures to contain the growth of GHG emissions associated with the transportation system and built environment. The 2022 Scoping Plan categorizes the priority areas into Transportation Electrification, VMT Reduction, and Building Decarbonization and provides project attributes associated with each that are intended as a guide to help local jurisdictions qualitatively identify projects that are consistent with the state's climate goals. The following sections provide an analysis of the proposed project's consistency with the overarching, long-term GHG reduction goals from the Scoping Plan related to Transportation Electrification, VMT Reduction, and Building Decarbonization.

Energy Efficiency and Building Decarbonization. Energy efficient measures are intended to maximize energy efficiency building and appliance standards, pursue additional efficiency efforts including new technologies and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. The proposed project would comply with the CALGreen Code, regarding energy conservation and green building standards, which will ensure highly energy efficient development. Additionally, the Pacific Gas & Electric Company (PG&E) is the private utility that would supply the proposed project's electricity. In 2021, a total of 50 percent of PG&E's delivered electricity came from renewable sources, including solar, wind, geothermal, small hydroelectric, and various forms of bioenergy.[22] PG&E reached California's 2020 renewable energy goal in 2017 and is positioned to meet the State's 60 percent by 2030 renewable energy mandate set forth in SB 100. In addition, PG&E plans to continue to provide reliable service to its customers and upgrade its distribution systems as necessary to meet future demand, consistent with the State's renewable portfolio.

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21 California Air Resources Board (CARB). 2022. Appendix D Local Actions – Draft 2022 Scoping Plan. May. Website: https://ww2.arb.ca.gov/sites/default/files/2022-05/2022-draft-sp-appendix-d-local-actions_0.pdf (accessed July 2025)

22 Pacific Gas & Electric Company (PG&E). 2021. *Exploring Clean Energy Solutions*. Website: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page?WT.mc_id=Vanity_cleanenergy (accessed June 2024).

The elimination of natural gas in new development would help projects implement their "fair share" of GHG emission reductions necessary to achieve carbon neutrality by 2045. As such, if a project does utilize natural gas, a lead agency can conclude that it would not be consistent with achieving the 2045 neutrality goal and will have a cumulative considerable impact on climate change.[23] It is not yet known whether the proposed project would include natural gas. To be conservative, this analysis assumes that natural gas may be required. However, the proposed project would support development standards that increase electrification and building decarbonization for future land uses. The elimination of natural gas from the building sector is a key action identified by CARB to reduce statewide emissions. CARB provides a target year of 2035 to initiate decarbonizing of industrial processes with the understanding that the industrial sector is a more challenging GHG sector to electrify; however, decarbonizing new commercial and residential development is considered a feasible requirement for projects proposed now. With Mitigation Measure GHG-1, the proposed project would require future development to eliminate the use of natural appliances or natural gas plumbing. As technology continues to advance towards cleaner energy, future development projects would be able to reduce the use of natural gas and align with building decarbonization goals. Furthermore, the proposed project will be constructed with the latest Title 24 building design and will meet all required energy efficiency measures. Therefore, the proposed project would comply with applicable energy measures.

Additionally, and as noted above, the proposed project would comply with the CALGreen Code, which also includes a variety of different measures for water conservation and efficiency, including the reduction of wastewater and water use. Therefore, the proposed project would also promote the reduction of GHG emissions through water efficiency measures.

Transportation Electrification and VMT. The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. The proposed project would promote more mixed-use development along commercial corridors by creating corridor/center mixed use and neighborhood mixed use areas. This would continue to promote the walkability of the Tower District while allowing for greater residential development. Additionally, medium low density residential uses would be allowed at Terrace Gardens, Porter Tract, and Wilson Island. As such, implementation of the proposed project would promote alternative forms of transportation (e.g., walking and cycling) and would reduce vehicle miles traveled. Overall, the nearby transit facilities and proposed improvements to the pedestrian network would support public transit use and walking and bicycling. Furthermore, with Mitigation Measure GHG-1, development of the land uses under the proposed project would meet the mandatory EV charging requirements of the CALGreen Code (Part 11, Title 24, California Code of Regulations), which would promote the widespread use of EVs as well as provide the electrical infrastructure necessary during the development phase of a project that allows for future expansion of electrical EV facilities. As such, the proposed project would be aligned with the State's long-term EV adoption targets. Additionally, as described in Section 4.17, Transportation, of the Initial Study (included in Appendix C of this EIR) buildout of the proposed project would result in a less than significant VMT impact. The VMT per capita for the proposed project was estimated to be 11.4, which is below the City's VMT per capita threshold of 14.0. As such, the proposed project would not generate VMT to the degree

[23] Bay Area Air Quality Management District (Bay Area Air District). 2022. *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. April.

that the plan would conflict with the City's locally adopted VMT target and will be consistent with the Governor's Office of Land Use and Climate Innovation's (LCI) established targets included in SB 743 (Steinberg, 2013). For this reason, the proposed project would align with the VMT State reduction goals. Therefore, the proposed project would not conflict with the transportation and motor vehicle measures.

Summary. As demonstrated above, with Mitigation Measure GHG-1, the proposed project would not conflict with the plans and policies adopted for the purpose of reducing the emissions of greenhouse gases, including the CARB 2022 Scoping Plan, EO B-30-15, SB 32, and AB 1279.

Fresno Council of Governments' 2022 Regional Transportation Plan. The Fresno Council of Governments (FCOG) Regional Transportation Plan (RTP) reflects transportation planning for Fresno County through 2046. The vision, goals, and policies in the 2022 RTP are intended to serve as the foundation for both short and long-term planning and guide implementation activities. The core vision in the 2022 RTP is to create a region of diverse, safe, resilient, and accessible transportation options that improve the quality of life for all residents by fostering sustainability, equity, a vibrant economy, clean air, and healthy communities. The 2022 RTP contains transportation projects to help more efficiently distribute population, housing, and employment growth, and forecast development that is generally consistent with regional-level general plan data. The actions in the 2022 RTP address all transportation modes (highways, local streets and roads, mass transportation, rail, bicycle, aviation facilities and services) and consist of short- and long-term activities that address regional transportation needs. While the actions are organized by the five key policy areas, many of them are cross-cutting and support multiple goals and policies. Some actions are intended to support the Sustainable Communities Strategy (SCS) and reduce greenhouse gas emissions directly, while others are focused on the RTP's broader goals. The 2022 RTP does not require that local General Plans, Specific Plans, or zoning be consistent with the 2022 RTP, but provides incentives for consistency for governments and developers.

The proposed project would not interfere with the FCOG's ability to achieve the region's GHG reductions. The proposed project includes proposed land use changes which would promote more mixed-use development along commercial corridors by creating corridor/center mixed use and neighborhood mixed use areas. Although implementation of the proposed project could result in an increase in planned residential units, all land use changes would be consistent with the Fresno 6th Cycle Housing Element and would accommodate much needed housing within the City. The proposed project would result in 537 new dwelling units and a reduction in 18,000 square feet of retail/commercial spaces. Therefore, it is anticipated that implementation of the proposed project would not exceed growth assumptions in the 2022 RTP/SCS. Therefore, the proposed project would not interfere with FCOG's ability to implement the regional strategies outlined in the 2022 RTP.

Conclusion. The proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in the 2022 RTP and would be consistent with applicable State plans and programs designed to reduce GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact GHG-2: The proposed project would result in a potentially significant impact related to building decarbonization and transportation electrification.

Mitigation Measures: Refer to Mitigation Measure GHG-1.

Level of Significance with Mitigation: Less than Significant Impact

Implementation of Mitigation Measure GHG-1 would serve to ensure that the impacts of the continued implementation of the proposed project would meet the building decarbonization, transportation electrification, and VMT goals. Therefore, compliance with Mitigation Measure GHG-1 would ensure the potential GHG impacts associated with the continued implementation of the proposed project would be less than significant.

4.4.5.2 Cumulative Impacts

As defined in Section 15130 of the *State CEQA Guidelines,* cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for GHG emissions. However, unlike the cumulative analysis for many topics that address the combined impacts of a proposed project in addition to related projects in a project study area, the analysis of impacts related to GHG emissions is inherently cumulative.

GHG-3 ***Implementation of the proposed project in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to GHG emissions.***

AB 32 required CARB to reduce statewide GHG emissions to 1990 level by 2020. As part of this legislation, CARB was required to prepare a "Scoping Plan" that demonstrates how the State will achieve this goal. The Scoping Plan was first adopted in 2011 and in it, local governments were described as "essential partners" in meeting the statewide goal, recommending a GHG reduction level of 15 percent below 2005 to 2008 levels by 2020. In addition, CARB released a second update to the Scoping Plan, the 2017 Scoping Plan, to reflect the 2030 GHG emissions reductions target of at least 40 percent below 1990 levels by 2030. CARB recently adopted the 2022 Scoping Plan,[24] which assesses progress toward the statutory 2030 target, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

In order to achieve these goals, CARB is in the process of establishing and implementing regulations to reduce statewide GHG emissions. However, there are currently no applicable significance thresholds, specific reduction targets, and/or approved policy or guidance to assist in determining

[24] California Air Resources Board (CARB). 2022a. *2022 Scoping Plan Update*. May 10. Website: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents (accessed July 2025).

significance at the cumulative level. Additionally, there is currently no generally accepted methodology to determine whether GHG emissions associated with a specific project represent new emissions or existing, displaced emissions.

GHG 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. This serves to define the State's share of the reductions regardless of the activities or lack of activities of other areas of the United States or the world. Therefore, a cumulative threshold based on consistency with State targets and actions to reduce GHGs is an appropriate standard of comparison for significance determinations.

As previously stated, GHG emissions associated with the buildout under the proposed project would result in a net reduction of GHG emissions when compared to the existing land uses. Since GHG is a global issue, it is unlikely that the proposed project would generate enough GHG emissions to influence GHG emissions on its own. Implementation of Mitigation Measure GHG-1 would serve to ensure that the impacts of the continued implementation of the proposed project are assessed to determine if they would have a significant impact on GHG. Mitigation Measure GHG-1 would ensure that future development projects that would occur from implementation of the proposed project would comply with State goals related to the reduction of GHG emissions. Therefore, compliance with Mitigation Measures GHG-1 would ensure the potential GHG impacts associated with the continued implementation of the proposed project would be less than significant. Therefore, the proposed project would not have a significant contribution to cumulatively considerable GHG emission impacts. In addition, as demonstrated above, with Mitigation Measure GHG-1 the proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals, including the CARB 2022 Scoping Plan, Executive Order B-30-15, SB 32, and AB 1279. As such, cumulative impacts would be considered less than significant.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact GHG-2: The proposed project would result in a potentially significant impact related to GHG emissions and State goals related to building decarbonization and transportation electrification.

Mitigation Measures: Refer to Mitigation Measure GHG-1.

Level of Significance with Mitigation: Less than Significant Impact

Implementation of Mitigation Measure GHG-1 would serve to ensure that the impacts of the continued implementation of the proposed project are assessed to determine if they would have a significant impact on GHG and ensure that future development projects would comply with State goals related to the reduction of GHG emissions. Therefore, compliance with Mitigation Measure GHG-1 would ensure the potential GHG impacts associated with the continued implementation of the proposed project would be less than significant.

4.5 NOISE

4.5.1 Introduction

This section discusses noise impacts resulting from implementation of the Tower District Specific Plan Update (proposed project or Specific Plan Update) for the City of Fresno (City) and evaluates the potential for changes in noise that could result from the proposed project. This section discusses the fundamentals of sound and vibration; describes the existing noise and vibration settings/ conditions; examines federal, State, and local noise guidelines, policies, and standards; reviews noise levels at existing receptor locations; evaluates potential noise impacts associated with the Specific Plan Update; and provides mitigation to reduce noise impacts.

4.5.2 Existing Environmental Setting

The study area for project impacts regarding noise is the Tower District Specific Plan Area (Specific Plan Area) and the immediate surrounding areas because potential development under the proposed project could affect areas inside the Specific Plan Area. For the proposed project, the Specific Plan Area encompasses the Tower District, which is centrally located within Fresno and is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad (UPRR) tracks to the west.

4.5.2.1 Characteristics of Sound

Sound is increasing in the environment and can affect quality of life. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep.

To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect the ability to hear. Pitch is the number of complete vibrations (or cycles per second) of a wave, resulting in the tone's range from high to low. Loudness is the strength of a sound, describes a noisy or quiet environment, and is measured by the amplitude of the sound wave. Loudness is determined by the intensity of the sound waves combined with the reception characteristics of the human ear. Sound intensity is the average rate of sound energy transmitted through a unit area perpendicular to the direction in which the sound waves are traveling. This characteristic of sound can be precisely measured with instruments. In the analysis of a project, the noise environment of the Specific Plan Area is defined in terms of sound intensity and its effect on adjacent sensitive land uses.

4.5.2.2 Measurement of Sound

Sound intensity is measured through the A-weighted scale to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies. Decibels (dB), unlike the linear scale (e.g., inches or pounds), is a scale based on powers of 10.

For example, 10 dB is 10 times more intense than 0 dB, 20 dB is 100 times more intense than 0 dB, and 30 dB is 1,000 times more intense than 0 dB. Thirty decibels (30 dB) represents 1,000 times as much acoustic energy as 0 dB. The decibel scale increases as the square of the change, representing the sound pressure energy. A sound as soft as human breathing is about 10 times greater than 0 dB.

The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. A 10 dB increase in sound level is perceived by the human ear as only a doubling of the loudness of the sound. Ambient sounds generally range from 30 A-weighted decibels (dBA) (very quiet) to 100 dBA (very loud).

Sound levels generate from a source, and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. For a single point source, sound levels decrease approximately 6 dB for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by stationary equipment. If noise is produced by a line source, such as highway traffic or railroad operations, the sound decreases 3 dB for each doubling of distance in a hard site environment. Line source noise in a relatively flat environment with absorptive vegetation decreases 4.5 dB for each doubling of distance. See Table 4.5.A, below, for definitions of acoustical terms.

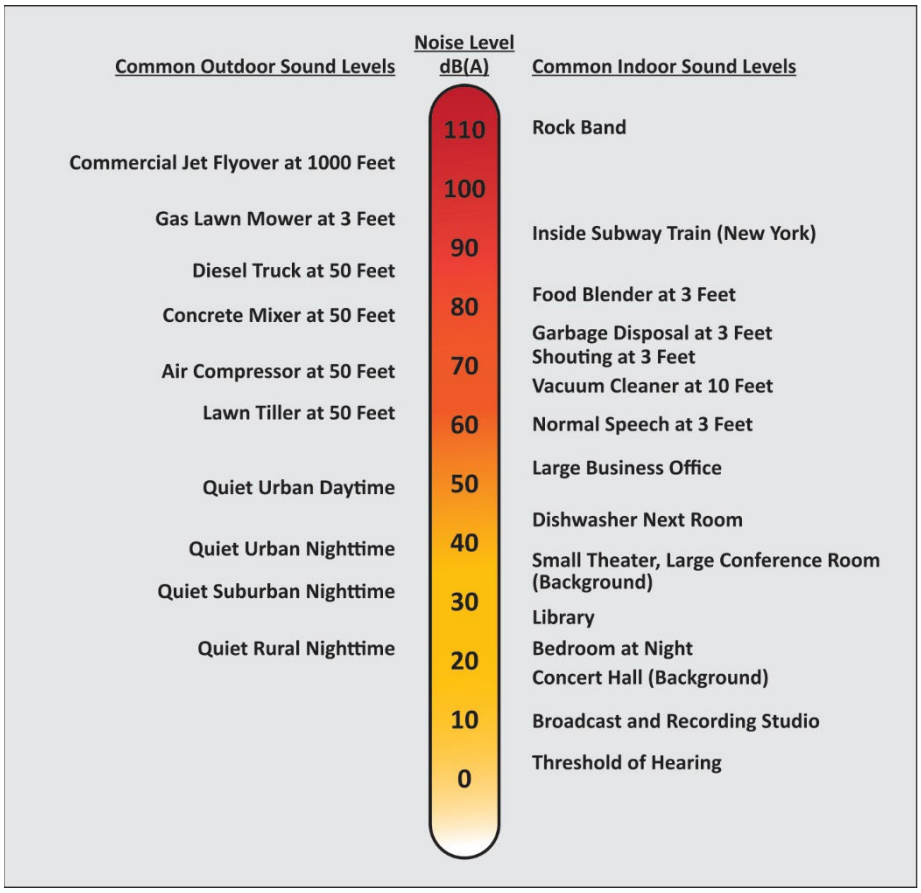
Table 4.5.A: Definitions of Acoustical Terms

Term	Definitions
Decibel, dB	A unit of level that denotes the ratio between two quantities proportional to power; the number of decibels is 10 times the logarithm (to the base 10) of this ratio.
Frequency, Hz	Of a function periodic in time, the number of times that the quantity repeats itself in one second (i.e., number of cycles per second).
A-Weighted Sound Level, dBA	The sound level obtained by use of A-weighting. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise. All sound levels in this report are A-weighted, unless reported otherwise.
L_{01}, L_{10}, L_{50}, L_{90}	The fast A-weighted noise levels equaled or exceeded by a fluctuating sound level for 1 percent, 10 percent, 50 percent, and 90 percent of a stated time period.
Equivalent Continuous Noise Level, L_{eq}	The level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time varying sound.
Community Noise Equivalent Level, CNEL	The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of five decibels to sound levels occurring in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 decibels to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m.
Day/Night Noise Level, L_{dn}	The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 10 decibels to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m.
L_{max}, L_{min}	The maximum and minimum A-weighted sound levels measured on a sound level meter, during a designated time interval, using fast time averaging.
Ambient Noise Level	The all-encompassing noise associated with a given environment at a specified time, usually a composite of sound from many sources at many directions, near and far; no particular sound is dominant.
Intrusive	The noise that intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

Source: *Handbook of Acoustical Measurements and Noise Control* (Cyril Harris, ed., 1998).

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. The equivalent continuous sound level (L_{eq}) is the total sound energy of time-weighted average noise over a sample period. However, the predominant rating scales for human communities in California are L_{eq} and the Community Noise Equivalent Level (CNEL) or the day-night average noise level (L_{dn}) based on dBA. CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noises occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale but without the adjustment for events occurring during the relaxation hours. CNEL and L_{dn} are within 1 dBA of each other and are normally interchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours. Typical A-weighted sound levels from various sources are described in Figure 4.5-1.

Figure 4.5-1: Typical A-Weighted Sound Levels



Source: Compiled by LSA (2016).

Other noise rating scales of importance, when assessing the annoyance factor, include the maximum instantaneous noise level (L_{max}), which is the highest exponential time-averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis are specified in terms of L_{max} for short-term noise impacts. L_{max} reflects peak operating conditions and

addresses the annoying aspects of intermittent noise. Another noise scale often used together with L_{max} in noise ordinances for enforcement purposes is noise standards in terms of percentile noise levels. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level; half the time the noise level exceeds this level and half the time it is less. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, L_{eq} and L_{50} are approximately the same.

Noise impacts can be described in three categories. The first is audible impacts, which refer to increases in noise levels noticeable to humans. Audible increases in noise levels generally refer to a change of 3 dB or greater since this level has been found to be barely perceptible in exterior environments. The second category, potentially audible, refers to a change in the noise level between 1 dB and 3 dB. This range of noise levels has been found to be noticeable only in laboratory environments. The last category is changes in noise levels of less than 1 dB, which are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are considered potentially significant.

4.5.2.3 Physiological Effects of Noise

Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects the entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions and thereby affecting blood pressure and functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA would result in permanent cell damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear, even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear. This is called the threshold of pain. Sound levels from 160 to 165 dBA will potentially result in dizziness or loss of equilibrium. The ambient or background noise problem is widespread and generally more concentrated in urban areas than in outlying, less developed areas.

4.5.2.4 Vibration

Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. The motion may be discernible outdoors, but without the effects associated with the shaking of a building, there is less adverse reaction. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by occupants as the motion of building surfaces, the rattling of items on shelves or wall hangings, or a low-frequency rumbling noise. The rumbling noise is caused by the vibration of walls, floors, and ceilings radiating sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less, which is an order of magnitude below the damage threshold for normal buildings.

To distinguish vibration levels from noise levels, the unit is written as “vibration velocity decibels” (VdB). Human perception to vibration starts at levels as low as 67 VdB and sometimes lower. Annoyance due to vibration in residential settings starts at approximately 70 VdB. Ground-borne

vibrations are almost never annoying to people who are outdoors. Although the motion of the ground may be perceived, without the effects associated with the shaking of the building, the motion does not provoke the same adverse human reaction.

Typical sources of ground-borne vibration are construction activities (e.g., blasting, pile driving and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with ground-borne vibration and noise from these sources are usually localized to areas within approximately 100 feet of the vibration source, although there are examples of ground-borne vibration causing interference out to distances greater than 200 feet.[1] When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible. Ground-borne noise is not likely to be a problem because noise arriving via the normal airborne path usually will be greater than ground-borne noise.

Ground-borne vibration has the potential to disturb people as well as damage buildings. Although it is very rare for train-induced ground-borne vibration to cause even cosmetic building damage, it is not uncommon for construction processes such as blasting and pile driving to cause vibration of sufficient amplitudes to damage nearby buildings.[2] Ground-borne vibration is usually measured in terms of vibration velocity, either the root-mean-square (RMS) velocity or peak particle velocity (PPV).

Factors that influence ground-borne vibration and noise include the following:

- **Vibration Source:** Vehicle suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source
- **Vibration Path:** Soil type, rock layers, soil layering, depth to water table, and frost depth
- **Vibration Receiver:** Foundation type, building construction, and acoustical absorption

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground compared to at the ground surface. In addition, soil conditions are known to have a strong influence on the levels of ground-borne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock.

Experience with ground-borne vibration indicates that: (1) vibration propagation is more efficient in stiff, clay soils than in loose, sandy soils; and (2) shallow rock seems to concentrate the vibration energy close to the surface and can result in ground-borne vibration problems at large distances from the source. Factors such as layering of the soil and depth to the water table can have significant effects on the propagation of ground-borne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

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1 Federal Railroad Administration (FRA). 2012. *High-Speed Ground Transportation Noise and Vibration Impact Assessment.*

2 Ibid.

In extreme cases, excessive ground-borne vibration has the potential to cause structural damage to buildings. For buildings considered of particular historical significance or that are particularly fragile structures, the damage threshold is approximately 96 VdB; the damage threshold for other structures is 100 VdB.[3]

4.5.2.5 Existing Noise Levels

Existing noise levels in the Specific Plan Area as well as the surrounding areas are primarily generated by transportation noise sources. Vehicular traffic noise is the dominant source in most areas, and aircraft and rail activity are sources of noise in the local areas surrounding these operations. In addition, industrial and commercial activity are sources of noise in the area of these land uses.

Land uses within the Tower District (District) include single-family residential uses, which comprise over half of the District's land area, medium-density residential uses, high-density residential uses, public uses (e.g., schools, parks, and recreation sites), and light industrial uses, which are generally confined to the southwest edge of the District. Also, the District is generally surrounded by urban, built-up areas consisting of similar land uses to those found within the District, including a mix of residential, commercial, public institutions, and pockets of industrial uses. Additionally, Roeding Regional Park is located west of the District, immediately adjacent to the UPRR line and Golden State Boulevard.

Ambient Noise Measurements. Three noise meters were placed within public right-of-way to conduct long-term (24-hour) noise level measurements from June 17 to June 18, 2025, using Larson Davis Spark 706RC dosimeters to document the existing noise environment within the Specific Plan Area. Table 4.5.B, below, summarizes the results of the long-term noise level measurements along with a description of the measurement locations and noise sources that occurred during the measurements. As shown in Table 4.5.B, the calculated CNEL levels at LT-1 through LT-3 range from 58.2 to 72.1 dBA CNEL. The daytime noise levels ranged from 49.4 to 72.3 A-weighted equivalent continuous sound level (dBA L_{eq}), and the nighttime noise levels ranged from 43.3 to 70.1 dBA L_{eq}. Also, the daytime maximum instantaneous noise levels ranged from 67.1 to 98.2 maximum A-weighted instantaneous noise level (dBA L_{max}), and the nighttime maximum instantaneous noise levels ranged from 56.7 to 94.6 dBA L_{max}. The long-term noise level measurement survey sheets, along with the hourly L_{eq} and L_{max} results, are provided in the Noise and Vibration Impact Analysis (2025)[4] (Appendix H) prepared for the proposed project.

[3] Harris, C.M., ed. 1998. *Handbook of Acoustical Measurements and Noise Control*.

[4] LSA Associates, Inc. (LSA). 2025a. *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report*.

Table 4.5.B: Long-Term Ambient Noise Monitoring Results

Monitoring No.	Location	Noise Level					Noise Source
		dBA L_{eq}		dBA L_{max}		CNEL	
		Daytime	Nighttime	Daytime	Nighttime		
LT-1	621 North San Pablo Avenue. On a pole. On the west side of North San Pablo Avenue. Approximately 20 ft from North San Pablo Avenue centerline.	63.5–66.9 (62.5)[1]	56.0–64.2 (61.8)[2]	78.6–93.1	77.1–89.1	69.2	Traffic on SR-180 and North San Pablo Avenue.
LT-2	1599 North Calaveras Street. On a pole in the alleyway. Approximately 85 ft from the East McKinley Avenue centerline.	62.2–72.3 (65.6)[1]	58.7–70.1 (64.8)[2]	77.2–98.2	81.6–94.6	72.1	Traffic on East McKinley Avenue and North Blackstone Avenue. Occasional train pass-by and crossing noise. Occasional aircraft noise.
LT-3	244 West Princeton Avenue. On a tree. Approximately 20 ft away from North Arthur Avenue centerline. At the northeast corner of North Arthur Avenue and West Princeton Avenue.	49.4–55.5 (51.2)[1]	43.3–56.7 (51.4)[2]	67.1–84.0	56.7–77.4	58.2	Very light traffic on West Princeton Avenue and North Arthur Avenue. Occasional aircraft noise.

Source: Compiled by LSA (2025).
Note: The long-term (24-hour) noise level measurements were conducted from June 17 to June 18, 2025.
[1] Average daytime noise level.
[2] Average nighttime noise level.
CNEL = Community Noise Equivalent Levell
dBA = A-weighted decibels
ft = foot/feet
L_{eq} = equivalent continuous sound level
L_{max} = maximum instantaneous noise level
SR-180 = State Route 180

Existing Aircraft Noise. The closest airports to the Specific Plan Area are the Fresno Chandler Executive Airport (1 mile southeast of the project site), Fresno Yosemite International Airport (3.3 miles east of the project site), and Sierra Sky Park Airport (4.8 miles northwest of the project site). The Specific Plan Area is outside the 60 dBA CNEL noise contour of airports based on the *Fresno County Airport Land Use Compatibility Plan.*[5] There are also no private airstrips within 2 miles of the project site. In addition, the aviation-related noise exposure to people residing or working in the Specific Plan Area under the proposed project would remain the same as the 1991 Specific Plan and existing conditions.

Therefore, the proposed project would not expose people residing or working in the Specific Plan Area to aviation-related excessive noise levels.

[5] Fresno County Airport Land Use Commission (Fresno County ALUC). 2023. *Fresno County Airport Land Use Compatibility Plan.* October. Website: https://www.fresnocog.org/wp-content/uploads/2025/06/2023-ALUCP.pdf (accessed July 2025).

4.5.3 Regulatory Setting

The Specific Plan Area encompasses the City of Fresno and its sphere of influence (SOI). Noise regulations are addressed through the efforts of various federal, State, and local government agencies. The agencies responsible for regulating noise are discussed below.

4.5.3.1 Federal Policies and Regulations

United States Environmental Protection Agency. In 1972, Congress enacted the United States Noise Control Act. This act authorized the United States Environmental Protection Agency (USEPA) to publish descriptive data on the effects of noise and establish levels of sound "requisite to protect the public welfare with an adequate margin of safety." These levels are separated into health (hearing loss levels) and welfare (annoyance levels), as shown in Table 4.5.C. The USEPA cautions that these identified levels are not standards because they do not take into account the cost or feasibility of the levels.

Table 4.5.C: Summary of USEPA Noise Levels

Effect	Level	Area
Hearing loss	$L_{eq}(24) \leq 70$ dB	All areas.
Outdoor activity interference and annoyance	$L_{dn} \leq 55$ dB	Outdoors in residential areas and farms and other outdoor areas where people spend widely varying amounts of time and other places in which quiet is a basis for use.
	$L_{eq}(24) \leq 55$ dB	Outdoor areas where people spend limited amounts of time, such as school yards, playgrounds, etc.
Indoor activity interference and annoyance	$L_{eq} \leq 45$ dB	Indoor residential areas.
	$L_{eq}(24) \leq 45$ dB	Other indoor areas with human activities such as schools, etc.

Source: *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety* (USEPA, March 1974).
dB = decibels
L_{eq} = equivalent continuous sound level
USEPA = United States Environmental Protection Agency

For protection against hearing loss, 96 percent of the population would be protected if sound levels were less than or equal to an $L_{eq}(24)$ of 70 dBA. The "(24)" signifies an L_{eq} duration of 24 hours. The USEPA activity and interference guidelines are designed to ensure reliable speech communication at about 5 feet in the outdoor environment. For outdoor and indoor environments, interference with activity and annoyance should not occur if levels are below 55 dBA and 45 dBA, respectively.

Table 4.5.D summarizes the noise effects associated with an outdoor L_{dn} of 55 dBA. At 55 dBA L_{dn}, 95 percent sentence clarity (intelligibility) may be expected at 11 feet, with no community reaction. However, 1 percent of the population may complain about noise at this level, and 17 percent may indicate annoyance.

Table 4.5.D: Summary of Human Effects in Areas Exposed to 55 dBA CNEL

Type of Effect	Magnitude of Effect
Speech – Indoors	100 percent sentence intelligibility (average) with a 5 dB margin of safety.
Speech – Outdoors	100 percent sentence intelligibility (average) at 0.35 meter (1.14 feet). 99 percent sentence intelligibility (average) at 1.0 meter (3.28 feet). 95 percent sentence intelligibility (average) at 3.5 meters (11.5 feet).
Average Community Reaction	None evident; 7 dB below level of significant complaints and threats of legal action and at least 16 dB below "vigorous action."
Complaints	1 percent dependent on attitude and other non-level related factors.
Annoyance	17 percent dependent on attitude and other non-level related factors.
Attitude Towards Area	Noise essentially the least important of various factors.

Source: *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety* (USEPA, March 1974).
CNEL = Community Noise Equivalent Level
dB = decibels
dBA = A-weighted decibels
USEPA = United States Environmental Protection Agency

Federal Transit Administration. The construction noise criteria included in the Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment Manual*[6] (FTA Manual) were used to evaluate potential construction noise impacts because the City does not have construction noise level limits. Table 4.5.E shows the FTA's Detailed Assessment Daytime Construction Noise Criteria based on the composite noise levels for each construction phase.

Table 4.5.E: Detailed Assessment Daytime Construction Noise Criteria

Land Use	Daytime 8-hour L_{eq} (dBA)
Residential	80
Commercial	85
Industrial	90

Source: *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018).
dBA = A-weighted decibels
L_{eq} = equivalent continuous sound level
FTA = Federal Transit Administration

Vibration standards included in the FTA Manual are used in this analysis for ground-borne vibration impacts on human annoyance, as shown in Table 4.5.F. The criteria presented in Table 4.5.F account for the variations in project types, which differ widely among projects.

6 Federal Transit Administration (FTA). 2018. *Transit Noise and Vibration Impact Assessment Manual*. September 2018. FTA Report No. 012.

Table 4.5.F: Interpretation of Vibration Criteria for Detailed Analysis

Land Use	Max Lv (VdB)1	Description of Use
Workshop	90	Vibration that is distinctly felt. Appropriate for workshops and similar areas not as sensitive to vibration.
Office	84	Vibration that can be felt. Appropriate for offices and similar areas not as sensitive to vibration.
Residential Day	78	Vibration that is barely felt. Adequate for computer equipment and low-power optical microscopes (up to 20×).
Residential Night and Operating Rooms	72	Vibration is not felt, but ground-borne noise may be audible inside quiet rooms. Suitable for medium-power microscopes (100×) and other equipment of low sensitivity.

Source: *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018).
[1] As measured in 1/3-octave bands of frequency over the frequency range 8 to 80 hertz.
FTA = Federal Transit Administration
Max = maximum
L_V = velocity in decibels
VdB = vibration velocity decibels

The criteria for environmental impact from ground-borne vibration and noise are based on the maximum levels for a single event. Table 4.5.G lists the potential vibration building damage criteria associated with construction activities, as suggested in the FTA Manual.

Table 4.5.G: Construction Vibration Damage Criteria

Building Category	PPV (in/sec)	Approximate LV (VdB)[1]
Reinforced concrete, steel, or timber (no plaster)	0.50	102
Engineered concrete and masonry (no plaster)	0.30	98
Non-engineered timber and masonry buildings	0.20	94
Buildings extremely susceptible to vibration damage	0.12	90

Source: *Transit Noise and Vibration Impact Assessment* (FTA 2018).
[1] RMS vibration velocity in decibels (VdB) re 1 µin/sec.
µin/sec = microinches per second
FTA = Federal Transit Administration
in/sec = inch/inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

FTA Manual guidelines show that a vibration level of up to 0.5 inches per second (in/sec) in PPV is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a non-engineered (those not designed by an engineer or architect) timber and masonry building, the construction building vibration damage criterion is 0.2 in/sec in PPV.

4.5.3.2 State Regulations and Policies

The State of California has established regulations that help prevent adverse impacts to occupants of buildings near noise sources. Referred to as the *State Noise Insulation Standard*, it requires noise-sensitive land uses to meet performance standards through design and/or building materials that would offset any noise source in the vicinity of the building. Chapter 5, Section 5.507 of the California Green Building Standards Code includes nonresidential mandatory measures, which

require that buildings exposed to a noise level of 65 dB L_{eq}-1-hour during any hour of operation shall have building, addition, or alteration exterior wall and roof-ceiling assemblies exposed to the noise source meeting a composite Sound Transmission Class (STC) rating of at least 45 (or Outdoor/Indoor Transmission Class [OITC] 35) with exterior windows of a minimum STC of 40 (or OITC 30).

The State has also established land use compatibility guidelines for determining acceptable noise levels for specified land uses, as shown in Table 4.5.G.

California Department of Transportation. Vibration standards included in the 2020 California Department of Transportation (Caltrans) *Transportation and Construction Vibration Guidance Manual*[7] (Caltrans Manual) are used in this analysis for ground-borne vibration impacts on human annoyance and building damage. The criteria for environmental impact from ground-borne vibration are based on the maximum levels for a single event and the RMS vibration level. Table 4.5.H provides the criteria for assessing the potential for interference or annoyance from vibration levels in a building. Table 4.5.I lists the potential vibration building damage criteria associated with construction activities, as suggested in the Caltrans Manual.

Table 4.5.H: Interpretation of Vibration Criteria for Detailed Analysis

Human Response	Vibration Level (RMS in/sec)
Barely perceptible	0.01
Distinctly perceptible	0.04
Strongly perceptible	0.10
Severe	0.40

Source: *Transportation and Construction Vibration Guidance Manual* (Caltrans 2020).
Caltrans = California Department of Transportation
in/sec = inch/inches per second
RMS = root-mean-square

Table 4.5.I: Construction Vibration Damage Criteria

Structure / Condition	PPV (in/sec)
Extremely fragile historic buildings, ruins, ancient monuments	0.08
Fragile buildings	0.10
Historic and some old buildings	0.25
Older residential structures	0.30
New residential structures	0.50
Modern industrial / commercial buildings	0.50

Source: *Transportation and Construction Vibration Guidance Manual*, Table 19 (Caltrans 2020).
Caltrans = California Department of Transportation
in/sec = inch/inches per second
PPV = peak particle velocity

[7] California Department of Transportation (Caltrans). 2020. *Transportation and Construction Vibration Guidance Manual*. April 2020. Division of Environmental Analysis Environmental Engineering Hazardous Waste, Air, Noise, Paleontology Office.

4.5.3.3 Local Regulations and Policies

The following is a summary of the applicable policies included in the City's General Plan and Municipal Code that are related to noise and applicable to the proposed project.

City of Fresno General Plan. The City General Plan Noise and Safety Element (2014) has established interior and exterior noise standards from transportation (non-aircraft) noise sources for various land uses shown in Table 4.5.J and exterior noise standards from stationary noise sources shown in Table 4.5.K. In addition, the City General Plan Noise and Safety Element has established policies to meet the City's noise-related objective. The applicable General Plan Noise and Safety Element noise-related objective and policies for the proposed project are listed below.

Table 4.5.J: Transportation (Non-Aircraft) Noise Sources

Noise-Sensitive Land Use[1]	Outdoor Activity Areas[2]	Interior Spaces	
	L_{dn}/CNEL, dB	L_{dn}/CNEL, dB	L_{eq} dB[2]
Residential	65	45	-
Transient Lodging	65	45	-
Hospitals, Nursing Homes	65	45	-
Theaters, Auditoriums, Music Halls	-	-	35
Churches, Meeting Halls	65	-	45
Office Buildings	-	-	45
Schools, Libraries, Museums	-	-	45

Source: City of Fresno General Plan (2014).

[1] Where the location of outdoor activity areas is unknown or is not applicable, the exterior noise level standard shall be applied to the property line of the receiving land use.

[2] As determined for a typical worst-case hour during periods of use.

CNEL = Community Noise Equivalent Level
L_{dn} = day-night average noise level
dBA = A-weighted decibels
L_{eq} = equivalent continuous sound level

Table 4.5.K: Stationary Noise Sources

	Daytime (7:00 a.m. – 10:00 p.m.)	Nighttime (10:00 p.m. to 7:00 a.m.)
Hourly Equivalent Sound Level (L_{eq}), dBA	50	45
Maximum Sound Level (L_{max}), dBA	70	60

Source: City of Fresno General Plan (2014).

[1] The Department of Development and Resource Management Director, on a case-by-case basis, may designate land uses other than those shown in this table to be noise-sensitive, and may require appropriate noise mitigation measures.

[2] As determined at outdoor activity areas. Where the location of outdoor activity areas is unknown or not applicable, the noise exposure standard shall be applied at the property line of the receiving land use. When ambient noise levels exceed or equal the levels in this table, mitigation shall only be required to limit noise to the ambient plus 5 dB.

dBA = A-weighted decibels
L_{eq} = equivalent continuous sound level
L_{max} = maximum instantaneous noise level

General Plan Noise-Related Objective and Policies.

Objective NS-1: Protect the citizens of the City from the harmful and annoying effects of exposure to excessive noise.

Policy NS-1-a: Desirable and Generally Acceptable Exterior Noise Environment. Establish 65 dBA L_{dn} or CNEL as the standard for the desirable maximum average exterior noise levels for defined usable exterior areas of residential and noise-sensitive uses for noise, but designate 60 dBA L_{dn} or CNEL (measured at the property line) for noise generated by stationary sources impinging upon residential and noise-sensitive uses. Maintain 65 dBA L_{dn} or CNEL as the maximum average exterior noise levels for non-sensitive commercial land uses, and maintain 70 dBA L_{dn} or CNEL as maximum average exterior noise level for industrial land uses, both to be measured at the property line of parcels where noise is generated which may impinge on neighboring properties.

Policy NS-1-b: Conditionally Acceptable Exterior Noise Exposure Range. Establish the conditionally acceptable noise exposure level range for residential and other noise sensitive uses to be 65 dB L_{dn} or require appropriate noise reducing mitigation measures as determined by a site specific acoustical analysis to comply with the desirable and conditionally acceptable exterior noise level and the required interior noise level standards set in Table 9-2 (of the Fresno General Plan) [Table 4.5.E of this EIR].

Policy NS-1-c: Generally Unacceptable Exterior Noise Exposure Range. Establish the exterior noise exposure of greater than 65 dB L_{dn} or CNEL to be generally unacceptable for residential and other noise sensitive uses for noise generated by sources in Policy NS-1-a, and study alternative less noise-sensitive uses for these areas if otherwise appropriate. Require appropriate noise reducing mitigation measures as determined by a site specific acoustical analysis to comply with the generally desirable or generally acceptable exterior noise level and the required 45 dB interior noise level standards set in Table 9-2 [Table 4.5.E] as conditions of permit approval.

Policy NS-1-g: Noise mitigation measures which help achieve the noise level targets of this plan include, but are not limited to, the following:

- Façades with substantial weight and insulation;
- Installation of sound-rated windows for primary sleeping and activity areas;
- Installation of sound-rated doors for all exterior entries at primary sleeping and activity areas;
- Greater building setbacks and exterior barriers;
- Acoustic baffling of vents for chimneys, attic and gable ends;
- Installation of mechanical ventilation systems that provide fresh air under closed window conditions.

The aforementioned measures are not exhaustive and alternative designs may be approved by the City, provided that a qualified Acoustical Consultant submits information demonstrating that the alternative design(s) will achieve and maintain the specific targets for outdoor activity areas and interior spaces.

Policy NS-1-h: Interior Noise Level Requirement. Comply with the State Code requirement that any new multifamily residential, hotel, or dorm buildings must be designed to incorporate noise reduction measures to meet the 45 dB L_{dn} interior noise criterion, and apply this standard as well to all new single-family residential and noise sensitive uses.

Policy NS-1-i: Mitigation by New Development. Require an acoustical analysis where new development of industrial, commercial or other noise generating land uses (including transportation facilities such as roadways, railroads, and airports) may result in noise levels that exceed the noise level exposure criteria established by Table 9-2 [Table 4.5.E] and Table 9-3 [Table 4.5.F] to determine impacts, and require developers to mitigate these impacts in conformance with Table 9-2 [Table 4.5.E] and Table 9-3 [Table 4.5.F] as a condition of permit approval through appropriate means.

Noise mitigation measures may include:

- The screening of noise sources such as parking and loading facilities, outdoor activities, and mechanical equipment;
- Providing increased setbacks for noise sources from adjacent dwellings;
- Installation of walls and landscaping that serve as noise buffers;
- Installation of soundproofing materials and double-glazed windows; and
- Regulating operations, such as hours of operation, including deliveries and trash pickup.

Alternative acoustical designs that achieve the prescribed noise level reduction may be approved by the City, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along roadways when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility, with no City funding.

Policy NS-1-j: Significance Threshold. Establish, as a threshold of significance for the City's environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL or more above the ambient noise limits established in this General Plan Update.

City of Fresno Municipal Code. Chapter 10, Article 1 (Noise Regulations), of the Fresno Municipal Code establishes excessive noise guidelines and exemptions. The following portions of the Municipal Code are applicable to the proposed project:

SEC. 10-102. Definitions. (b) Ambient Noise. "Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than that designated in this section, however, the noise level specified herein shall be deemed to be the ambient noise level for that location.

District	Time	Sound Level Decibels
Residential	10:00 p.m. to 7:00 a.m.	50
Residential	7:00 p.m. to 10:00 p.m.	55
Residential	7:00 a.m. to 7:00 p.m.	60
Commercial	10:00 p.m. to 7:00 a.m.	60
Commercial	7:00 a.m. to 10:00 p.m.	65
Industrial	anytime	70

SEC. 10-105. Excessive Noise Prohibited. No person shall make, cause, or suffer or permit to be made or caused upon any premises or upon any public street, alley, or place within the city, any sound or noise which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing or working in the area, unless such noise or sound is specifically authorized by or in accordance with this article. The provisions of this section shall apply to, but shall be limited to, the control, use, and operation of the following noise sources:

(a) Radios, musical instruments, phonographs, television sets, or other machines or devices used for the amplification, production, or reproduction of sound or the human voice.

(b) Animals or fowl creating, generating, or emitting any cry or behavioral sound.

(c) Machinery or equipment, such as fans, pumps, air conditioning units, engines, turbines, compressors, generators, motors or similar devices, equipment, or apparatus.

(d) Construction equipment or work, including the operation, use or employment of pile drivers, hammers, saws, drills, derricks, hoists, or similar construction equipment or tools.

SEC. 10-107. School, Hospitals, and Churches. No person shall create any noise on any street, sidewalk, or public place adjacent to any school, institution of learning, or church while the same is in use, or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such street, sidewalk, or public place indicating the presence of a school, church, or hospital.

SEC. 10-109. Exceptions. The provisions of this article shall not apply to:

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

(b) Emergency work.

(c) Any act or acts which are prohibited by any law of the State of California or the United States.

4.5.4 Significance Criteria

The thresholds for impacts to noise used in this analysis are consistent with Appendix G of the *State CEQA Guidelines*. Implementation of the proposed project would result in a significant impact with respect to noise if it 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;
- Generate excessive groundborne vibration or groundborne noise levels; or
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

4.5.5 Impacts and Mitigation Measures

The following section presents a discussion of the impacts related to noise that could result from implementation of the Specific Plan Update. The section begins with the criteria of significance, which establish the thresholds to determine if an impact is significant. The latter part of this section presents the impacts associated with implementation of the Specific Plan Update and the recommended mitigation measures, if required. Mitigation measures are recommended, as appropriate, for significant impacts to eliminate or reduce them to a less than significant level. Cumulative impacts are also addressed.

4.5.5.1 Project Impacts

The following discussion describes the potential impacts related to noise that could result from implementation of the Specific Plan Update.

NOI-1 ***Implementation of the proposed project could 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.***

Implementation of the Specific Plan Update would have a significant impact if it would expose new and existing receptors to incompatible levels of noise from both the construction and operations resulting from future development facilitated by the Specific Plan Update.

Short-Term Construction Noise Impacts. Two types of short-term noise impacts could occur during implementation of the Specific Plan Update. First, construction crew commutes and the transport of construction equipment and materials to future development facilitated by the Specific Plan Area

would incrementally increase noise levels on roads leading to the site. The pieces of heavy equipment for construction activities will be moved on site, will remain for the duration of each construction phase, and will not add to the daily traffic volume in the project vicinity. Although there would be a relatively high single-event noise exposure potential causing intermittent noise nuisance (passing trucks at 50 feet would generate up to a maximum of 84 dBA), the effect on longer-term (daily) ambient noise levels would be small because the daily construction-related vehicle trips are small compared to the existing daily traffic volumes on roadways leading in the Specific Plan Area.

The results of the California Emissions Estimator Model (CalEEMod) (version 2022.1), contained in the *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report* ((Specific Plan Air Quality, GHG, and Energy Analysis) (LSA 2025a)[8] provided in Appendix E of this Draft EIR, indicate that the building construction phase would generate the most trips out of all of the construction phases (up to 2,887 vehicle trips) and that they would be distributed throughout the Specific Plan Area over 11 years. Although the proposed project would generate higher vehicle trips than estimated with the existing conditions, construction-related vehicle trips are not expected to double the existing traffic volume on roadways within the Specific Plan Area. A doubling of traffic would result in a noise increase of a maximum of 3 dBA. A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment. Therefore, short-term, construction-related noise impacts associated with worker commute and equipment transport to future project sites within the Specific Plan Area would be less than significant. No mitigation measures are required.

Construction Activities. The second type of short-term noise impact is related to noise generated from construction activities. Construction is performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. The proposed project anticipates phases of construction including site preparation, grading, building construction, paving, and architectural coating. These various sequential phases change the character of the noise generated on a project site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.5.L lists the maximum noise levels (L_{max}) recommended for noise impact assessments for typical construction equipment included in the *FHWA Highway Construction Noise Handbook* (2006),[9] based on a distance of 50 feet between the equipment and a noise receptor.

[8] LSA Associates, Inc. (LSA). 2025a. *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report.*

[9] Federal Highway Administration (FHWA). 2006. *FHWA Highway Construction Noise Handbook*. Roadway Construction Noise Model, FHWA HEP-06-015. DOT-VNTSC-FHWA-06-02. NTIS No. PB2006-109012. August.

Table 4.5.L: Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Use Factor[1] (Percent)	Maximum Noise Level (L_{max}) at 50 ft[2]
Backhoe	40	80
Compactor (ground)	20	80
Compressor (air)	40	80
Crane	16	85
Dozer	40	85
Dump Truck	40	84
Excavator	40	85
Flatbed Truck	40	84
Forklift	20	85
Front-End Loader	40	80
Generator	50	82
Grader	40	85
Impact Pile Driver	20	95
Jackhammer	20	85
Pavement Scarifier	20	85
Paver	50	85
Pickup Truck	40	55
Pneumatic Tools	50	85
Pump	50	77
Rock Drill	20	85
Roller	20	85
Scraper	40	85
Tractor	40	84
Welder/Torch	40	73

Source: *FHWA Highway Construction Noise Handbook,* Table 9.1 (FHWA 2006).
Note: The noise levels reported in this table are rounded to the nearest whole number.
[1] Acoustical Use factor is the percentage of time during a construction noise operation that a piece of construction equipment is operating at full power.
[2] Maximum noise levels were developed based on Spec 721.560 from the CA/T program to be consistent with the City of Boston, Massachusetts, Noise Code for the "Big Dig" project.
CA/T = Central Artery/Tunnel
FHWA = Federal Highway Administration
ft = foot/feet
L_{max} = maximum instantaneous noise level

Table 4.5.M lists the anticipated construction equipment for each construction phase based on the CalEEMod (Version 2022.1) results contained in Appendix E, the *Tower District Specific Plan Air Quality, GHG, and Energy Analysis* (LSA 2025a)[10] for the proposed project. Table 4.5.M shows the combined noise level at 50 feet from all of the equipment in each phase and the L_{eq} noise level for each equipment at 50 feet based on the quantity, reference L_{max} noise level at 50 feet, and the acoustical use factor. As shown in Table 4.5.M, construction noise levels would reach up to 89.2 dBA L_{eq} at a distance of 50 feet.

[10] LSA Associates, Inc. (LSA). 2025a. *Tower District Specific Plan Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Report*.

Table 4.5.M: Summary of Construction Phase, Equipment, and Noise Levels

Construction Phase	Construction Equipment	Quantity	Reference Noise Level at 50 ft (dBA L_{max})	Acoustical Use Factor[1] (%)	Noise Level at 50 ft (dBA L_{eq})	Combined Noise Level at 50 ft (dBA L_{eq})
Site Preparation	Dozers	3	85	40	85.8	87.3
	Front-End Loader	4	80	40	82.0	
Grading	Graders	1	85	40	81.0	89.2
	Excavator	2	85	40	84.0	
	Front-End Loader	2	80	40	79.0	
	Scraper	2	85	40	84.0	
	Dozer	1	85	40	81.0	
Building Construction	Forklift	3	85	20	82.8	86.5
	Generator	1	82	50	79.0	
	Crane	1	85	16	77.0	
	Welder/Torch	1	73	40	69.0	
	Front-End Loader	3	80	40	80.8	
Paving	Paver	2	85	50	85.0	87.6
	Pavement Scarifier	2	85	20	81.0	
	Roller	2	85	20	81.0	
Architectural Coating	Air Compressors	1	80	40	76.0	76.0

Source: Compiled by LSA (2025).

[1] The acoustical use factor is the percentage of time during a construction noise operation that a piece of construction equipment operates at full power.

dBA = A-weighted decibels
ft = foot/feet
L_{eq} = equivalent continuous sound level
L_{max} = maximum instantaneous noise level

Construction noise levels for the proposed project would be relatively similar to those approved in the 1991 Specific Plan because construction would be localized to the future specific project sites located throughout the Specific Plan Area and would be constructed over many years. There would, however, be more construction under the proposed Specific Plan Update compared to the existing Specific Plan. Future projects facilitated by the Specific Plan Update would be required to comply with existing regulatory compliance measures, including limiting construction activities to certain hours and days to regulate noise levels. Although noise generated by project construction activities would be higher than the ambient noise levels and may result in a temporary increase in the ambient noise levels, construction noise would stop once project construction is completed. However, construction noise levels have the potential to exceed the FTA daytime construction noise standards of 80 dBA L_{eq} for residences and 85 dBA L_{eq} for commercial properties. Therefore, this impact is potentially significant.

Long-Term Project Impacts. The proposed project would generate approximately 39,055 daily trips, and the existing conditions would generate approximately 36,054 daily trips based on the information above and in the *Tower District Specific Plan Update Trip Generation and Vehicle Miles Traveled Analysis Memorandum* (LSA 2025d),[11] the proposed project would increase daily trips by 3,001 compared to the existing conditions. Although the proposed project would increase daily trips by 3,001, the project-related traffic noise increase would either be similar or slightly higher than the

[11] LSA Associates, Inc. (LSA). 2025d. *Tower District Specific Plan Update Trip Generation and Vehicle Miles Traveled Analysis Memorandum.*

existing conditions because the daily trips are distributed throughout the Specific Plan Area. Given this, daily trips associated with the proposed project are not expected to double the existing traffic volume on roadways within the Specific Plan Area. A doubling of traffic would result in a noise increase of 3 dBA. A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment. Therefore, traffic noise from project-related traffic on off-site sensitive receptors would be less than significant, similar to the existing Specific Plan.

Stationary Sources. Similar to the 1991 Specific Plan, the proposed project would include new stationary noise sources generated from proposed residential, commercial, and industrial uses, which could include heating, ventilation, and air conditioning (HVAC) equipment, swimming pool equipment, generators, drive-thru menu board speakerphones, truck loading docks, parking activities, car wash operations, and like uses. These long-term stationary noise sources could exceed the City's stationary noise standards if they were to occur in areas adjacent to noise-sensitive land uses. Noise impacts from long-term stationary noise sources would be considered significant.

The Tower District provides a desirable setting for special events and entertainment of many forms. Special events contribute to the economic vitality of the City and attract tourism, however, with residents living in close proximity to these events, ensuring managed frequency and intensity of the noise from these events is a priority for the City. As such, the proposed project includes the potential for a Tower Entertainment District Overlay to be created, which would support the continuation of a variety of entertainment businesses within the District and ensure that commercial uses integrate well with the surrounding residential areas. Implementation of the Tower Entertainment District would require a text amendment to the Development Code to formally establish this new district, which would address potential impacts and include noise mitigation considerations.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact NOI-1: Implementation of the proposed Specific Plan Update could 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.

Mitigation Measure NOI-1a Prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and Development Director. Measures shall be implemented to reduce construction noise to the FTA construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers.

Mitigation Measure NOI-1b A project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from

long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.

Level of Significance With Mitigation: Less than Significant Impact

Implementation of Mitigation Measures NOI-1a and NOI-1b would serve to ensure that the impacts due to the implementation of the Specific Plan would be reduced to a less than significant level.

NOI-2 The proposed project would generate excessive groundborne vibration or groundborne noise levels.

Short-Term Construction Vibration Impacts. This construction vibration impact analysis discusses the level of human annoyance and assesses the potential for building damage using vibration levels in PPV (in/sec). Table 4.5.N shows the reference vibration levels at a distance of 25 feet for each type of standard construction equipment from the Caltrans Manual (2020). Outdoor site preparation and grading for development associated with the proposed project is expected to require the use of large bulldozers and loaded trucks, which would generate ground-borne vibrations of up to 0.089 in/sec maximum PPV and 0.062 in/sec RMS PPV for large bulldozers and 0.076 in/sec maximum PPV and 0.053 in/sec RMS PPV for loaded trucks when measured at 25 feet. Pile drivers, vibratory rollers, and other heavy-tracked construction equipment were not used under the 1991 Specific Plan and would not be used under the proposed project.

Table 4.5.N: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L_V at 25 ft	
	Maximum PPV (in/sec)	RMS PPV (in/sec)[1]
Pile Driver (Impact), Typical	0.644	0.451
Pile Driver (Sonic), Typical	0.170	0.119
Vibratory Roller	0.210	0.147
Hoe Ram	0.089	0.062
Large Bulldozer[2]	**0.089**	**0.062**
Caisson Drilling	0.089	0.062
Loaded Trucks[2]	**0.076**	**0.053**
Jackhammer	0.035	0.025
Small Bulldozer	0.003	0.002

Sources: *Transportation and Construction Vibration Guidance Manual* (Caltrans 2020).
[1] RMS vibration velocity is 70 percent of the maximum PPV.
[2] Equipment shown in bold is expected to be used on site.
Caltrans = California Department of Transportation
ft = foot/feet
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square

The greatest vibration levels are anticipated during the site preparation and grading phases. All other phases are expected to result in lower vibration levels. The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings and the project boundary (assuming the construction equipment would be used at or near the project boundary) because vibration impacts normally occur within the buildings.

The formula for vibration transmission is provided below:

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.1}$$

The anticipated large bulldozer located within 38 feet from a building structure would experience vibration levels exceeding 0.04 in/sec (PPV), which is considered distinctly perceptible and would result in annoyance. However, construction is temporary and vibration would stop once construction is complete. In addition, the anticipated large bulldozer located within 10 feet of a historic building, 9 feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial buildings would experience vibration levels exceeding 0.25 in/sec (PPV), 0.3 in/sec (PPV), and 0.5 in/sec (PPV), respectively, which would have the potential to result in building damage. Therefore, this impact is potentially significant.

Long-Term Ground-Borne Noise and Vibration from Vehicular Traffic. The operations of the proposed project would not generate vibration. In addition, vibration levels generated from project-related traffic on roadways in the Specific Plan Area would be unusual for on-road vehicles because the rubber tires and suspension systems of on-road vehicles provide vibration isolation. Therefore, vibration levels generated from project-related operations would be less than significant. No mitigation measures are required.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact NOI-2: Implementation of the proposed project could generate excessive ground-borne vibration or ground-borne noise levels during construction of future development.

Mitigation Measure NOI-2 Future development would require that the construction contractor for the project shall restrict heavy construction (e.g., large bulldozers) or require the use of light construction equipment (e.g., small bulldozers and trucks) within 10 feet of a historic building, 9 feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial building, to be confirmed by the City of Fresno or lead agency.

Level of Significance With Mitigation: Less than Significant Impact

Implementation of Mitigation Measure NOI-2, which restricts heavy construction (e.g., large bulldozers and loaded trucks) or requires the use of light construction equipment (e.g., small bulldozers and trucks) within 10 feet of a historic building, 9 feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial building, would reduce vibration levels to below the vibration damage threshold for the respective building types. Therefore, vibration

levels generated from project construction would be less than significant with the implementation of Mitigation Measure NOI-2.

NOI-3 ***For a proposed project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the proposed project would not expose people residing or working in the Specific Plan Area to excessive noise levels.***

The closest airports to the Specific Plan Area are the Fresno Chandler Executive Airport (1 mile southeast of the Specific Plan Area), Fresno Yosemite International Airport (3.3 miles east of the Specific Plan Area), and Sierra Sky Park Airport (4.8 miles northwest of the Specific Plan Area). The nearest medical center helipads (HP) includes the Community Regional Medical Center HP (0.5 mile southeast of the Specific Plan Area), the Saint Agnes Medical Center HP, (4.2 miles northeast of the Specific Plan Area), and the Clovis Community Hospital HP (8.5 miles northeast of the Specific Plan Area). The Specific Plan Area is outside the 60 dBA CNEL noise contour of airports based on the *Fresno County Airport Land Use Compatibility Plan*.[12] There are also no private airstrips within 2 miles of the project site. In addition, the aviation-related noise exposure to people residing or working in the Specific Plan Area under the proposed project would remain the same as the 1991 Specific Plan. Therefore, the proposed project would not expose people residing or working in the Specific Plan Area to aviation-related excessive noise levels, impacts would be less than significant.

Level of Significance: Less Than Significant Impact

Mitigation Measures: No mitigation measures are required.

4.5.5.2 Cumulative Impacts

NOI-4 ***Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to noise.***

Construction Noise. Buildout of the Specific Plan Update, along with construction of related projects in the Specific Plan Area, would introduce construction activities to the Specific Plan Area that could potentially result in temporary or periodic increases in ambient noise levels. Construction activities would typically occur intermittently and vary depending upon the nature or phase of construction, although noise ranges are usually similar across all construction phases. Depending on the equipment required and duration of use, average-hourly noise levels associated with construction activities typically ranges from roughly 65 to 90 dBA L_{eq} at 50 feet. Future construction activities would most likely occur at different locations throughout the Specific Plan Area and the surrounding vicinity. Although scheduling of some of construction activities would likely overlap, development facilitated by the Specific Plan would occur over a number of years. This distribution of individual projects would reduce the potential for compounding of construction noise. Additionally, future development would undergo environmental review under CEQA to evaluate project-specific

[12] Fresno County Airport Land Use Commission (Fresno County ALUC). 2023. *Fresno County Airport Land Use Compatibility Plan*. October. Website: https://www.fresnocog.org/wp-content/uploads/2025/06/2023-ALUCP.pdf (accessed July 2025).

construction noise impacts and identify any required mitigation. Implementation of Regulatory Compliance Measure NOI-1 and Mitigation Measure NOI-1 would also serve to ensure that the impacts due to the implementation of the Specific Plan would be reduced to a less than significant level

As previously addressed, site preparation, grading, and other construction activity conducted pursuant to a building or other construction permit issued by the City of Fresno or other governmental agency would be exempt for the provisions of Chapter 10, Article 1 – Noise Regulations, of the Fresno Municipal Code, provided such work occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Future construction activities associated with cumulative development projects would also be required to comply with the Municipal Code and incorporate mitigation measures on a project-by project basis, as applicable, to reduce construction noise pursuant to CEQA provisions. Therefore, the proposed project contributions to cumulative construction noise would result in a less than significant cumulative impact.

Construction Vibration. As discussed above, project-related construction activities would not generate ground-borne vibration on-site above the significance criteria (i.e., 0.2 in-per-second PPV threshold as established by Caltrans) with implementation of Mitigation Measure NOI-2. Ground-borne vibration generated from cumulative projects in the Specific Plan Area would be required to undergo environmental review under CEQA to determine project-specific impacts and any required mitigation measures on a project-by-project basis. Additionally, implementation of Mitigation Measure NOI-2 would restrict heavy construction (e.g., large bulldozers and loaded trucks) or requires the use of light construction equipment (e.g., small bulldozers and trucks) within 10 feet of a historic building, 9 feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial building, would reduce vibration levels to below the vibration damage threshold for the respective building types. Therefore, cumulative vibration levels generated from future project construction associated with the Specific Plan Update would result in a less than significant cumulative impact.

Operational Noise – Traffic Sources. Project-related cumulative noise impacts would occur if the proposed Plan's contribution to cumulative noise increases results in a substantial noise increase in comparison to existing conditions. As discussed above, the Specific Plan Update would not facilitate a substantial noise increase greater than 3 dBA due to traffic noise. Traffic noise generated from cumulative development projects would be required to implement any required mitigation measures on a project-by-project basis, as applicable, pursuant to CEQA provisions. Therefore, the proposed project, in combination with cumulative traffic noise levels, would result in less than significant impacts.

Operational Noise – Stationary Sources. Although cumulative development could occur in proximity to future development facilitated by implementation of the Specific Plan Update, each project would require separate discretionary approval and CEQA analysis, which would address potential noise impacts and identify necessary attenuation measures, where appropriate.

Any new onsite ventilation units and associated equipment associated with future project sites would be acoustically engineered with appropriate procurement specifications, sound enclosures, and parapet walls to minimize noise—all in accordance with City of Fresno stationary noise

requirements—to ensure that such equipment does not exceed allowable noise limits. Other stationary sources for residential, office, and commercial uses include landscaping, maintenance, truck deliveries, trash pickup, and parking lot activity, and any other sources of stationary noise at a project site would also be subject to the restrictions of the Municipal Code.

Additionally, as noise dissipates as it travels away from its source, noise impacts from stationary sources would be limited to each of the respective sites and their vicinities. Thus, the proposed project and any cumulative development in the Specific Plan Area are not anticipated to result in a significant cumulative impact, and a less than significant impact would occur.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact NOI-4: Implementation of the Specific Plan Update could result in cumulative impacts with respect to noise.

Mitigation Measures: Refer to Mitigation Measures NOI-1a, NOI-1b, and NOI-2.

Level of Significance With Mitigation: Less than Significant Impact

Implementation of Mitigation Measures NOI-1a, NOI-1b, and NOI-2 would serve to ensure that noise and vibration impacts associated with implementation of the proposed project would not result in a cumulative significant impact.

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4.6 RECREATION

4.6.1 Introduction

This section describes how implementation of the Tower District Specific Plan Update (proposed project or Specific Plan Update) for the City of Fresno (City) may affect recreation resources within the Specific Plan Area. This section also addresses local, State, and federal regulations as they pertain to project impacts on recreation.

As discussed in the Initial Study of this Draft Environmental Impact Report (EIR) (Appendix C), the proposed project would result in a potentially significant impact related to parks and recreation. The analysis included in the Initial Study addresses all other potential environmental impacts to public services related to implementation of the proposed project (fire protection, police protection, schools, and other public facilities). Therefore, this section is limited to impact discussions related to parks and recreation.

4.6.2 Existing Environmental Setting

The study area for project impacts regarding recreation is the Tower District Specific Plan Area (Specific Plan Area), as the potential development under the Specific Plan Update is limited to areas within the Specific Plan Area. As defined in Chapter 3.0, Project Description, the Specific Plan Area encompasses the Tower District which is centrally located within Fresno. The Specific Plan Area is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, State Route (SR) 180 to the south, and Fruit Avenue and the Union Pacific Railroad (UPRR) tracks to the west.

4.6.2.1 Parks and Recreation

As identified in the Fresno Parks Master Plan,[1] the City of Fresno owns and operates a park system that includes more than 100 public parks, trails, regional parks, neighborhood parks, educational facilities, community parks, pocket parks, splash areas, and joint-use storm water detention basins. Parks are defined as land owned, leased, or provided to the City and used for public recreational purposes. Among these are several Fresno Metropolitan Flood Control District (FMFCD) stormwater detention basins that serve as passive and active parks from April to November. Many of the public parks in the City include additional amenities, such as play structures, sitting areas, walking trails, and skate and dog parks. School facilities supplement the City's park system by adding acreage and facilities that are available for recreational use through Joint-Use agreements.

The City's General Plan defines various classes of park space and sets standards for the amount of park acreage that should be provided per thousand population. Table 4.6.A, below, shows the desirable park facility standards within the city.

[1] City of Fresno. 2024. *Fresno Parks Master Plan with the 2023 Technical Amendment*. Website: https://www.fresno.gov/parks/parksmasterplan/ (accessed June 2025).

Table 4.6.A: Desirable Park Facility Standards

Park Type	Size Range (Acreage)	Service Area Radius
Pocket	0.5 to 2	Up to 0.5 mile
Neighborhood	2.01 to 10	Up to 1 mile
Community	10.01 to 40	Up to 4 miles
Regional	More than 40	100,000 residents
Trail/Greenway/Parkway	Varies	Entire City

Source: *Fresno General Plan*, Chapter 5, Parks and Open Space, Table 5-1 (City of Fresno 2014).

Park types in the General Plan and Parks Master Plan are classified as follows:

- **Pocket Park.** A Pocket Park is a park up to 0.5 to 2.0 acres in size and is intended to serve the needs of a smaller, specific neighborhood located within a 0.5-mile radius of the pocket park. Pocket Parks should include amenities to draw neighbors to the park such as a tot lot, picnic bench, or shade structure. New pocket parks developed within new subdivisions are maintained as part of a Home Owners Association (HOA) or Community Facilities District (CFD).

- **Neighborhood Park.** A Neighborhood Park is a park of more than 2.0 acres and up to 10 acres in size, which provides basic recreational activities for neighborhoods located generally within a 0.5-mile radius. There are two types of Neighborhood Parks, active and passive. These parks contribute to neighborhood identity and accommodate a range of facilities, such as play fields and courts, children's play structures, picnic tables, restrooms, and may include a small center with a multi-purpose room, but also passive recreational features such as walking trails, community gardens, or nature areas.

- **Community Park.** A Community Park is a park of more than 10 acres and up to 40 acres in size (typically at least 20 acres), which helps define a community or district and is intended to serve the more active recreational needs of persons who live or work up to a 2- to 4-mile radius. These parks typically include facilities such as lighted sport fields and a community center building with a gym, meeting rooms, and restrooms. Other features may include swimming pools, tennis courts, concession stands, community defining public art, courtyard or plaza.

- **Regional Park.** A Regional Park is a large park of more than 40 acres in size, which is meant to serve a large number of residents across a broad area of the city, or around 100,000 residents. Regional parks typically include community park features that allow for a variety of sports and active recreation. Some are large enough to enable Fresno to host local and regional tournaments or events that bring revenue to the City and local businesses in the form of additional patrons and tax revenue generated. Regional parks also provide unique public facilities, such as the Shinzen Japanese Garden, the Chaffee Zoological Gardens, or natural areas with hiking trails, fishing opportunities, and access to the San Joaquin River. Parks that provide unique opportunities, such as river access, have been categorized as regional parks, even though they are less than 40 acres in size.

- **Trail/Greenway/Parkway.** A Trail/Greenway/Parkway is a network of linear open space of varying size, typically intended to accommodate walking and bicycling opportunities for leisure,

exercise and commuting purposes. These parkways typically include paved surfaces for bicyclists and walkers, and in appropriate locations may include equestrian trails

The current citywide standard for parks is a ratio of 3.0 acres per 1,000 residents for Pocket, Neighborhood, and Community parks; this was established under the City's previous Urban Growth Management Program, General Plan, and the 2024 Parks Master Plan.

There are four parks classified as Pocket, Neighborhood, or Community parks within the Specific Plan Area, as noted by the City of Fresno Parks Locater[2] as shown in Figure 4.6-1, Parks in the Specific Plan Area, and Table 4.6.B. The Ted C Wills Community Center and San Pablo parks are located in the southeastern corner of the Specific Plan Area, while the Van Ness Greenbelt and Trolley Park are located centrally within the Tower District on Van Ness Boulevard. Additionally, according to the Fresno Parks Master Plan, there is a future pocket park, totaling 0.6 acre, planned for the corner of Broadway and Elizabeth Streets (940 North Broadway Street[3]). This future pocket park would include a playground with musical equipment, Americans with Disabilities Act (ADA) picnic tables, chess tables, and a walking loop.

Table 4.6.B: Existing and Planned Parks within the Specific Plan Area

Map ID	Facility Name	Address	Existing Acreage	Park Type	Amenities
A	Broadway Parque *(To Open Summer 2025)*	940 North Broadway	0.6 acres	Pocket	Playground with musical equipment, ADA picnic tables, chess tables, and a walking loop
B	San Pablo	511 North San Pablo	1.4 acres	Pocket	Outdoor Community Gathering Space, Children's Play Area
C	Ted C Wills Park and Community Center	770 North San Pablo	4.3 acres	Neighborhood	Community Center
D	Trolley Park	2004 N. Van Ness Boulevard	0.4 acres	Pocket	Playground, Exercise Stations, Bocce Ball Court, Shade Trees, Picnic Tables
E	Van Ness Boulevard	Median Island from Weldon to Shields	1.5 acres	Greenbelt	N/A
Total Acreage			**8.2 acres**		
Parkland-to-Resident Ratio[1, 2]			**0.33 acres per 1,000 residents.**		

Source: City of Fresno Parks, Parks and Recreation Facilities Finder (Website: https://cityoffresno.maps.arcgis.com/apps/webapp viewer/index.html?id=53f212b20a0f47efb6681df6c8ad2eaa, accessed July 7, 2025).

[1] Assumes population of Specific Plan Area to be 20,200, per Draft Specific Plan Update, Chapter 1.

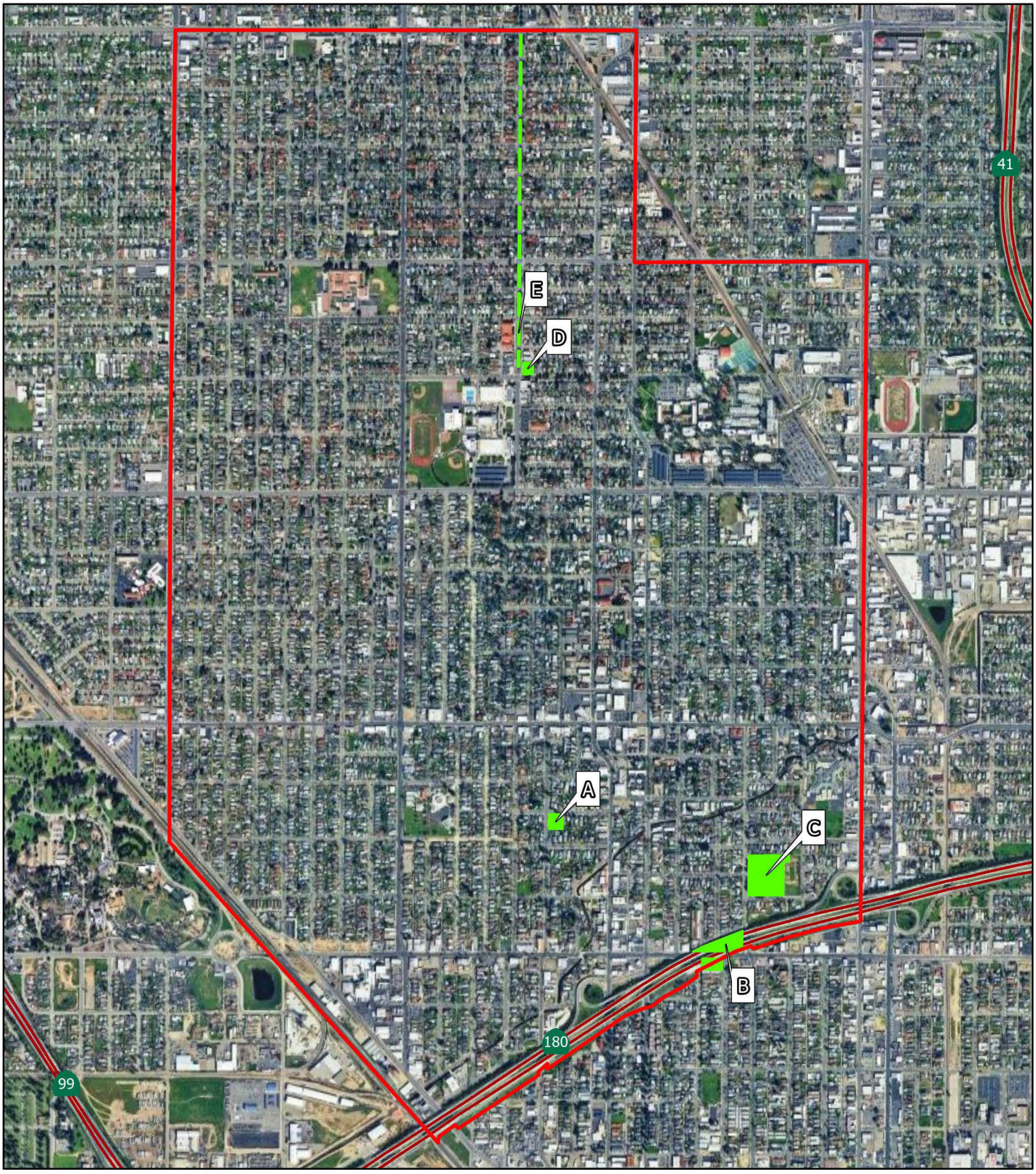
[2] Ratio does not include Van Ness Boulevard Greenbelt, as it is not part of the community, neighborhood, or pocket park goal of providing 3 acres per 1,000 residents. 6.7*(1000/20200) = 0.33.

ADA = Americans with Disabilities Act

[2] City of Fresno. n.d. City of Fresno Parks and Recreation Facilities Finder. Website: https://www.fresno.gov/parks/ (accessed July 7, 2025).

[3] City of Fresno. 2024. *Fresno Parks Master Plan with the 2023 Technical Amendment*. Page 101. Website: https://www.fresno.gov/parks/parksmasterplan/ (accessed July 2025).

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LSA

Tower District Boundary

Parks and Open Space

FIGURE 4.6-1

N

0 775 1550

FEET

SOURCE: Google Maps (2025)

Tower District Specific Plan Update

Parks and Open Space in the Vicinity of the Plan Area

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The Specific Plan Area has approximately 6.7 acres of useable parks, not including the Van Ness Greenbelt as it is not a community, neighborhood, or pocket park. As the Tower District is estimated to have a population of 20,200 residents, this equates to 0.33 acre per 1,000 residents. In 2014, the City as a whole provided 1.27 acres of parks (pocket, neighborhood, and community) per 1,000 residents.[4] As discussed in the Park Master Plan, parkland within the City of Fresno needs to increase by 1,095 acres to meet the General Plan overall level of service goals for Fresno's current population, and by 1,751 acres to meet recreation needs of Fresno's future population (General Plan Horizon Year 2035).[5] And as shown in the Parks Master Plan, while the ratio for the City is higher than that of the Tower District, the provision of parkland is not even across the City, with the inclusion of open campus schools as parkland increasing the disparity of park space in the neighborhoods north and south of Shaw Avenue, including the Tower District.

While not included in the study area for impacts to parks and recreational facilities, there are fourteen parks and community facilities within a 1-mile vicinity of the Specific Plan Area. Table 4.6.C provides a list of open space in the vicinity of the Specific Plan and their respective acreage. Parks in the vicinity of the Specific Plan Area include the large regional Roeding Park, which features amenities such as the Fresno Chaffe Zoo, Storyland amusement center, Chaffee Zoo Educational Center, a roller-skating ring, tennis courts, a small lake and several ponds, a pergola and several picnic areas, and a redwood grove. Romain Park is located approximately 1.03 miles to the east of the Specific Plan Area and includes a playground, basketball courts, a skate park, community center, soccer fields, and a learner pool. Dicky Playground is located approximately 0.6 mile to the southeast of the Specific Plan Area and features amenities including picnic areas, a baseball field, tennis and basketball courts, a playground, and a splash pad. The Cultural Arts District Park is located approximately 0.7 mile to the south and includes amenities such as a multi-purpose field, performing arts stage, basketball court, playground, outdoor workout stations, picnic areas, community art, and illuminated canopies. Fink-White Park is located approximately 0.7 mile south of the southwestern corner boundary and includes features such as a playground, soccer field, basketball courts, a learner pool, and community center. Additionally, Eaton Plaza and Courthouse Park are located approximately 1 mile south of the Specific Plan Area. Eaton Plaza is adjacent to the Fresno County Library and the B.F. Sisk Courthouse. Fresno City College's Baseball Park and Ratcliff Stadium are located approximately 0.3 mile northeast of the Specific Plan Area's northeast corner. The sports facilities include amenities, such as a football stadium with all-weather track and field facilities, a practice football field and hammer throw facility, a baseball park, and a soccer field with an associated field house. While not accessible for public use, currently enrolled students are able to use the facilities.

[4] City of Fresno. 2014. *Fresno General Plan.* Chapter 5 Parks and Open Space, Table 5-2: City Park Space and Ration Per 1,000 Residents by Park Category.

[5] City of Fresno. 2024. *Fresno Parks Master Plan with the 2023 Technical Amendment*. Chapter 1, Introduction, page 11. Website: https://www.fresno.gov/parks/parksmasterplan/ (accessed July 2025).

Table 4.6.C: Parks and Open Space in the Vicinity of the Specific Plan Area

Facility Name	Existing Acreage	Park Type
Broadway Pocket Park	0.09	Pocket
Courthouse Park	13.94	Community Facility
Cultural Arts District Park	0.78	Pocket
Dicky Playground	2.02	Neighborhood
Eaton Plaza	1.38	Neighborhood
Euless Park	8.95	Community Facility
Fink-White Park	10.68	Neighborhood
Granny's Park	1.17	Pocket
Lafayette Park	4.35	Neighborhood
Manchester Park	9.42	Neighborhood
Quigley Playground	8.96	Neighborhood
Radio Park	7.46	Neighborhood
Roeding Park	144.62	Regional
Romain Playground	7.88	Neighborhood
Total:	**221.77 acres**	

Sources: City of Fresno (2019); City of Fresno (2024) *Fresno Parks Master Plan with the 2023 Technical Amendment,* Figure 3.7 "Park Site Information".

4.6.3 Regulatory Setting

There are no federal regulations pertaining to park and recreation services that apply to the Specific Plan Area, so this discussion summarizes the key State and local regulations.

4.6.3.1 State Policies and Regulations

Quimby Act. Under California State Law, the Quimby Act sets a generally applicable standard of 3.0 acres of park space per 1,000 residents as the maximum that can be required by a city or county as a condition of approval of a residential subdivision. Cities with a ratio of higher than 3 acres per 1,000 persons can set a standard of up to 5 acres per 1,000 persons for new development. The calculation of a city's park space to population ratio is based on a comparison of the population count of the last federal census to the amount of city-owned parkland. The Quimby Act does not preclude a city from establishing a higher parkland standard, just restricts the amount that can be charged to a new residential development. A 1982 amendment (Assembly Bill [AB] 1600) requires agencies to clearly show a reasonable relationship between the public need for a recreation facility or parkland and the type of development project on which the fee is imposed.

4.6.3.2 Local Policies and Regulations

The following is a summary of the applicable policies included in the City's approved General Plan and Municipal Code that are related to recreation and applicable to the proposed project.

City of Fresno General Plan. The current citywide park fee is based upon a ratio of 3.0 acres per 1,000 residents. This was established under the City's previous Urban Growth Management Program and 1989 Master Plan for Parks and Recreation. This 3.0-acre parkland standard was maintained

through the adoption of the 2025 Fresno General Plan, the subsequent Park Facilities Impact Fee & Parkland Dedication Study, and the adoption of the citywide Park Facilities Fee ordinance.

The following objectives and policies from the draft Specific Plan are relevant to the provision of parks within the Specific Plan Area.

Parks, Open Space, and Schools Element.

Objective POSS-1: Provide an expanded, high quality and diversified park system, allowing for varied recreational opportunities for the entire Fresno community.

POSS-1-a: Parkland Standard. Implement a standard of at least three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout the city, while striving for five acres per 1,000 residents for all parks throughout the city, subject to identifying additional funding for Regional Parks, Open Space/Natural Areas, and Special Use Parks/Facilities.

POSS-1-b: Parks Implementation Planning. Conduct ongoing planning to implement park policies established in this General Plan and continue to strive for well-maintained and fully accessible playgrounds, with accessible amenities, throughout the city.

- Keep an up-to-date inventory of existing and planned parks, including locations mapped on the Parks and Open Space Diagram;
- Plan for acquiring new parkland designated in the General Plan, as shown in Figure POSS-1;
- Establish a standard protocol for working with new development to arrange for parkland acquisition and dedication;
- Establish a protocol for working with established neighborhoods to provide needed parks, including the fostering of neighborhood and district associations to help plan, acquire, improve and care for public parks, and coordinating new City service facilities to provide new open space;
- Establish detailed design, construction, and maintenance standards;
- Prepare an assessment of the recreation needs of existing and future residents;
- Create an action plan defining priorities, timeframes, and responsibilities;
- Adopt and implement a comprehensive financing strategy for land acquisition, park development, operations, and maintenance;

- Identify opportunities for using existing or planned park space as passive stormwater storage, treatment, and conservation areas that also provide scenic and/or recreational opportunities;

- Identify opportunities for siting and using existing or planned park space as passive "purple pipe" waste water storage, treatment, and conservation areas that also provide scenic and/or recreational opportunities; and

- Update the Parks Master Plan.

POSS-1-c: Public Input in Park Planning. Continue to provide opportunities for public participation in the planning and development of park facilities and in creation of social, cultural, and recreational activities in the community.

POSS-1-d: Additional Parkland in Certain Areas. Strive to obtain additional parkland of sufficient size to adequately serve underserved neighborhood areas and along BRT corridors in support of new and intense residential and mixed use infill development.

- Identify, where appropriate, joint use opportunities in siting parks with other City service facility needs.

POSS-1-e: Criteria for Parks in Development Areas. Continue to use park size and service area criteria for siting new parks and planning for parks in Development Areas:

Park Type	Size Range (Acreage)	Population Served	Service Area Radius
Neighborhood	2.01 to 10	10,000–15,000	Up to 1 mile
Community	10.01 to 40	50,000–80,000	Up to 4 miles
Regional	More than 40[1]	100,000	100,000 residents

[1] Or when amenities provide regional service.

POSS-1-f: Parks and Open Space Diagram. Require parks to be sited and sized as shown on the Parks and Open Space Diagram (Figure POSS-1) of the General Plan, subject to the following:

- All new park designations carry dual land use designations, so that if a park is not needed, private development consistent with zoning and development standards may be approved. (See Figure LU-2: Dual Designation Diagram in the Urban Form, Land Use, and Design Element);

- Revised and/or additional park sites will be identified through subsequent implementation and planning in established neighborhoods and Development Areas;

- Locations for future park sites as shown on Figure POSS-1 are schematic to the extent that park sites may be relocated as necessity and opportunity dictate, and a General Plan amendment is not required if the park continues to serve the target areas as determined by the Planning Director; and

- A park may be located on any suitable land in the general vicinity of the sites depicted. However, the zoning of potential park sites must be made consistent with the General Plan.

Objective POSS-2. Ensure that adequate land, in appropriate locations, is designated and acquired for park and recreation uses in infill and growth areas.

POSS-2-b: Park and Recreation Priorities. Use the following priorities and guidelines in acquiring and developing parks and recreation facilities:

- Acquire and develop neighborhood park space in existing developed neighborhoods that are deficient of such space and in areas along BRT corridors that are designated as priorities for encouraging new mixed-use transit-oriented development;

- Provide accessible recreation facilities in established neighborhoods with emphasis on those neighborhoods currently underserved by recreation facilities;

- Improve established neighborhood parks with emphasis on those neighborhoods with the greatest need;

- Acquire and develop neighborhood and community parks in new Development Areas;

- Recognize community parks as a special need in areas that lack these facilities or are planned for transit supportive urban densities, and explore all potential sources of revenue to secure and develop appropriate sites including joint use facilities;

- Develop new special purpose parks, such as outdoor gym equipment, natural resource based trail parks, equestrian centers, dog parks, and amphitheaters, as well as alternative recreation facilities, such as community recreation centers, passive wildlife observation park, cultural heritage and diversity park, military veterans memorial park, and universal access open space park; and

- Acquire and develop park and open space in established neighborhoods and Development Areas, prioritizing existing neighborhoods with the greatest deficiencies, so that all residents have access to park or open space within one-half mile of their residence. Develop these facilities to be fully accessible to individuals with disabilities as required by law.

POSS-2-c: Review of Development Applications. Coordinate review of all development applications (i.e., site plans, conditional use permits, and subdivision maps) in order to implement the parks and open space standards of this Plan.

- Assure the provision of adequate active and passive open spaces and facilities as appropriate within residential subdivisions through Development Code requirements for mandatory dedication and improvement of land and/or development fees.

- Require the provision of appropriate outdoor living areas or private open space in multi-family residential developments not subject to the Subdivision Map Act.

- Request open space easements where feasible and warranted to secure appropriate public use of sensitive areas with scenic or recreation values, and for buffering space for sensitive areas.

- Require provision of appropriate open space areas in private projects, in the form of trails, enhanced landscaped setbacks, parks, and water features.

- Evaluate the merits of establishing a development bonus entitlement program in which development incentives (i.e., bonus densities, bonus floor area square footage) are provided for contributions to public recreational facilities on-site or in the vicinity of the development project.

POSS-2-d: Creation Opportunities near Freeway Corridors. Negotiate with Caltrans, other public agencies, and private property owners to develop remnant parcels along freeway corridors for appropriate recreational uses.

POSS-2-e: Open Space Dedication for Residential Development. Ensure new residential developments provide adequate land for parks, open space, landscaping, and trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.

Objective POSS-3. Ensure that park and recreational facilities make the most efficient use of land; that they are designed and managed to provide for the entire Fresno community; and that they represent positive examples of design and energy conservation.

POSS-3-a: Centralized Park Locations. Site parks central and accessible to the population served, while preserving the integrity of the surrounding neighborhood.

POSS-3-b: Park Location and Walking Distance. Park Location and Walking Distance. Site Pocket and Neighborhood Parks within a half-mile walking distance of new residential development.

POSS-3-c: Link Parks with Walkways. Link public open space to adjacent, schools, and residential uses and Activity Centers through a series of landscaped linear walkways and bikeways that enhance and encourage pedestrian use.

POSS-3-e: Minimum Park Size for Active Recreation. Minimize City acquisition or acceptance of dedication of park sites less than two acres in size for active recreational uses, except where maintenance costs are secured through a CFD, HOA, or other such mechanism.

POSS-3-f: Park Design Guidelines. Park Design Guidelines. Create, maintain, and apply park design guidelines, with provisions for appropriate amenities for each park type, which may include:

- Minimum and maximum shade.
- Protections from shading by adjacent buildings.
- Accessibility to persons with disabilities.
- Street trees and landscaped median strips in adjacent arterial roads.
- Art and points of attraction.
- Landscape and hardscape features.
- Street furniture, signage, and lighting.
- Food sales and entertainment.
- Restroom facilities, play structures, and picnic shelters.
- Landscape design synthesis with input from civil engineers and hydrologists, educators and daycare providers, fitness trainers and coaches, police officers and experts in crime prevention through environmental design, as appropriate.
- Solar panels, new LED lighting, and water efficiency improvements. Sports field areas designed to allow periodic changes in field locations to minimize wear areas and provide sufficient fields to host regional, state, or national tournaments.
- Using topography to create interesting and visually appealing spaces and forms.
- Use of waterways as a key design influence, a focus of restoration, and an opportunity to provide for public enjoyment of views.
- Reflecting the agricultural and horticultural heritage of the site or area.
- Connecting with surrounding areas in a way that encourages expanded pedestrian activity.
- Creating individual places within a park that respond to the needs of a broad range of park users, from youth to the elderly.
- Creating places of delight that engage the senses.

- Creating places that engage the mind, by treating park features as opportunities for interpretation and questioning.

- Using sustainable design practices, and highlighting these as opportunities for learning.

POSS-3-g: Park Security and Design. Park Security and Design. Promote safety, attractiveness, and compatibility between parks and adjacent residential areas through design, maintenance, and enforcement of park regulations

- Require the installation of security lighting for parking, points of access, and building areas at all public recreation and park sites.

- Keep neighborhood eyes on parks to increase security.

POSS-3-h: Coordination with School Districts. Continue to coordinate with school districts to explore opportunities for joint use of both outdoor and indoor recreation facilities, such as playgrounds, play fields, and gymnasiums, for City recreation programs.

POSS-3-i: Joint Use with Drainage Facilities. Continue to seek joint use agreements for use of FMFCD stormwater drainage facilities.

Objective POSS-4. Pursue sufficient and dedicated funding for parks acquisition, operations, and maintenance.

POSS-4-a: Supplemental Revenue. Seek revenue sources to supplement General Fund support for basic park maintenance and basic recreational services.

POSS-4-b: Operation and Maintenance Financing. Continue to require new residential development to form lighting and landscaping maintenance districts or community facility districts or ensure other means of financing to pay for park operations and maintenance.

POSS-4-c: Improvements in Established Neighborhoods. Seek agreements with formal neighborhood associations and institutions for improvements and ongoing maintenance of parks in established neighborhoods.

Fresno Parks Master Plan. The Fresno Parks Master Plan was created as a means to describe the vision for improving Fresno's park and open space system based on robust community engagement and thorough analysis. The planning process began with a detailed needs assessment conducted by consultants, City of Fresno staff, residents, and stakeholders, to evaluate Fresno's individual parks and the park system as a whole. This included examining the City's General Plan parkland acreage goals, population growth, and demographic information as part of a comprehensive level of service evaluation. Mapping and analysis of existing parks and their service areas revealed how well or inadequately each neighborhood is currently served by parks and recreation amenities. Recreational programs were also evaluated. In 2024, a Technical Amendment of the Fresno Parks Master Plan provided a strategic reframing given the influx of funds from Measure P, which provides a guaranteed, local funding source for parks through a 3/8-cent sales tax in the City of Fresno.

City of Fresno Municipal Code. The following impact fees apply to parks and recreational services in Fresno:

- **Park Facilities Fee:** Section 12-4.701 of the Fresno Municipal Code states: In order to implement the Goals, objectives and policies of the City's General Plan, and to mitigate the impacts caused by future development in the city, certain park facilities must be constructed. The City Council has determined that a Park 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 Park Facilities Fee program. Table 4.6.D below describes the Park Facilities Fees under different fee programs by type of development, as established in the City's Master Fee Schedule.

Table 4.6.D: Park Facilities Fee Program

Type	Park Facility Impact Fee	Quimby Parkland Dedication Fee
Single-Family Residential/per unit	$3,590.26	$1,552.49
Multi-Family Residential/per unit (>7.5 units/acre)	$2,706.28	$1,171.92

Source: City of Fresno Master Fee Schedule, Effective July 2024 (City of Fresno 2024).

- **Street Facilities Fees:** Section 12-4.1001 of the Fresno Municipal Code states: 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 street facilities must be constructed. The City Council has determined that street facilities fees are needed in order to finance these public facilities and to pay for each development's fair share of the construction and acquisition costs of these improvements. Based on this determination, Council adopted, by resolution amending the Master Fee Schedule, a Citywide Regional Street Impact Fee ("Citywide Street Fee") and a New Growth Area Major Street Fee ("Growth Area Street Fee"). Council adopts this Article to require the imposition of these street facilities fees on new development in the City.

4.6.4 Significance Criteria

The thresholds for impacts to recreation facilities used in this analysis are consistent with Appendix G of the *State CEQA Guidelines*. The proposed project may be deemed to have a significant impact related to recreation if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered parks or recreation facilities, or the need for new or physically altered parks or recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives;

- 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; or

- Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

4.6.5 Impacts and Mitigation Measures

The following section presents a discussion of the impacts related to parks and recreation that could result from implementation of the Specific Plan Update. The section begins with the criteria of significance, which establish the thresholds to determine if an impact is significant. The latter part of this section presents the impacts associated with implementation of the draft Specific Plan and the recommended mitigation measures, if required. Mitigation measures are recommended, as appropriate, for significant impacts to eliminate or reduce them to a less-than-significant level. Cumulative impacts are also addressed.

4.6.5.1 Project Impacts

The following discussion describes the potential impacts related to recreation that could result from implementation of the Specific Plan Update.

REC-1 ***The proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered parks or recreation facilities, or the need for new or physically altered parks or recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives.***

The Fresno Parks Master Plan, adopted in December 2024, identified a level of service (LOS) goal for pocket, neighborhood and community parks of 3.0 acres of parks per 1,000 residents. For regional, open space/natural areas, and special use parks, a LOS goal of 2.0 acres of parks per 1,000 residents was identified. According to the 2023 Fresno Multi-jurisdictional 2023–2031 Housing Element, the City of Fresno's average household size was 3.0 persons per household. The Tower District is among the more densely populated areas of Fresno, with many blocks exceeding 9,000 people per square mile. As of the 2020 U.S. Census, there are approximately 7,336 residential units within the Specific Plan Area, and a total population of 20,200, based on the census track block groups whose population is all or mainly in the Specific Plan Area.[6, 7] The Specific Plan Area has approximately 6.7 acres of existing useable parks, which equates to a park ratio of 0.33 acre per 1,000 residents.

Implementation of the Specific Plan Update would result in approximately 537 more projected residential units than previously projected under existing planned land uses, for a total of 2,807 new residential uses by the build out of the proposed project. Using the City average of 3.0 persons per household, this would increase the existing population within the Specific Plan Area by approximately 8,621 residents for a total of 30,429 residents within the Specific Plan Area under full

6 City of Fresno. 2025. *Draft Tower District Specific Plan Update.*
7 U.S. Census Bureau. 2020. Existing Land Uses.

build out by the horizon year of 2046.[8] The additional residential growth would result in an increase in demand for parks and recreation facilities. Based on the General Plan standard of 3.0 acres of public parkland per 1,000 residents, the proposed project would require the dedication of approximately 91.3 acres[9] of useable parkland to meet the standard. With the 6.7 acres of existing useable parkland, this would require a total of approximately 84.6 acres of new parkland.

The development of new parks or the expansion of existing parks that would be required as a result of the implementation of the Specific Plan Update could result in significant adverse environmental impacts. Additionally, impacts likely to be associated with the construction and operation of new or expanded park facilities would be air quality/greenhouse gas emissions, noise, traffic, and lighting.

Future development facilitated by the Specific Plan Update would be required to comply with City of Fresno General Plan objectives and policies related to parks, as stated in Section 4.7.3.2, Local Regulations, and with Sections 12.4-509, Urban Growth Management Park Fees, and 12.4-701, Park Facilities Fee, in the City of Fresno Municipal Code. The General Plan Objective POSS-1 and Policies POSS-1-a through POSS-1-f and Objective POSS-2, Policies POSS-2-b, through POSS-2-d, Objective POSS-3, Policies POSS-3-a through POSS-3-c and POSS-3-e through POSS-3-i, and Policies POSS-4-a through POSS-4-c are relevant to the provision of parkland in the Specific Plan Area. Additionally, future development would be required to comply with Policy POSS-2-e, which ensures that new residential developments provide adequate land for parks and open space, along with other recreational space.

Additional parks and open space could be developed or planned as the Specific Plan Update is being implemented in order to meet the citywide standard. Furthermore, the Specific Plan Update includes the following objectives and policies, shown in Table 4.6.E, related to parks and public facilities that would not conflict with adopted City policies and support the development of new recreational facilities within the Specific Plan Area.

Future development facilitated by the Specific Plan Update would be required to comply with Sections 12-4.701 through 12-4.706 and Section 12-4.1001 of the Fresno Municipal Code, which requires each development to pay a Park Facilities Fee and Street Facilities Fee in order to mitigate the impacts on park facilities caused by future development in the City, and to finance public facilities and to pay for each development's fair share of the construction and acquisition costs of these improvements. Payment of the appropriate development impact fees would offset the construction and acquisition costs of required park and public facility improvements.

8 (20,200 existing residents + 8,621 new residents) = 30,429 total residents

9 (30,429 total residents*3 acres/1,000 residents) = 91.3 acres

Table 4.6.E: Tower District Specific Plan Update – Parks & Public Facilities Objectives and Policies

Policy	Description
Objective POS 1: Increase and Enhance Public Open Space Areas and Amenities in the Tower District.	
Policy POS 1.1: Provide parks in accordance with the Parks Master Plan.	Pursue opportunities for new parks and public spaces in the Tower District according to the policies and the standards adopted in the Parks Master Plan. Give priority to improvements in park-deficient areas, consistent with the Measure P implementation process.
Policy POS 1.2: New park acquisition.	Strategically pursue land for the acquisition and establishment of new parks in alignment with the Parks Master Plan. Two new parks have been developed or are near completion: Broadway Parque and Trolley Park. These projects will be valuable additions for Tower District residents. Future opportunities that should be explored include: • A public plaza in the central core near the Tower Theatre. • Mini parks and community gardens on vacant land, City-owned land, and unneeded portions of school properties. Explore opportunities in Van Ness Village, adjacent to the Fire Station at Clinton and Arthur and at the corner of Clinton and Palm, at the northeast corner of the Hamilton School site. • Privately-owned public spaces created as part of new development on large sites, which might be required of larger development projects like Blackstone Avenue corridor.
Policy POS 1.3: Work in partnership with public agencies and the community to enhance existing parks, and other types of open space, for greater recreational value.	• Ted C. Wills. Advocate for a park master planning process and redesign that could make better use of the space and provide more amenities. Reuse of the parking lot and the school campus should be considered. • Roeding Park. Advocate for a park master planning process and redesign that could make this park a more valuable asset for the City as a whole.
Policy POS 1.4: Measure P funding.	Leverage Measure P funding for acquisition and development of new parks and improvements to existing parks.
Policy POS 1.5: Pursue joint-use partnerships with schools in the Tower District.	New joint-use partnerships should be designed to improve the capability of utilizing the District's open space for passive and active recreational and leisure opportunities by adding landscaping, lighting, picnic facilities, and other appropriate amenities, and by extending hours of use. Consider parking needs of the community when entering into joint use agreements. Joint-use agreements should not diminish the need to create new parks in the Tower District.
Policy POS 1.6: Clean up Dry Creek.	Develop and implement a clean-up action program for Dry Creek that engages neighboring residents and businesses.
Policy POS 1.7: Greenway and parks along Dry Creek.	Initiate a dialogue between the City of Fresno, the Fresno Irrigation District, and residents to reach agreements around opportunities for access and visibility along Dry Creek. Study the feasibility of increasing public access to Dry Creek. Seek to acquire vacant or key parcels along Dry Creek to act as greenway nodes, enhancing the corridor and providing more access. Include further planting of trees and vegetation along the Dry Creek Canal in addition to trash cans, pet pick up stations, and public benches to ensure ADA compliance is met.
Policy POS 1.8: Transportation impact mitigation and funding.	Work with Caltrans, UP, and BSNF to ensure that rights-of-way adjacent to major transportation facilities are landscaped to help protect the neighborhood from visual, air quality, and noise impacts from freeways and rail corridor. Seek Federal and State funding to provide transportation mitigation and environmental enhancement along major transportation facilities (i.e., Highway 180, High Speed Rail).

Table 4.6.E: Tower District Specific Plan Update – Parks & Public Facilities Objectives and Policies

Policy	Description
Objective POS 2: Improve Access to Parks for Tower District Residents	
Policy POS 2.1: Remove barriers to access parks.	Ensure that parks in the Tower District are designed and managed in a way that maintains access and a sense of welcome from the street. Specifically, minimize the use of fences and gates along the street edges of parks, and address safety by improving lighting and visual sight lines.
Policy POS 2.2: Pedestrian and bike overcrossings.	Advocate for high-quality pedestrian and bike access to Roeding Park at Olive Avenue rail corridor overcrossing at the District's western edge.
Objective POS 3: Recognize that Streets Serve as Public Open Space and provide for Their Improvement in Tower District.	
Policy POS 3.1: Sidewalks as public space.	Plant trees and make other streetscape improvements to enhance pedestrian environments, particularly along the Tower District's commercial corridors. See also Circulation policies. Refer to the City's Urban Forestry Management Plan for a list of approved street trees.
Objective POS 4: Align Public Facilities and Services with Community Needs to Support Quality of Life in the Tower District	
Policy POS 4.1: Tower Public Library.	Work with Fresno County to bring a library back to the Tower District, by relocating an existing branch or creating a new branch. Support this effort through actions that may include, but are not limited to, zoning to allow for a library and allowing for the joint use of City-owned facilities. Enhance the quality of Gillis Library Branch, which currently serves the District.
Policy POS 4.2: Public safety patrols.	Recommend maintaining consistent police presence through a combination of Patrol Officers, Bicycle Patrol Officers, Traffic Officers, and Contract Law Enforcement Services as community based safety options. Explore a stand-alone budget to additionally support entertainment district peak hours and special events. Community based options could include potential partnerships with neighborhood watch and ambassador programs.
Policy POS 4.3: Safe and welcoming public open space.	Design and program parks, plazas, and other public open space to be welcoming to all users. Strategies to employ include: space activation using design features and programmed activities, adequate lighting, uninterrupted lines of sight from streets into the space, absence of subareas that can be readily appropriated for unwanted activities, and on-going high-quality repair and maintenance.

The population increase projected under the proposed project is within the population growth contemplated by the General Plan and the 2023–2031 Housing Element. However, the Specific Plan Update does not implement the creation of new parks or recreation facilities, and there are approximately 84.6 acres less than the total parkland acreage needed to meet the citywide parks and open space standard of 3.0 acres per 1,000 residents. Therefore, potential impacts related to the provision of parks and recreation services could be significant.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact REC-1: The proposed project could result in substantial adverse physical impacts associated with the provision of new or physically altered park and recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives.

Mitigation Measure REC-1a As new development occurs in the Specific Plan Area, the City of Fresno (City) shall periodically (every 5 years) monitor residential population growth compared to development of new parklands for the purpose of evaluating the strength of the Tower District Specific Plan Update to meet the ratio of 3.0 acres of parkland per 1,000 population. If the ratio is not met, the City shall explore additional ways to increase the amount of dedicated parkland in the Specific Plan Area, including but not limited to designating additional lands for parkland development.

Mitigation Measure REC-1b As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from construction and operation of parks and recreational facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- Air Quality/Greenhouse Gas Emissions: Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity.
- Noise: Barriers and setbacks placed on parks and recreational facilities.
- Traffic: Traffic devices for circulation.
- Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights.

Level of Significance With Mitigation: Significant and Unavoidable Impact

Mitigation Measures REC-1a and REC-1b would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable.

REC-2 The proposed project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated.

Refer to impact discussion REC-1, above. Implementation of the Specific Plan Update would result in a population increase of approximately 8,621 residents for a total of 30,429 residents within the Specific Plan Area[10] by full build out in horizon year 2046. The additional residential growth would

[10] (20,200 existing residents + 7,729 new residents) = 27,929 total residents

result in an increase in demand for parks and recreation facilities. Based on the City's General Plan and Parks Master Plan standard of 3.0 acres of public parkland per 1,000 residents, the proposed project would require the dedication of approximately 91.3[11] of useable parkland to meet the standard. While the Specific Plan Update introduces park opportunity areas for future study, as well as objectives and policies to guide the development of future park and recreation facilities, no new parks are actively proposed to be constructed or expanded under the Specific Plan Update. Existing parks within the Specific Plan Area would see an increase in use by the proposed population increase, which could accelerate and substantially deteriorate the existing facilities. Future individual development projects facilitated by the Specific Plan Update would be required to comply with the Park Facilities Impact Fee, which would allow new parks to be constructed at appropriate sites within the Specific Plan Area. However, impacts could be significant, as the proposed project would result in 84.6 acres less than the total parkland acreage needed to meet the citywide parks and open space standard of 3.0 acres per 1,000 residents.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact REC-2: Implementation of the Specific Plan Update would facilitate increased population which could 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.

Mitigation Measures: Refer to Mitigation Measure REC-1a, above.

Level of Significance With Mitigation: Significant and Unavoidable Impact

Implementation of Mitigation Measure REC-1a would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable.

REC-3 The proposed project does not include recreational facilities and would require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Refer to impact discussion REC-1, above. The development of new parks or the expansion of existing parks that would be required as a result of the implementation of the Specific Plan Update could result in significant adverse environmental impacts. The construction and operation of new or expanded parks facilities could result in significant adverse environmental impacts such as air quality, greenhouse gas emissions, noise, traffic, and lighting. Impacts resulting from the construction or expansion of parks would be offset by the City's Parks Facilities Fee, which requires that new development in the Specific Plan Area pay a fair-share-fee to aid in the cost of the construction or the expansion of public parks. The General Plan includes Objective POSS-1 and Policies POSS- 1-a through POSS-1-f and Objective POSS-2, Policies POSS-2-b, through POSS-2-d,

[11] (27,929 total residents*3 acres/1,000 residents) = 83.79 acres

Objective POSS-3, Policies POSS-3-a through POSS-3-c through POSS-3-I, and Policies POSS-4-a through POSS-4-c, which would be relevant to the provision of parkland in the Specific Plan Area.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact PSR-3: Implementation of the Specific Plan Update could require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Mitigation Measures: Refer to Mitigation Measure REC-1b, above.

Level of Significance With Mitigation: Less Than Significant Impact

Compliance with Mitigation Measure REC-1b would reduce potential construction impacts resulting from implementation of the Specific Plan Update, which would reduce potential impact to a less than significant level.

4.6.5.2 Cumulative Impacts

REC-4 The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in potentially significant cumulative impacts with respect to recreation.

As stated above, implementation of the Specific Plan Update is projected to generate an increase in the population of approximately 8,621 residents, as compared to land uses allowed under existing conditions, requiring the dedication of approximately 91.3 acres of useable parkland. Useable parkland refers to pocket, neighborhood, and community parks. The Specific Plan Area currently has approximately 8.2 acres of parkland, of which 6.7 acres is usable. The City of Fresno Sphere of Influence (the cumulative setting for impacts to park facilities) has 632 acres of parks. The Fresno Parks Master Plan identified 1,751 acres to meet recreation needs of Fresno's future population (General Plan Horizon Year 2035), whereas the General Plan identified the need for nearly 2,313 acres of new pocket, neighborhood, and community parks by the General Plan Horizon year of 2035 in the Fresno Sphere of Influence.[12] Although neither the Specific Plan Area nor the cumulative setting would meet the 3.0 acre per 1,000 residents ratio parkland standard, implementation of the objectives and policies proposed in the Specific Plan Update would encourage future development of additional park area.

Future development facilitated by the Specific Plan Update would require additional CEQA documentation to determine future impacts to parks and recreational facilities. Individual development projects would be required to comply with the Park Facilities and Street Facilities Impact Fees, which would allow new parks and public facilities to be constructed at appropriate sites within the cumulative setting and be adequately maintained. While the Specific Plan Update introduces park opportunity areas for future study, as well as objectives and policies to guide the development of future park and recreation facilities, no new parks are actively proposed to be

[12] City of Fresno. 2014. *Fresno General Plan,* Chapter 5 Parks, Open Space and Schools, Table 5-5: Total Existing And Future Park Needs Scenarios.

constructed or expanded under the Specific Plan Update. Therefore, cumulative impacts could be significant, as the Specific Plan Update would result in 84.6 acres less than the total parkland acreage needed to meet the citywide parks and open space standard of 3.0 acres per 1,000 residents.

The objectives and policies proposed under the Specific Plan Update would seek to improve existing park facilities and develop new park and recreation facilities within the Specific Plan Area. Policy POS 1.1 seeks to pursue opportunities for new parks and public spaces in the Specific Plan Area according to the policies and standards adopted in the Fresno Parks Master Plan and give priority to improvements in park-deficient areas, consistent with the Measure P implementation process. Policy POS 1.2 aims to strategically pursue land for the acquisition and establishment of new parks. Policy POS 1.3 aims to encourage partnership with public agencies and the community to enhance existing open spaces for greater recreational value. Development facilitated through implementation of the Specific Plan Update would also be required to comply with Fresno Municipal Code Sections 12-4.701 through 12-4.706, which require payment of park facilities fees to finance park facility improvements.

Level of Significance Without Mitigation: Potentially Significant Impact

Impact REC-4: Implementation of the Specific Plan Update, in combination with past, present, and reasonably foreseeable projects, could result in potentially significant cumulative impacts with respect to recreation.

Mitigation Measures: Refer to Mitigation Measures REC-1a and REC-1b.

Level of Significance With Mitigation: Significant and Unavoidable Impact

Mitigation Measures REC-1a and REC-1b would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this impact would be considered cumulatively significant and unavoidable.

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5.0 CEQA-REQUIRED ASSESSMENT CONCLUSIONS

As required by CEQA, this chapter discusses the following types of impacts that could result from implementation of the Tower District Specific Plan Update (proposed project or Specific Plan Update) for the City of Fresno (City): growth-inducing impacts; significant irreversible changes; effects found not to be significant; and significant unavoidable effects.

5.1 GROWTH INDUCEMENT

This section summarizes the proposed project's potential growth-inducing impacts on the surrounding community. A project is considered growth-inducing if it would directly or indirectly foster substantial economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and development of new residential subdivisions or industrial parks in areas that are only sparsely developed or are underdeveloped. Typically, development projects on sites that are designated for development and surrounded by existing suburban uses are not considered adversely growth-inducing because growth in areas that already have development and infrastructure available to serve new development are generally considered environmentally beneficial.

Section 15126.2(e) of the *State CEQA Guidelines* requires that an EIR evaluate the growth inducing impacts of a proposed action:

> Discuss the way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects that would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also, discuss the characteristics of some projects, which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

There are two types of growth inducing impacts, direct and indirect. To assess the potential for growth inducing impacts, the project characteristics that may encourage and facilitate activities that may individually or cumulatively affect the environment must be evaluated. Growth-inducing impacts can occur when the development of a project imposes new burdens on a community by directly inducing population growth, or by leading to the construction of additional developments in the same area of the proposed project. Also included in this category are projects that would remove physical obstacles to population growth (such as a new road into an undeveloped area or a wastewater treatment plant with excess capacity that could allow additional new development in the service area). Construction of these types of infrastructure projects cannot be considered isolated from the development they facilitate and serve. Projects that physically remove obstacles to

growth or projects that indirectly induce growth are those that may provide a catalyst for future unrelated development in the area (such as a new residential community that requires additional commercial uses to support residents).

Based on the information provided in *State CEQA Guidelines* Section 15126.2(e) quoted above, two specific issues must be addressed when determining the growth-inducing impacts of a project:

- **Elimination of Obstacles to Population Growth.** The extent to which additional infrastructure capacity (such as extension of roads, sewer, water infrastructure etc.) or change in regulatory structure (such as a change in policies) will allow additional development; and

- **Economic Growth.** The extent to which a proposed project could result in increased activity in the local economy or the regional economy.

Each of the growth-inducing impacts above are discussed in more detail below.

5.1.1 Elimination of Obstacles to Population Growth

Eliminating physical or regulatory obstacles to growth can result in a growth-inducting impact because those obstacles are removed. An example of a physical obstacle to growth is the need for public service infrastructure (such as roadways, water mains, sewer lines etc.). Extending public service infrastructure into an area that lacks infrastructure would induce population growth because the infrastructure needed to serve the area would be available, and therefore, the area would then have the capacity to allow population growth. Also, the addition, deletion or alteration of a regulatory obstacle (such as a growth or development policy) could result in new growth because the regulatory obstacle would be altered such that new growth would subsequently not be hindered.

As described in Chapter 3.0, Project Description, the implementation of the Specific Plan Update would result in approximately 537 more projected residential units than previously projected under existing planned land uses, for a total of 2,807 new residential uses by the build out of the proposed project. Given the nature of the proposed project, the implementation of the Specific Plan Update would not significantly increase the demands for public services (i.e., fire and police protection, schools, and libraries) or utility and service systems (i.e., water, wastewater, stormwater, and solid waste). As described in Section 4.6, Recreation, there would be a significant unavoidable impact to recreation. Overall, the proposed project would not establish an essential public service that could remove an impediment to growth.

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. Additionally, as discussed in the Initial Study (Appendix C), implementation of the proposed Specific Plan Update would not exceed the City's projection for future growth and would be consistent with the General Plan and Housing Element goals to provide additional residential units to support the growing population within the city and county.

The Specific Plan Update includes the following objectives and policies that encourage population growth:

Objective LU 2 Retain and expand the existing inventory of affordable housing in the Tower District and discourage displacement of its residents.

Policy LU 2.1 Promote mixed-use development along commercial corridors.

Policy LU 2.2 Enable development of well-designed "missing middle" housing within single-family and other areas.

Policy LU 2.3 Discourage the redevelopment of existing residential uses for commercial-only development.

Policy LU 2.5 Encourage the application of citywide anti-displacement policies within the Tower District.

Policy LU 2.6 To be consistent with existing use, consider rezoning of existing legal non- conforming multi-family residential uses to the density-appropriate zoning district.

Objective LU 3 Encourage appropriate mixed-use and multifamily development by reducing obstacles to feasibility of potential development projects.

Policy LU 3.2 Consider regulatory changes to reduce costs and risks associated with mixed-use and multifamily development, such as to reduce parking requirements where justified by TDM measures (see Chapter 6) and anticipated parking demand, and provide greater flexibility in addressing private open space requirements.

Policy LU 3.3 Consider ways to increase potential residential yields, such as by increasing allowable densities and building heights as appropriate.

Policy LU 3.5 Actively increase the affordable housing inventory in Tower District.

Policy LU 3.6 Proactively identify underutilized parcels for affordable housing and mixed-use development where appropriate.

5.1.2 Promotion of Economic Growth

The promotion of economic growth is the extent to which a proposed project could cause increased activity in the local or regional economy. A "multiplier effect" is an economic phrase which pertains to the interrelationships between various sectors of the economy. The multiplier effect is a quantitative description and can be described as how an increase in some economic activity starts a chain reaction that generates more activity than the original increase.

The proposed land use patterns and policies that would be implemented as part of the Specific Plan Update are designed in part to promote commercial activity, maintain compatibility with industrial

employment and improve overall economic development and plan for future growth opportunities. The Specific Plan Update includes the following objectives and policies that encourage economic growth:

Objective LU 4 Maintain and enhance existing and promote new neighborhood-serving pedestrian-oriented retail service and businesses within the Tower District, which is consistent with historic patterns of development. Make commercial areas safe, convenient, and welcoming focal points for neighborhood activities and public life.

Policy LU 4.1 Support small commercial businesses.

Objective LU 5 Balance neighborhood serving commercial needs and quality of life with the cultivation of a successful cultural and entertainment district.

Policy LU 5.4 Permanently implement the Sidewalk Vendors Pilot Program in the Tower District, with adjustments.

Policy LU 5.5 Support the Tower Marketing Committee or other Business Improvement District (BID) or Public Business Improvement District (PBID) to support on-going commercial area marketing, organization of festivals and other events, enhanced landscape maintenance and sidewalk cleaning, graffiti abatement, and other beneficial programs.

Objective LU 6 Ensure compatibility among light industrial and residential uses in the Tower District.

Policy LU 6.1 Maintain industrial zoning for existing industrial uses, while striving to mitigate their negative effects on residential areas.

Policy LU 6.2 Allow light industrial uses to have neighborhood-serving retail.

Objective LU 7 Recognize the unique strengths and address the needs of the Tower District's subdistricts and corridors.

Policy LU 7.1 Reinforce Fulton Street and Van Ness Avenue as major corridors with commercial destinations that serve Tower District's Central Area and adjacent neighborhoods.

5.2 SIGNIFICANT IRREVERSIBLE CHANGES

As mandated by the *State 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 *State 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 summarized in the Executive Summary and thoroughly discussed in Section 4.0, Evaluation of Environmental Impacts. Implementation of the project would require the long-term commitment of natural resources and land, as discussed below.

Approval and implementation of the proposed project would provide a framework for future development and redevelopment within the Specific Plan Area. The proposed project includes land uses changes that would commit future generations to specific development within the Specific Plan Area. The proposed land use patterns and policies are designed to provide diverse housing types at various affordability levels, promote commercial activity, maintain compatibility with industrial employment, promote recreation and education, and improve overall economic development and plan for future growth opportunities while maintaining the character of the community. Because the Specific Plan Area is largely developed and is surrounded by other urban and built-up areas containing similar land use patterns, the proposed project would not commit future generations to land use patterns that are inconsistent with existing patterns both with the Specific Plan Area and the surrounding vicinity.

Approval and implementation of the proposed project would result in future development and redevelopment within the Specific Plan Area which would result in an irretrievable commitment of nonrenewable resources including energy consumption and construction related materials. This consumption would occur during each individual project's construction phase and would continue throughout its operational lifetime. Future development would require a commitment of resources including building materials; fuel and operational materials/resources; and transportation of goods and people to and from individual project sites. Construction would require the consumption of resources that are not renewable, or which may renew so slowly as to be considered non-renewable. These resources include, but are not limited to, lumber and other forest products; aggregate materials used in concrete and asphalt; metals; and water. Fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment.

Development implemented from approval of the proposed project would consume resources similar to those currently consumed within Fresno (e.g., energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle trips, fossil fuels, and water). Fossil fuels would represent the primary energy source associated with construction activities, and the existing, finite supplies of these natural resources would be incrementally reduced. As stated, given the nature of the improvements, operational activities requiring the substantial consumption of natural resources are not anticipated and would be analyzed at the project level. Nonetheless, the proposed project's energy requirements under both construction and operations represent a long-term commitment of essentially non-renewable resources. Energy related impacts were discussed in the Initial Study for the proposed project, which is included as Appendix C of this EIR, and were found to be less than significant.

Additionally, Section 4.4, Greenhouse Gas Emissions, of this EIR, analyzed GHG related impacts that would result from implementation of the proposed project. GHG related impacts were found to be less than significant with mitigation incorporated. The analysis utilized the California Emissions Estimator Model version 2022.1 (CalEEMod) to quantify impacts that would result from the implementation of the proposed project. Further, the proposed project includes objectives and policies aimed at reducing the consumption of non-renewable energy sources and promoting sustainable development.

Future construction activities associated with implementation of the proposed project could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions; refer to Section IX, Hazards and Hazardous Materials, of the Initial Study (Appendix C). All potential demolition, grading, and excavation activities would be subject to the established regulatory framework to ensure that hazardous materials are not released into the environment. Compliance with the established regulatory framework would protect against a significant and irreversible environmental change resulting from the accidental release of hazardous materials.

Implementation of the Specific Plan Update would facilitate development that could involve demolition and construction activities that carry the potential for environmental accidents. However, construction and demolition related activities would be subject to oversight by all applicable City, State, and federal agencies. Additionally, industrial uses allowed under the proposed project, which are typically associated with an increased risk of environmental accidents, would be confined to a small portion in the southwest corner of the Specific Plan Area where light industrial uses are already present. Therefore, the proposed project would not result in a substantial risk of environmental accident.

5.3 SIGNIFICANT UNAVOIDABLE IMPACTS

The environmental effects of the proposed project, along with recommended mitigation measures, are summarized in the Executive Summary and discussed in detail in Section 4.0, Evaluation of Environmental Impacts. The following environmental issues discussed in the Draft EIR were determined to result in less-than-significant impacts, or can be reduced to less-than-significant levels with the incorporation of mitigation measures:

- Air Quality (with mitigation incorporated)
- Biological Resources (with mitigation incorporated)
- Cultural Resources (with mitigation incorporated)
- Greenhouse Gas Emissions (with mitigation incorporated)
- Noise (with mitigation incorporated)

Section 15126.2(c) of the *State CEQA Guidelines* requires that an EIR describe any significant impacts, including those that can be mitigated but not reduced to less than significant levels, as a result of implementation of the project. The following environmental issues were determined to result in potential significant and unavoidable impacts, even after implementation of feasible mitigation.

- Recreation – the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet city standards, and no construction of new park facilities is planned through the implementation of the Specific Plan.

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6.0 ALTERNATIVES

6.1 INTRODUCTION

Section 15126.6(a) of the *California Environmental Quality Act (CEQA) Statue and Guidelines (State CEQA Guidelines),* requires that an Environmental Impact Report (EIR) include a discussion of a reasonable range of project alternatives that would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any significant effects o the project, and evaluate the comparative merits of the alternatives." CEQA does not require an EIR to consider every conceivable alternative to a project, but rather it must consider a range of feasible alternatives that would assist decision-makers and the public in evaluating the comparative merits of alternatives to a proposed project. Therefore, this chapter identifies potential alternatives to the proposed Tower District Specific Plan Update (proposed project) and evaluates them as required by CEQA.

Key provisions to the *State CEQA Guidelines* on alternatives (Section 15126.6[b] through [f]) are summarized below to explain the foundation and legal requirements of the alternatives analysis in the EIR:

- The discussion of alternatives shall focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the Project Objectives or would be more costly (15126.6[b]).

- The specific alternative of "no project" shall also be evaluated along with its impact (15126.6[e][1]). The "no project" analysis shall discuss the existing conditions at the time the Notice of Preparation is published and at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (15126.6[e][2]).

- The range of alternatives required in an EIR is governed by the "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent) (15126.6[f]).

- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR (15126.6[f][2][A]).

- If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project, which must be in close proximity to natural resources at a given location (15126.6[f][2][B]).

- An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative (15126.6[f][3]).

6.2 PROPOSED PROJECT

6.2.1 Project Characteristics

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. The Specific Plan Update establishes a shared set of goals, objectives, policies, and implementing actions for the future growth and change of the Specific Plan Area. The Specific Plan Update also aids in implementing the broader goals and policies for the City of Fresno outlined in the General Plan in a manner that can better meet the needs of the Tower District. This update is intended to streamline development within the Specific Plan Area by updating the Specific Plan's environmental analysis pursuant to CEQA requirements, and by providing a current regulatory framework and applicable mitigation measures.

6.2.2 Project Objectives

An EIR must only discuss in detail an alternative that is capable of feasibly attaining most of the basic objectives associated with the action, while at the same time avoiding or substantially lessening any of the significant effects associated with the proposed project. Below are the project objectives, as provided in Section 3.5, Project Objectives.

1. Enhance the livability and social diversity of the Tower District's residential neighborhoods and create housing opportunities that make the District inclusive and welcoming.

2. Nurture the mutually supportive relationship between the Tower District's residential neighborhoods and vibrant commercial areas.

3. Conserve and revitalize the Tower District's historic resources.

4. Shape the character of new development to complement the Tower District's character as a walkable place not dominated by the automobile.

5. Provide effective transportation access for pedestrians, bicyclists, motorists, and transit users, and emphasize the importance of pedestrian-friendly environments.

6. Increase opportunities for recreation within walking distance of Tower District residents.

7. Promote environmental sustainability and climate resilience.

6.2.3 Significant Unavoidable Impacts of the Proposed Project

As described in Chapter 1.0, Executive Summary, and in Appendix C, Initial Study, the proposed project would result in either no impacts or less than significant impacts related to aesthetics, agriculture and forestry resources, energy, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, transportation and traffic, utilities and service systems, and wildfire.

As described in Chapter 4.0, Evaluation of Environmental Impacts, and in Appendix C, Initial Study, the proposed project would result in less than significant impacts after implementation of mitigation related to air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise, and tribal cultural resources. The proposed project would result in a significant unavoidable impact related to recreation.

6.3 SELECTION OF ALTERNATIVES

Pursuant to *State CEQA Guidelines* Section 15126.6(a), an EIR shall describe a range of reasonable alternatives to the project that would feasibly attain most of the basic objectives of the project, avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. Only those impacts found significant and unavoidable are relevant in making the final determination of whether an alternative is environmentally superior or inferior to the proposed project. As detailed in the Initial Study and Section 4.1 through Section 4.6 of this EIR, upon compliance with existing regulations and mitigation measures, implementation of the Specific Plan Update would not result in any significant and unavoidable impacts with the exception of parks impacts, as analyzed in Section 4.6, Recreation.

6.3.1 Alternatives Considered but Rejected

In accordance with *State CEQA Guidelines* Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to *State CEQA Guidelines*, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failures to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts.

6.3.1.1 Off-Site Alternative

Off-site alternatives generally involve moving a project to another location. As this EIR analyzes an update to an existing specific plan for an established infill area at a programmatic-level, and not a defined site-specific project, an off-site alternative to the Tower District Specific Plan Update is infeasible. Implementation of the Specific Plan Update cannot occur outside of the Specific Plan Area. Furthermore, the objectives of the proposed project are to enhance the livability of the Tower District neighborhoods, conserve and revitalize the Tower District's historic resources, and support the relationship between the residential and commercial areas of the District. These objectives

cannot be accomplished in an area outside of the Specific Plan Area that would still meet the objectives for the Tower District. For these reasons, the Off-Site Alternative is infeasible and dismissed from further evaluation.

6.3.1.2 Palm Avenue Commercial Corridor Alternative

During early scoping of the proposed project, an alternative was proposed that would promote commercial accessory development units (ADU) along the east side of Palm Avenue between McKinley Avenue and Clinton Avenue. This alternative would allow commercial ADU development along the Palm Avenue frontage in an area that is established as residential single-family development. This alternative would encourage development of the area along Palm Avenue with more active frontage, the rear property line fencing that currently fronts Palm Avenue in this location. This alternative would also provide live/work opportunities for Tower District residents. However, this alternative was discarded because it could have compromised the livability of the existing residential properties by introducing commercial uses, potentially introduced safety concerns associated with increased traffic and vehicles along Palm Avenue, and diluted economic opportunities within the District that are focused along Olive Avenue, Wishon Avenue, Belmont Avenue, and Blackstone Avenue. These areas have vacant commercial properties and are included in the Specific Plan Update for revitalization to encourage continued commercial and mixed-use development. For these reasons, the Palm Avenue Commercial Corridor Alternative was dismissed from further evaluation.

6.4 ALTERNATIVE 1: NO PROJECT ALTERNATIVE

6.4.1 Description

Pursuant to CEQA Guidelines, the No Project Alternative is required as part of the “reasonable range of alternatives” to allow decision makers to compare the impacts of approving the proposed project with the impacts of taking no action or not approving the proposed project. Under the No Project Alternative, the proposed Specific Plan Update would not be adopted. Development within the Specific Plan Area would continue to be implemented in accordance with the existing Tower District 1991 Specific Plan (1991 Specific Plan) and land use and zoning changes allowed under the General Plan. Despite the lack of an update under the No Project Alternative, the distribution and location of projected growth within the Specific Plan Area would occur in a manner consistent with the City’s General Plan and zoning documents. As described in Chapter 3.0, Project Description, the existing land use and zoning designations anticipate that the Specific Plan Area would result in an increase of 2,271 additional residential units, for a total of 9,607 residential units within the Tower District, as the 1991 Specific Plan and General Plan is implemented through the Horizon Year of 2035.

The identified improvements proposed in the Specific Plan Update for the Tower District would not be implemented. Land use and zoning changes would not be implemented, and any future development would be consistent with the current allowed land use and zoning designations. Under this alternative, the Apartment House (AH) Overlay zoning designation would not be expanded along Olive Avenue, and the proposed medium-low density residential uses at Terrace Gardens, Porter Tract, and Wilson Island would not be implemented, nor would the proposed Neighborhood Mixed Use zoning along Shields Avenue or the Corridor-Center Mixed Use zoning along Blackstone Avenue.

6.4.2 Environmental Analysis

The No Project Alternative would result in no changes to the land use or zoning designations within the Specific Plan Area. Future development would continue as consistent with the current General Plan designations. Although the No Project Alternative would not update the text of the 1991 Specific Plan, or the land use and zoning changes allowed under the General Plan, development as outlined in the 1991 Specific Plan and General Plan would continue to occur.

The effects that were found to be significant prior to mitigation under the Specific Plan Update Draft EIR (air quality, biological resources, cultural resources and tribal cultural resources, geology and soils, greenhouse gas emissions, and noise,) would continue to occur as site-specific development allowed under the General Plan occurs. Significant and unavoidable effects to recreation associated with continued development within the Specific Plan Area would continue to occur as build out of the 1991 Specific Plan and General Plan continues, as no additional park space or recreation facilities are planned within the Specific Plan Area.

6.4.3 Overview of Potential Impacts Compared to Proposed Project

The potential environmental impacts associated with the No Project Alternative when compared to the proposed project are described below.

Aesthetics. As with the proposed Specific Plan Update, future development under the No Project Alternative would not block views, would not degrade the existing visual character or quality of the area, and would not introduce new sources of substantial light or glare that would adversely affect views in the area. Thus, overall impacts related to aesthetics would be similar when comparing the No Project Alternative to the proposed project.

Agriculture and Forestry Resources. As with the proposed Specific Plan Update, future development under the No Project Alternative would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, and existing zoning designations would remain in place. Additionally, future development would not result in the loss of forest land or conversion of forest land to non-forest uses. Thus, overall impacts related to agriculture and forestry resources would be similar when comparing the No Project Alternative to the proposed project.

Air Quality. Implementation of the No Project Alternative would result in a similar level of continued development within the Specific Plan Area, as compared to the proposed project. The majority of the area within the Specific Plan Area is already developed and is not expected to change. Under the No Project Alternative, future development would continue as allowed under the General Plan, and development by the Horizon Year of 2035 would result in 537 fewer residential units and 18,800 square feet of additional non-residential uses as compared to the buildout of the Specific Plan Update. The air quality impacts under the proposed project are fully mitigable with implementation of the mitigation measures proposed in this Draft EIR. Therefore, air quality impacts under the No Project Alternative would be similar, as future construction and operation of the existing uses would not be significantly different than the proposed project.

Biological Resources. As with the proposed Specific Plan Update, future development under the No Project Alternative would not have significant impacts on biological resources. The biological resources impacts under the proposed project are fully mitigable with implementation of the mitigation measures proposed in this Draft EIR. Under the No Project Alternative, the potential to modify habitat for any special-status species identified in the Draft EIR would be similar to that of the impacts potentially resulting from the proposed project. Given the areas of impact, any development occurring in the Specific Plan Area would result in potential impacts to habitat and special status species. As a result, impacts to biological resources would be similar when comparing the No Project Alternative to the proposed project.

Cultural and Tribal Cultural Resources. As with the proposed Specific Plan Update, future development under the No Project Alternative would not have significant impacts on cultural resources and tribal cultural resources. The cultural resources and tribal cultural resources impacts under the proposed project are fully mitigable with implementation of mitigation measures proposed in this Draft EIR. Under the proposed project, potential impacts to cultural resources would result on a site-by-site basis mostly from previously unknown sites. Under the No Project Alternative, future development under the General Plan would be similar and would require the same mitigation measures to reduce the potential impacts to less-than-significant levels. As a result, potential impacts to cultural resources and tribal cultural resources would be similar when comparing the No Project Alternative to the proposed project.

Energy. As with the proposed Specific Plan Update, future development under the No Project Alternative would not have significant impacts on energy. The energy impacts under the proposed project are fully mitigable with implementation of the mitigation measures proposed in this Draft EIR. The No Project Alternative would continue development within the Specific Plan Area in line with the approved land use and zoning designations of the General Plan. Energy required for construction and continued implementation of the No Project Alternative would be similar compared to the proposed project; therefore, impacts would be similar.

Geology and Soils. As with the proposed Specific Plan Update, future development under the No Project Alternative would not have significant impacts on geology and soils. Implementation of this alternative would involve site-specific construction grading and other ground-disturbing activities for future development similar to the proposed project in the Specific Plan Area. Therefore, this alternative would have similar impacts associated with seismic ground-shaking, soil erosion, geological hazards, expansive soils, and paleontological resources. The same mitigation measures required for the proposed plan would also be required for this alternative. Overall, impacts to geology and soils would be similar.

Greenhouse Gas Emissions. As with the proposed Specific Plan Update, future development under the No Project Alternative would not have significant impacts on greenhouse gas emissions. The existing General Plan, which would be carried forward under the No Project Alternative, includes goals, objectives, and policies aimed at reducing greenhouse gas emissions. The greenhouse gas emission impacts under the proposed project are fully mitigable with implementation of the mitigation measures proposed in this Draft EIR. The No Project Alternative would result in a similar level of overall development as the proposed plan, and GHG emissions would be similar.

Hazards and Hazardous Materials. Implementation of the proposed project and the No Project Alternative would implement development in the Specific Plan Area, which could include sites that contain hazardous materials. Additional site analysis would be required to ensure that potentially hazardous conditions would not adversely affect the public or the environment. As a result, impacts related to hazards and hazardous materials would be similar under the No Project Alternative when compared to the proposed project.

Hydrology and Water Quality. The hydrology and water quality impacts under the proposed project would be considered less than significant. Similarly, as a result of buildout of the General Plan, the No Project Alternative would be required to implement policies of the General Plan and impacts would be less than significant. As a result, impacts related to hydrology and water quality would be similar under the No Project Alternative when compared to the proposed project.

Land Use and Planning. Implementation of the No Project Alternative would result in development of urban land uses within the same footprint as the proposed project and would be largely consistent with the General Plan. Similar to the proposed plan, the No Project Alternative would not divide an established community, nor would it conflict with plans adopted for the purpose of avoiding or mitigating a significant effect. The proposed plan involves land use and zoning changes to facilitate the implementation of the objectives of the Specific Plan Update, and less than significant impacts were identified for the proposed project. As the No Project Alternative would retain the existing land uses and zoning designations allowed under the General Plan, it would have a slightly reduced impact compared with the proposed project.

Mineral Resources. Implementation of the No Project Alternative would involve site-specific construction and other ground-disturbing activities for future development similar to the proposed project in the Specific Plan Area. Overall, impacts to mineral resources would be similar.

Noise. Implementing the No Project Alternative would result in a similar level of development within the same footprint as the proposed plan. Therefore, construction-related noise would be similar. Even though this alternative would include a different mix of urban land uses (slightly less residential and more commercial), operational noise and traffic noise would also be similar to the proposed plan due to the existing and projected residential uses and minimal decrease in non-residential area. Overall, noise impacts would be similar.

Population and Housing. The proposed project would result in a slight increase in population due to the land use and zoning designation changes, which would increase the total projected residential area by 537 units as compared to the No Project Alternative. The impacts are considered less than significant given the projected growth under the General Plan and Housing Element. However, because the No Project Alternative would result in continued implementation of the General Plan, which would result in slightly fewer residential units when compared to the proposed Plan, the No Project Alternative would result in slightly fewer impacts with respect to population and housing.

Public Services and Recreation. The No Project Alternative would not increase the population in a way that would impact fire services, police services, or school operations. The Specific Plan Area would continue to be underserved by parks and recreational facilities, as the area in its existing

condition does not meet the current ratio for adequate service. Therefore, the impacts would be similar as compared to the proposed project.

Transportation. The No Project Alternative would continue implementation of the land use and zoning designations allowed under the General Plan. The Specific Plan Area is currently in a low VMT zone, and the proposed project would have less than significant impacts due to implementation of the Specific Plan Update. The No Project Alternative would not conflict with applicable plans, programs, ordinances, or policies or increase transportation hazards. Impacts would be similar to the proposed project.

Utilities and Service Systems. The proposed project would have slightly greater development capacity than the projected growth under the General Plan. However, the growth anticipated under the General Plan is acknowledged in the 2023-2031 Housing Element, and would not impact the utility and service systems in the Specific Plan Area greater than is currently estimated. Therefore, impacts would be similar between the No Project Alternative and proposed project, as development would not exceed the needs for the uses allowed under the 1991 Specific Plan and General Plan.

Wildfire. Implementation of the proposed project would have less than significant impacts to wildfire. The Specific Plan Area is in a developed and urban area and is not located within a Very High Fire Hazard Severity Zone. There would not be impairment to emergency response or evacuation plans, threat of uncontrolled wildfire, or risk of landslides as a result of runoff, post-fire slope instability, or drainage changes. Impacts under the No Project Alternative would be similar to the proposed project.

6.4.4 Compatibility with Project Objectives

Under the No Project Alternative, the Specific Plan Update would not be implemented and therefore this alternative does not meet any of the project objectives.

6.5 ALTERNATIVE 2: RECREATION ALTERNATIVE

6.5.1 Description

The Fresno General Plan, adopted in December 2014, and Parks Master Plan (PMP), adopted in December 2024, identified a level of service (LOS) goal for pocket, neighborhood and community parks of 3.0 acres of parks per 1,000 residents. For regional, open space/natural areas, and special use parks, a LOS goal of 2.0 acres of parks per 1,000 residents was identified. As discussed in Section 4.6, Recreation, there are four parks classified as Pocket, Neighborhood, or Community parks within the Specific Plan Area: Broadway Parque, San Pablo Park, Ted C Wills Park, and Trolley Park. These parks total approximately 6.7 acres of useable recreation space within the Specific Plan Area, for a ratio of 0.33 acre per 1,000 residents, which is below the City's LOS goal.

The Recreation Alternative would prioritize providing more parks and recreation facilities within the Specific Plan Area, specifically on vacant sites, including the areas highlighted as "park opportunity

areas for study" in the Specific Plan Update.[1] Currently, there are approximately 79 vacant sites in the Tower District, distributed over the entire planning area, ranging in size from 0.03 to 0.79 acres in size. These vacant sites could only be developed as pocket parks and would not meet the need for a neighborhood park (2-10 acres) or a community park (10-40 acres).

Conceptually, this alternative would involve development of vacant sites within the Specific Plan Area with recreational uses including active and passive park facilities such as trails, picnic areas, playground and tot lots, landscaped areas, and open spaces. Most of these vacant sites would require purchase by the City, as they are under private ownership. Under the proposed project, the majority of these sites are included in the development capacity for future residential development. By prioritizing parks and recreation facilities and designating additional land for parkland development at vacant sites, this would also slightly decrease the projected residential units to be developed through implementation of the proposed project.

6.5.2 Environmental Analysis

As discussed in the PMP, parkland within the City of Fresno needs to increase by 1,095 acres to meet the General Plan overall level of service goals for Fresno's current population, and by 1,751 acres to meet recreation needs of Fresno's future population (General Plan Horizon Year 2035). And, while the ratio of parkland for the City is higher than that of the Tower District, the provision of parkland is not even across the City. As described in the impact analysis in Section 4.6.5, the implementation of the Specific Plan Update would result in approximately 537 more projected residential units than previously projected under existing planned land uses, for a total of 2,807 new residential uses by the build out of the proposed project. Using the City average of 3.0 persons per household, this would increase the existing population within the Specific Plan Area by approximately 8,621 residents for a total of 30,429 residents within the Specific Plan Area under full build out by 2046. Based on the General Plan standard of 3.0 acres of public parkland per 1,000 residents, the proposed project would require the dedication of approximately 91.3 acres of useable parkland to meet the standard. With the 6.7 acres of existing useable parkland, this would require a total of approximately 84.6 acres of new parkland to meet the level of service goal. The Recreation Alternative would slightly reduce the number of new residential units, as the vacant land would be utilized for park and recreation facilities instead of housing. Therefore, the potential residential growth under the Recreation Alternative would result in a slightly decreased demand for parks and recreation facilities as compared to the proposed project. However, while the Recreation Alternative would provide more parks and recreation facilities within the Specific Plan Area, it would not be able to fully meet the City's LOS goals to provide 3.0 acres per 1,000 residents.

Additionally, as the Tower District is a highly-developed and urban area, the vacant sites that could be utilized for potential parks and recreation facilities are not all readily available to the City or easily accessible to the general public. The vacant sites within the Specific Plan Area are constrained by the acreage of the parcels, and therefore could only be developed as pocket parks and would not meet the need for a neighborhood park (2-10 acres) or a community park (10-40 acres). The location of these parks would also be dependent on the vacant sites, which are not spread geographically

[1] City of Fresno. 2025. *Draft Tower District Specific Plan Update.* Website: https://www.fresno.gov/wp-content/uploads/2024/07/DRAFT-Tower-District-Specific-Plan_20240711_v2.pdf (accessed July 2025).

equally throughout the Specific Plan Area. Therefore, the potential parks would not serve all residents of the Tower District, as the service area radius for pocket parks is only up to 0.5-miles. As discussed in the PMP, parks and open spaces must feel inviting, comfortable, and safe in order to best serve the entire community.[2] Guidelines for the design of parks and open spaces should prioritize amenities that attract positive social activities, have high visibility and natural surveillance with clear lines of sight, create inviting park perimeters with clearly labeled entry and exit points, and be easily maintainable.

6.5.3 Overview of Potential Impacts Compared to Proposed Project

The Recreation Alternative would continue to implement the Specific Plan Update, with the provision to utilize vacant sites and dedicate additional land for the development of parks and recreation facilities. For the purpose of this analysis, it is assumed that all mitigation measures for implementation of the proposed Specific Plan Update would apply to the Recreation Alternatives and similar reductions in impacts would be achieved through such mitigation. The Recreation Alternative would continue to result in either no impacts or less than significant impacts related to aesthetics, agriculture and forestry resources, energy, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, transportation and traffic, utilities and service systems, and wildfire. The Recreation Alternative would also result in less-than-significant impacts after implementation of mitigation related to air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise, and tribal cultural resources.

However, under this Alternative, the City's LOS goal of 3.0 acres per 1,000 residents would still not be met, and the significant and unavoidable impact to recreation would remain. Therefore, the potential impacts of the Recreation Alternative are the same as the proposed project, with a significant and unavoidable impact to recreation.

6.5.4 Compatibility with Project Objectives

The Recreation Alternative would meet most of the Project Objectives, as it would continue to implement the Specific Plan Update, with a specific emphasis on the Project Objective to increase opportunities for recreation within walking distance of Tower District residents. However, as the potential sites for new park and recreation facilities may coincide with vacant lots that are included in the development capacity analysis for the Specific Plan Update, the Recreation Alternative would decrease the amount of potential future residential units. Therefore, the Recreation Alternative would not be consistent with the Project Objective to create housing opportunities within the Tower District.

6.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

State CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a project shall require the identification of an Environmentally Superior Alternative, and that if the No Project Alternative is the Environmentally Superior Alternative, then the EIR shall also identify an

[2] City of Fresno. 2024. *Fresno Parks Master Plan with the 2023 Technical Amendment*. Website: https://www.fresno.gov/parks/parksmasterplan/ (accessed July 2025).

Environmentally Superior Alternative among the other alternatives. Table 6.A provides, in summary format, a comparison of the level of impacts for each alternative to the proposed project. As shown in Table 6.A, the No Project Alternative would be the environmentally superior alternative as it would result in no new environmental impacts and would reduce some of the proposed project impacts. However, the No Project Alternatives would not meet the Project Objectives. Therefore, the Recreation Alternative would be the Environmentally Superior Build Alternative, as it has similar impacts as the proposed project and slightly reduced impact to recreation, even though it would not fully mitigate for the significant and unavoidable impact to recreation and would not fully attain all of the Project Objectives.

Table 6.A: Comparison of Alternatives

Environmental Topic	Level of Impact		
	Proposed Project *(after mitigation)*	**Alternative 1: No Project Alternative**	**Alternative 2: Recreation Alternative**
Aesthetics	Less Than Significant	Similar Impact	Similar Impact
Agriculture and Forestry Resources	Less Than Significant	Similar Impact	Similar Impact
Air Quality	Less Than Significant	Similar Impact	Similar Impact
Biological Resources	Less Than Significant	Similar Impact	Similar Impact
Cultural Resources and Tribal Cultural Resources	Less Than Significant	Similar Impact	Similar Impact
Energy	Less Than Significant	Similar Impact	Similar Impact
Geology and Soils	Less Than Significant	Similar Impact	Similar Impact
Greenhouse Gas Emissions	Less Than Significant	Similar Impact	Similar Impact
Hazards and Hazardous Materials	Less Than Significant	Similar Impact	Similar Impact
Hydrology and Water Quality	Less Than Significant	Similar Impact	Similar Impact
Land Use and Planning	Less Than Significant	Reduced Impact	Similar Impact
Mineral Resources	Less Than Significant	Similar Impact	Similar Impact
Noise	Less Than Significant	Similar Impact	Similar Impact
Population and Housing	Less Than Significant	Reduced Impact	Similar Impact
Public Services and Recreation	Significant and Unavoidable	Similar Impact	Slightly Reduced Impact
Transportation	Less Than Significant	Similar Impact	Similar Impact
Utilities and Service Systems	Less Than Significant	Similar Impact	Similar Impact
Wildfire	Less Than Significant	Similar Impact	Similar Impact
Attainment of Project Objectives	*Meets all of the Project Objectives*	*Meets none of the Project Objectives*	*Meets most of the Project Objectives*

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TOWER DISTRICT SPECIFIC PLAN UPDATE EIR
RESPONSE TO COMMENTS DOCUMENT

FRESNO, CALIFORNIA

STATE CLEARINGHOUSE NO. 2025050309

LSA

November 2025

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TOWER DISTRICT SPECIFIC PLAN UPDATE EIR
RESPONSE TO COMMENTS DOCUMENT

FRESNO, CALIFORNIA

STATE CLEARINGHOUSE NO. 2025050309

Submitted to:

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November 2025

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1.0 INTRODUCTION

1.1 PURPOSE OF THE RESPONSE TO COMMENTS DOCUMENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for the Tower District Specific Plan Update (proposed project) for the City of Fresno (City). The Draft EIR identifies the likely environmental consequences associated with implementation of the proposed project, and recommends mitigation measures to reduce potentially significant impacts. This Response to Comments (RTC) Document provides responses to comments on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to those comments or to make clarifications in the Draft EIR. This document, together with the Draft EIR, constitutes the Final EIR for the proposed project.

1.2 ENVIRONMENTAL REVIEW PROCESS

According to the California Environmental Quality Act (CEQA), lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

The City circulated a Notice of Preparation (NOP) to solicit input from responsible and trustee agencies regarding the scope and content of the Draft EIR, as well as identify potential areas of controversy. The NOP was published on May 7, 2025, and was distributed to local, regional, and State agencies. A scoping session for the preparation of the Draft EIR was held on May 27, 2025. Comments received by the City on the NOP were taken into account during the preparation of the Draft EIR.

The Draft EIR was made available for State responsible and trustee agencies and local public review for 45 days beginning on August 15, 2025, and ending on September 29, 2025. The Draft EIR and an announcement of its availability were posted electronically on the City's website, and hard copies were available for public review at Fresno City Hall and the Central Branch and Gillis Branch of the Fresno County Public Library. Additionally, a notice of the Draft EIR's availability was posted in the Fresno Bee.

During the public review period for the Draft EIR, the City received ten comment letters. Copies of all written comments received during the comment period are included in Appendix L, Public Comment Letters on the Draft EIR, of this document.

1.3 DOCUMENT ORGANIZATION

This RTC Document consists of the following chapters:

- **Chapter 1.0: Introduction**. This chapter discusses the purpose and organization of this RTC Document and summarizes the environmental review process for the project.

- **Chapter 2.0: Draft EIR Commenters**. This chapter contains a list of agencies and organizations who submitted written comments on the Draft EIR during the public review period.

- **Chapter 3.0: Comments and Responses**. This chapter contains a matrix that includes text of each CEQA-related comment received on the Draft EIR during the public review period, and a written response to each comment. Reproductions of all comment letters are included in Appendix E, Public Comment Letters on the Draft EIR.

- **Chapter 4.0: Draft EIR Text Revisions**. Corrections to the Draft EIR that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft EIR, are contained in this chapter. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

2.0 DRAFT EIR COMMENTERS

This chapter presents a list of comment letters received during the public review period and describes the organization of the letters and comments that are provided in Chapter 3.0, Comments and Responses, of this document.

2.1 ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Chapter 3.0 includes a matrix of each CEQA-related comment received on the Draft EIR during the public review period, and a written response to each comment. Reproductions of all comment letters are included in Appendix L, Public Comment Letters on the Draft EIR. The written comments are grouped by the affiliation of the commenter, as follows: State Agencies (A), Local Agencies (B), and Organizations and Interested Parties (C). The comment letters are numbered consecutively following the designations defined below:

State Agencies	A
Local Agencies	B
Organizations and Interested Parties	C

Comment letters are numbered and comments within each letter are numbered consecutively after the hyphen.

2.2 LIST OF COMMENTERS ON THE DRAFT EIR

Table 2.A provides a list of the State agencies, local agencies, and organizations and interested parties that commented on the Draft EIR prior to the close of the public comment period. The comments received have been organized by date received and in a manner that facilitates finding a particular comment or set of comments. Each comment letter received is indexed with a number below.

Table 2.A: List of Comments Received

State Agencies		
A1	California Department of Transportation, District 6	August 25, 2025
A2	California Department of Fish and Wildlife	September 29, 2025
Local Agencies		
B1	County of Fresno Department of Public Works and Planning – Water and Natural Resources Division	August 15, 2025
B2	Fresno Irrigation District	September 11, 2025
B3	San Joaquin Valley Air Pollution Control District	September 26, 2025
B4	Fresno Metropolitan Water Control District	September 29, 2025
Organizations and Interested Parties		
C1	Producers Dairy Foods, Inc	September 19, 2025
C2	Business Owners (La Tapatia, Patton, and Producers)	September 29, 2025
C3	South Tower Community Land Trust	September 29, 2025
C4	Diana Diehl	September 29, 2025
C5	Neva Popenoe	September 29, 2025

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3.0 COMMENTS AND RESPONSES

Written responses to the comment letters received on the Draft Environmental Impact Report (Draft EIR) are provided in this chapter. The letters received during the public review period on the Draft EIR are provided in their entirety with responses to each individual comment also provided.

Please note that text within the letters that has not been numbered does not raise environmental issues or relate to the adequacy of the information or analysis within the Draft EIR and, therefore, no comment is enumerated or response required, per California Environmental Quality Act (CEQA) Guidelines Section 15132. In addition, when general support or opposition is given for the project, that comment is noted but no further analysis is provided in the response as the commenter is not questioning the adequacy of the information or analysis within the Draft EIR.

Where comments on the Draft EIR concern issues requiring technical expertise such as those related to air quality, the responses to comments, like the initial analysis in the Draft EIR, relies on the knowledge and professional analysis of qualified experts. This chapter also includes a Master Response intended to address comments related to a particular theme. In this case, a Master Response is included to provide a discussion of comments on the Project Description and the merits of the proposed project.

Where revisions to the Draft EIR text are called for, the page is set forth, followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~strikeout~~ text. Text revisions to the Draft EIR are included in Chapter 4.0 of this Response to Comments (RTC) Document. Information provided in this RTC Document clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the comments received, and no significant new information has been added that would require recirculation of the document pursuant to State CEQA Guidelines, Section 15088.5.

3.1 MASTER RESPONSE: PROJECT DESCRIPTION AND PROJECT MERITS

Often during review of an EIR, members of the public raise issues that relate to the project itself or the project's community consequences or benefits (referred to here as "project merits"), rather than the environmental analyses or associated impacts and mitigation measures raised in the EIR. Comments received on the Draft EIR that raised issues related to project merits include implementation of the Specific Plan Update and Design Standards and Guidelines. Lead Agency review of both environmental issues and project merits are important in the decision of what action to take on a project, and both are considered in the decision-making process for a project. However, a Lead Agency is only required by CEQA to respond to comments regarding significant environmental issues.

In accordance with Sections 15088 and 15132 of the CEQA Guidelines, a Final EIR must include a response to comments on the Draft EIR pertaining to significant environmental issues analyzed under CEQA. Several of the comments provided in response to the Draft EIR express an opinion about the components of the project or provide recommendations regarding the proposed project,

but do not pertain to the adequacy of the analysis or conclusions in the Draft EIR. Rather, these opinions relate to the merits of the project.

Section 15204 of the CEQA Guidelines provides direction for parties reviewing and providing comment on a Draft EIR, as follows:

> *In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.*

Section 15204 continues in relation to the role of lead agencies responding to comments:

> *When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

Therefore, in accordance with Section 15204, the City is not required to respond to comments that express an opinion about the project merits and do not relate to environmental issues covered in the Draft EIR. Although such project merits opinion comments received during the EIR process do not require responses in the EIR, as previously noted, they do provide important input to the process of reviewing the project overall and will be considered by City decision-makers.

3.2 COMMENTS AND RESPONSES MATRIX

Table 3.A includes all CEQA-related comments received on the Draft EIR and a response to each comment. The text of each comment has been included in the matrix and includes any grammatical errors included in the original comment letter. Each comment letter is included in its entirety in Appendix L, Public Comment Letters on the Draft EIR.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
State Agencies		
A1	**California Department of Transportation, District 6**	
A1-1	The California Department of Transportation (Caltrans), District 6 appreciates the opportunity to review and provide comments on the Notice of Availability (NOA) for the Environmental Impact Report (EIR) for the Tower District Specific Plan Update. Our comments are submitted pursuant to the California Environmental Quality Act (CEQA) and in our role as a responsible agency with jurisdiction over the State Highway System (SHS), particularly State Route 180 (SR-180), which lies within the Specific Plan boundaries. The Specific Plan area is generally bounded by State Route (SR) 180 to the south, Blackstone Avenue to the east, Shields Avenue to the north, and Fruit Avenue and Union Pacific Railroad tracks to the west. As such, Caltrans has a direct interest in ensuring that proposed development does not adversely affect the operation or safety of the SHS.	This comment provides an introduction to the comment letter and briefly summarizes the location of the Specific Plan Area in relation to the State Highway System. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A1-2	The Specific Plan Objective C 4.2 states, "Initiate pedestrian improvements at the SR 180 Access Ramps." Caltrans recognizes the importance of complete streets in supporting our mission to provide a safe and reliable transportation network that serves all people and respects the environment. Early involvement with Caltrans is recommended for City of Fresno complete street improvements on Fulton Street, Van Ness Avenue, and Belmont Avenue near the SR 180 access ramps. Caltrans Design Information Bulletin (DIB) Number 94, issued in accordance with the Director's Policy on Complete Streets (DP-37), is a document that provides flexibility in the design of context-sensitive facilities that serve travelers of all ages and abilities, and would be beneficial guidance in the development of City complete street projects.	This comment is regarding Objective C 4.2 from the Specific Plan related to pedestrian improvements at the SR-180 Access Ramps. All future transportation improvements, including those implemented as part of future development projects, would be required to undergo environmental review under CEQA. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A1-3	Also, it is important that the City of Fresno considers potential transportation safety impacts to the State Highway System during the Local Development Review (LDR) process. The February 2024 Caltrans Local Development Review Safety Practitioner's Guidance, provides guidance for analyzing the safety impacts of proposed land use projects and plans on local roadways and prioritizes vulnerable road.	All future transportation improvements, including those implemented as part of future development projects, would be required to undergo environmental review under CEQA related to safety. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
A1-4	The Draft EIR identifies several areas of controversy based on input received during the scoping process, including queueing near SR 180 ramps, increased vehicle miles traveled (VMT), and consistency with Statewide Transportation and Climate Plans. Caltrans supports the City's identification of these issues and recommends that the Final EIR provide additional clarity on how the Specific Plan Update will address them. This will ensure protection of the SHS and alignment with state and regional transportation objectives.	Pursuant to Senate Bill (SB) 743, the City of Fresno adopted the City of Fresno Vehicle Miles Traveled (VMT) thresholds on June 25, 2020, which went into effect on July 1, 2020. The City's VMT thresholds were prepared and adopted consistent with State CEQA Guidelines Section 15064.3 and 15064.7. City of Fresno VMT Thresholds Section 3.1, regarding Development Projects, states that if a project constitutes a General Plan Amendment or a Rezone, none of the screening criteria may apply, and that the City must evaluate such projects on a case-by-case basis. All future development facilitated by the proposed project would be required to evaluate potential traffic and transportation impacts and undergo separate environment review under CEQA.
A2	**California Department of Fish and Wildlife**	
A2-1	The California Department of Fish and Wildlife (CDFW) received a DEIR from City of Fresno, as Lead Agency, for the above-referenced Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.	This comment provides an introduction to the comment letter and summarizes the role of the California Department of Fish and Wildlife (CDFW) in reviewing the Draft EIR as a Responsible Agency under CEQA. However, this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-2	CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, reasonably foreseeable future projects may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of reasonably foreseeable future projects may result in "take" as defined by State law of any species	This comment further elaborates on the role of CDFW in reviewing the Draft EIR as a Responsible Agency under CEQA. This comment also identifies issues under the proposed project which may be under the jurisdiction of CDFW. However, this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required. Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).	
A2-3	PROJECT DESCRIPTION SUMMARY Proponent: City of Fresno Objective: The purpose of the proposed Project is to update the 1991 Tower District Specific Plan to create new housing, commercial, and recreational opportunities in the City of Fresno's Tower District. The proposed Project Update maintains the guiding principles from the 1991 Specific Plan while allowing for additional infill development, multi-unit housing, enhanced parks and public facilities, and the restoration and redevelopment of existing structures Location: The Tower District (District) is an approximately 1,869-acre area located immediately north of Downtown Fresno and the State Route (SR) 180 freeway, and one mile east of the SR-99 corridor. The Tower District Specific Plan Area is centrally located within Fresno and is generally bounded by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west.	This comment briefly summarizes the CDFW's understanding of the proposed project and the location of the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-4	COMMENTS AND RECOMMENDATIONS CDFW offers the following comments and recommendations to assist the City of Fresno to adequately identify and/or mitigate the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial Comments or other suggestions may also be included to improve the CEQA document prepared for this Project. Aerial imagery and information included in the DEIR indicate that the Project area is primarily composed of existing residential housing, as well as commercial, public institutions such as schools, and pockets of industrial uses. The highly disturbed nature of the Updated Plan area and the lack of suitable habitat limit the occurrence potential for plants and wildlife; however, the Biological Resource	This comment provides an introduction to CDFW's comments on the Draft EIR. This comment questions the sufficiency of the mitigation measures included in the Draft EIR related to the Western mastiff bat and nesting bird species, this comment does not provide specifics. Subsequent comments provide specifics comments. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	Evaluation (BRE) confirmed one special-status species with known or with potential to occur in the Biological Study Area (BSA), which included the Specific Plan Updated Area and a 500-foot buffer. Additionally, the BSA indicates that the Project area contains suitable habitat that could support a variety of ground-and tree-nesting bird species. Mitigation Measures BIO-1a and BIO-1b included in the DEIR may not be sufficient to minimize potential impacts to Western mastiff bat (Eumops perotis californicus) and nesting bird species protected under the Migratory Bird Treaty Act and California Fish and Game Code. CDFW recommends the following measures be incorporated in the Final Environmental Impact Report (FEIR) and implemented prior to initiation of construction activities associated with the Project.	
A2-5	Comment 1: Western Mastiff Bat The DEIR notes that trees throughout the BSA could provide suitable roosting and foraging habitat for western mastiff bat (WMB). The WMB occurs in a wide variety of habitats including urban habitats. The WMB roosts in crevices on cliff faces, high buildings, trees, and tunnels. CDFW concurs with the activities intended to minimize potential Project impacts to WMB included in BIO-1a. However, for activities that will not require tree removal, CDFW recommends the FEIR include a 100-foot no-disturbance buffer to be placed around the identified bat roosts. If a maternity colony is identified, a 500-foot no disturbance buffer be placed around the roost until the young are no longer reliant on parental care. Additionally, the FEIR should require installation of new roost sites to be installed prior to the initiation of Project related activities to allow enough time for bats to relocate and attenuate.	This comment is regarding the mitigation measure for Western Mastiff Bats (MM BIO-1a). Mitigation measure BIO-1a is revised as follows: **Mitigation Measure BIO-1a Avoidance Measures for Bats.** 1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees ~~to be removed during construction~~ within 500 feet of the construction footprint for suitability as bat roosts. If a tree planned for removal is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately. 2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats: a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs). b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours). For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.
A2-6	Comment 2: Nesting Birds CDFW concurs with the pre-activity nesting bird surveys described in Mitigation Measure BIO-1b. Additionally, CDFW recommends that Project construction be timed to avoid the bird breeding season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the entity carrying out a specific project is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes. CDFW recommends that a qualified biologist conduct a habitat assessment and analysis of impacts to nesting birds as part of the biological technical studies prior to approval of subsequent projects resulting from this DEIR. Prior to ground-disturbance activities, surveys for active nests should be conducted, regardless of the initial results, no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests, that could potentially be	This comment states that CDFW concurs with the nesting bird surveys in Mitigation Measure BIO-1b, and recommends project construction avoid the bird breeding season, and implement specific avoidance measures if construction must occur during breeding season. As described in Mitigation Measure BIO-1b on page 4.2-26 of the Draft EIR, If construction activities occur during the nesting season (February 15 to August 31), a qualified biologist must survey the site within seven days prior to work and establish appropriate buffers (250 feet for songbirds and 500 feet for raptors, excluding Swainson's hawk). If active nests are discovered, a biologist-determined avoidance buffer of 50 to 350 feet will be required and maintained until the young are independent, with the biologist authorized to halt work if birds show signs of distress. Therefore, Mitigation Measure BIO-1b is sufficient as is and has not been revised.

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	impacted, are detected. As noted in the Mitigation Measure, surveys should cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures. Further, if continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.	
A2-7	Editorial Comments and/or Suggestions Lake and Streambed Alteration: The DEIR notes that Dry Creek Canal traverses the southern portion of the Project area. Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq., even when heavily modified. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation): (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are	This comment explains the requirements for notifying CDFW in the event that a project would substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority. Future development under the proposed project would be required to comply with all applicable permits and regulatory standards, including those established by CDFW or other trustee/responsible agencies determined to have jurisdiction over the project. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	perennial and may include those that are highly modified such as canals and retention basins. CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSAA issuance. For information on notification requirements, please refer to CDFW's website (https://wildlife.ca.gov/Conservation/LSA) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593.	
A2-8	ENVIRONMENTAL DATA CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to the CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to the CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.	This comment requests that any information developed as a part of subsequent environmental documentation be incorporated into a database. This comment is noted, and, as future site-specific analyses are conducted consistent with Mitigation Measure BIO-1a or and Mitigation BIO-1b, qualified biologists are expected to comply with all applicable reporting site-specific information. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-9	FILING FEES The Project and/or subsequent projects resulting from this DEIR, could have an impact on biological resources, and an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089)	This comment notes the requirement for the payment of filing fees associated with filing of a Notice of Determination (NOD) for the Draft EIR and any subsequent environmental documentation. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
A2-10	CONCLUSION CDFW appreciates the opportunity to comment on the DEIR to assist the City of Fresno in identifying and mitigating Project impacts on biological resources.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental

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	More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). If you have any questions regarding this letter or further coordination, please contact Marile Colindres, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 974-3452, or by electronic mail at marile.colindres@wildlife.ca.gov.	issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
Local Agencies		
B1	**County of Fresno Department of Public Works and Planning – Water and Natural Resources Division**	
B1-1	The County recommends project specific traffic analysis should also include nearby County maintained roads, such as N. Palm Avenue and N. Van Ness Blvd., which may be affected by the development approved by the City of Fresno. An analysis of these roads would help evaluate the project's impact on existing and future traffic and determine if and/or when additional infrastructure is needed.	This comment recommends project specific future traffic analysis at nearby County maintained roads. All future transportation improvements, including those implemented as part of future development projects, would be required to undergo environmental review under CEQA. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2	**Fresno Irrigation District**	
B2-1	The Fresno Irrigation District (FID) has reviewed the Notice of Availability of an Environmental Impact Report for the Tower District Specific Plan (Project). We appreciate the opportunity to review and comment on the subject documents for the proposed project. FID's comments are as follows:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-2	Impacted Facilities 1. FID has a canal within the Project Area as shown on the attached FID exhibit map. The facility is Dry Creek Canal No. 75. FID's canals range from smaller diameter pipelines to large open canals. In most cases, the existing facilities will need to be upgraded to meet then-current urban standards and increase accessibility. FID will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Fresno	This comment expresses concern regarding potential impacts to Fresno Irrigation District (FID) facilities as a result of implementation of the proposed project. The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts regarding hazards and hazardous materials, hydrology and water quality, and land use and planning. The analysis included in the Initial Study determined that all potential impacts related to these topics, as they related to existing FID infrastructure, to be less than

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	and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements. a. Large Canal Crossing - The Dry Creek Canal No. 75 is a large canal and will more than likely be too large to be contained within a pipeline. Development impacts to this facility shall require designs that protect the canal's integrity for an urban setting including the need for access and full right-of-way widths for FID's operations and maintenance needs.	significant. Future development under the proposed project would be required to complete site specific analyses, and comply with all existing applicable regulations, policy agreements, permitting requirements, and mitigation measures. This includes all required and applicable permits, reviews, and approvals from the City of Fresno, Fresno Metropolitan Flood Control District (FMFCD), FID, and any other responsible or trustee agency with jurisdiction over the proposed project.
B2-3	2. FID's facility within the Planning Area carries irrigation water for FID users and recharge water for the City of Fresno, during the irrigation season and flood waters during the winter months.	This comment provides clarity on FID's facilities withing the Specific Plan Area and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-4	3. Canal Access - FID will continue to access the Canal from public roads. In order to access the maintenance bank with our larger equipment, FID requires a drive approaches wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive banks. The 50-foot width is defined as starting from the end portion of a bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc. a. If guard railings extend beyond attachment points at each wing-wall, they will obstruct FID's access to the canal and additional right-of-way will need to be acquired. FID will require the developer demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20-feet from the canal hinge on both sides of the canal, and FID will require the developer acquire and dedicate to FID exclusive easements for this purpose.	This comment provides information regarding operations and maintenance of FID facilities. See response to Comment B2-2 regarding environmental documentation for future development facilitated by the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-5	4. Canal Banks - If there will be any work on canal banks, the following will apply: a. All in-channel disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.	This comment provides information regarding operations and maintenance of FID facilities. See response to Comment B2-2 regarding environmental documentation for future development facilitated by the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise

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	b. Drive banks must be sloped a minimum of 2% away with a maximum of 4% from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives outside FID's easements/property. c. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the City's project limits.	environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-6	5. Trail - It is FID's understanding that many trails are master-planned within the Project Area. The following requirements are intended for trail projects adjacent to FID-owned properties and rights-of-ways for open canals: a. FID will not allow the trail easement to be in common use with FID-owned property or easements. b. FID requires all trail improvements be placed outside of FID-owned properties and easements. c. FID will not allow any portion of a tree canopy to encroach within its properties or easements. d. Fl D's canals will not accept any drainage from the trail or the canal bank. e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development. f. City parks that are adjacent to open canals are treated the same as trails, therefore the same requirements shall apply.	This comment provides information regarding operations and maintenance of FID facilities. See response to Comment B2-2 regarding environmental documentation for future development facilitated by the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-7	Water Supply Impact 1. The document must consider whether the City's Water Master Plan may impact the developments within the Planning Area. The report must consider and evaluate the City's growth within the planning area and any other concerns including climate change, and whether the City's Water Master Plan can still provide the necessary guidance for the City.	This comment expresses concern regarding the proposed project's potential impacts on the City's water supply. The City prepared a Water Supply Assessment (WSA) for the proposed project, which is included as Appendix K of the Draft EIR. The purpose of the WSA is to comply with the provisions of SB 610, which requires lead agencies to show that there is sufficient water available to supply the proposed project, along with the existing and other planned development, for 20 years. The WSA evaluated impacts on water supply based on the proposed project, including the proposed land use changes within the Planning Area, and found the proposed project would have no significant impact on the City's water supplies through the horizon year of 2045. The Draft EIR adequately evaluated the proposed

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		project's potential impacts on water supply, and no further analysis or mitigation is required.
B2-8	2. The City of Fresno has implemented many of the projects previously proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.	See response to Comment B2-7 regarding the WSA that was prepared for the proposed project. Evaluating potential benefits of previously constructed projects is not within the scope of the WSA nor the EIR for the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-9	3. Any changes in land use should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.	See response to Comment B2-7 regarding the WSA prepared for the proposed project.
B2-10	4. If treated surface water will be used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.	See response to Comment B2-7 regarding the WSA prepared for the proposed project.
B2-11	5. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.	See response to Comment B2-7 regarding the Water Supply Assessment prepared for the proposed project.

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B2-12	6. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA.	See response to Comment B2-7 regarding the WSA prepared for the proposed project.
B2-13	Thank you for making available to us the Notice of Preparation of a Program Environmental Impact Report for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B2-14	Attachment: Map showing FID Dry Creek No. 75	This comment shows the map of the FID Dry Creek No 75 in relation to the project area, as referenced in Comment B2-2. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3	**San Joaquin Valley Air Pollution Control District**	
B3-1	The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Fresno (City) for the Tower District Specific Plan Update. Per the DEIR, the project consists of providing strategic and comprehensive guidance for making decisions regarding built environment and landscape character, land use activities, public open space, community facilities and transportation (Project). The Project area is located East Shields Avenue to the north, North Blackstone Avenue to the east, State Route 180 to the south, North Fruit Avenue and Union Pacific Railroad tracks to the west, in Fresno, CA. A portion of the Project lies within one of the communities in the state selected by the California Air Resources Board (CARB) for investment of	This comment provides an introduction to the comment letter and briefly summarizes the commenter's understanding of the proposed project. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities. See Figure 1 below.	
B3-2	Figure 1 shows the boundaries of the South Central Fresno AB617 Community.	This comment shows the boundaries of the South Central Fresno AB617 Community. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-3	The District offers the following comments at this time regarding the Project: 1) Ongoing Commitment to Strengthen Working Relationship The District appreciates the City's ongoing commitment to strengthen the working relationship with the District, in identifying and mitigating impacts on air quality through the California Environmental Quality Act (CEQA) review process. Consistent with this cooperative effort and in order to address air quality impacts and concerns prior to future development projects occurring, the District recommends that the City develop administrative mechanisms and policies that ensure consistency in providing the District with information about projects under consideration by the City, such as land use designation, project size, and proximity to sensitive receptors and existing emission sources. To aid the City in determining a project's potential impacts, the District recommends the City provide an assessment evaluating potential project construction and operation related to air quality impacts to the District as early as possible. Additionally, the District is available to work with the City and project applicants on future development projects to address air quality impacts and concerns. The District encourages the City to include guidance in relevant planning documents or development review procedures that advises project applicants to reach out and work with the District. The District's goal is to assist with enhancing project designs in the early stages of the planning process for a better overall project with minimized impact on air quality and early identification of feasible mitigation measures.	This comment recommends that the City provide an assessment evaluating potential project-level construction and operation related to air quality impacts, and recommend the City develop framework to ensure cooperation and consistency with SJVAPCD requirements. As noted in the Draft EIR, beginning on page 4.1-23, there are several objectives and policies in the City's General Plan which establish a blueprint for ensuring physical development within the city is properly evaluated for all potential air quality impacts, and that the City maintains direct coordination with SJVAPCD to achieve compliance with State and federal air quality standards for criteria air pollutants, consistent with the District's goal of minimizing air quality impacts. As noted on page 4.1-32 of the Draft EIR, implementation of the proposed project would result in many individual development projects for which information regarding specifics are currently unknown. As shown in Table 4.1.G and 4.1.H, construction and operational emissions for buildout of the proposed project would not exceed the SJVAPCD annual significance thresholds. Future development under the proposed project would be required to complete site-specific analysis to assess any potential impacts related to air quality. Compliance with SJVAPCD regulatory measures, including Regulation VIII, Rule 9510, and construction best practices, would further ensure construction emissions remain less than significant. Implementation of the proposed project would also be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24 and CALGreen Code

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		standards. These regulatory measures would be required through the implementation of the project. and the City will maintain active coordination with SJVAPCD in evaluating a project's consistency with all applicable air quality standards as required by the City's General Plan.
B3-4	2) Land Use Planning Nearly all development projects within the San Joaquin Valley Air Basin, from the Tower District Specific Plan Update to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the Project incorporate strategies that reduce VMTs and require the cleanest available heavy duty trucks, vehicles, and off-road equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf	This comment provides references to land use planning decisions and strategies that have been proven to be beneficial for air quality. The land use planning decisions provided in this comment do not change the findings of the Draft EIR. This comment recommends the proposed project incorporate VMT reduction strategies through efficient land use design including mixed-use development, supporting walkable communities, and requiring the cleanest available heavy duty trucks, vehicles, and off-road equipment. The proposed project supports mixed-use development within the Planning Area, and supports the preservation and improvement of walkability within the Tower District. Additionally, Mitigation Measure GHG-1 would require site-specific analysis for development under the proposed project, and requires that where feasible, future projects be consistent with the following design elements: ● Projects shall not include natural gas appliances or natural gas plumbing; projects shall achieve a reduction in project-generated VMT below the regional average consistent with the current version of the 2022 Scoping Plan (currently 15 percent) or meets the City's locally adopted target reduction (13 percent reduction); ● Projects shall not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines; projects must achieve compliance with EV requirements in the most recently adopted version of CALGreen Tier 2. Further, refer to the Master Response for a discussion of comments on the Project Description and project merits.
B3-5	3) Assembly Bill 617	This comment states that proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the

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	AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The South Central Fresno AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP. Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the South Central Fresno Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020. During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them in the Project, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP. For more information regarding the CERP approved for South Central Fresno, please visit the District's website at: https://community.valleyair.org/selected-communities/south-central-fresno	community that may exacerbate the cumulative exposure burden for community residents. The comment provides a reference to the Community Emission Reduction Program (CERP) approved for South Central Fresno and encourages the City to further assess the emission reduction measures and strategies contained in the CERPS and address them in the Project. As discussed under Impact AIR-3 of the Draft EIR beginning on page 4.1-36, development under the proposed project that would emit Toxic Air Contaminants (TACs) would require review under SJVAPCD rules and regulations or review under CEQA, especially if located near sensitive receptors. Mitigation Measure AIR-1c requires that sensitive land uses should be located to avoid conflicts with the buffer distances recommended in the CARB Air Quality and Land Use Handbook. If such uses fall within these buffers, projects must either install enhanced filtration or prepare a Health Risk Assessment, with mitigation required if SJVAPCD thresholds are exceeded. This mitigation measure is consistent with the goals of the CERP to reduce air exposure in impacted disadvantaged communities. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-6	4) Construction Emissions The District recommends, to further reduce impacts from construction-related diesel exhaust emissions, future development projects should utilize the cleanest available off-road construction equipment.	This comment recommends future development projects should utilize the cleanest available off-road construction equipment. Neither the City nor SJVAPCD currently have established thresholds for evaluating potential impacts related to greenhouse gas (GHG) emissions during construction. As discussed in Section 4.1, Air Quality, of the Draft EIR, future projects which require discretionary approval under CEQA would be required to implement Mitigation Measure AIR-1a which requires the preparation of a Health Risk Assessment (HRA) as well as proper maintenance of construction equipment pursuant to CARB standards. Additionally, construction

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		related emissions are discussed in Section 4.4, Greenhouse Gas Emissions, of the Draft EIR. A CalEEMod analysis was prepared for the proposed project to quantify GHG emissions for both construction and operations associated with buildout of the proposed project and are included as Appendix E of the Draft EIR. The Draft EIR includes Mitigation Measure GHG-1, which requires project applicants to prepare a technical assessment to analyze GHG impacts, and comply with established GHG thresholds if the City or SJVAPCD adopts thresholds for evaluating construction-related GHG impacts. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-7	5) Health Risk Screening/Assessment Currently, Mitigation Measure AIR-1b only requires environmental evaluation of development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. In urban areas, sources such as gasoline service stations, autobody shops, and metal fabricators have the potential to cause significant health impacts due to their operational emissions. Therefore, the District recommends that this mitigation measure be applied to all non-residential sources where operations have the potential to emit toxic air pollutants, regardless of the number truck trips and distance to sensitive receptors/land use.	This comment recommends modifications and additions to Mitigation Measure AIR-1b in the Draft EIR. Implementation of the proposed project, including all potential non-residential development projects, would be required to adhere to all federal, State, and local requirements such as Title 24 and CALGreen Code standards. These regulatory measures would be required through the duration of the proposed project. Furthermore, large individual projects that exceed the SJVAPCD air quality thresholds would be required to include feasible mitigation measures that reduce a significant impact. The future mitigation measures could include additional onsite controls or off-site mitigation fees that reduce emissions to less-than-significant level. As described on page 4.1-43 of the Draft EIR, implementation of Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would serve to ensure that emissions due to the implementation of the proposed project are assessed to determine if they would expose sensitive receptors to potentially significant impacts from TAC emissions. To avoid incompatibilities with the CARB's recommended Air Quality and Land Use Handbook, sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook (Table 4.1.I) shall provide enhanced

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		filtration units or submit a HRA to the City. These land uses include gasoline service stations, autobody shops, and metal fabricators. Therefore, Mitigation Measure AIR-1b has not been revised.
B3-8	6) Ambient Air Quality Analysis An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant. An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambien Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: https://ww2.valleyair.org/permitting/ceqa/.	The comment recommends an ambient air quality analysis (AAQA) using a dispersion model for projects that exceed 100 pounds per day of any pollutant. Potential impacts to air quality as a result of the proposed project are discussed in Section 4.1, Air Quality, of the Draft EIR. Future development under the proposed project which requires discretionary approval would be required to prepare site-specific analysis. Additionally, future development would be required to adopt Mitigation Measure AIR-1a, which would include the preparation of an HRA for projects requiring discretionary approval.
B3-9	7) Allowed Uses Not Requiring Project-Specific Discretionary Approval In the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the Tower District Specific Plan Update include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.	This comment recommends that the proposed project include language that requires future projects that are not subject to discretionary approval to prepare a technical assessment, in consultation with SJVAPCD, to determine if additional analysis and/or mitigation is required. As noted on page 4.1-32 of the Draft EIR, implementation of the proposed project would result in many individual development projects for which information regarding specifics are currently unknown. Recognizing the need for coordination and permitting requirements, the City has identified General Plan Policy RC-4-d: Forward Information, which requires the City to forward information regarding proposed development proposals that require air quality evaluation to the SJVAPCD for review and identification of any permitting requirements. Future project applicants would be required to incorporate mitigation

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		measures to reduce air pollutant emissions during operational activities.
B3-10	8) Truck Routing Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. The District recommends the City evaluate HHD truck routing patterns for future development projects, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.	This comment recommends that the City evaluate Heavy Heavy-Duty (HHD) truck routing patterns for future development projects. Truck routing patterns and associated emissions would be evaluated consistent with the operational analysis requirements of Mitigation Measure AIR-1b, which states the city will evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use; such projects will be required to submit a HRA to the City Department of Development and Resource Management. Further, Mitigation Measure AIR-1c states that sensitive land uses should be sited to avoid conflicts with the buffer distances recommended in the CARB Air Quality and Land Use Handbook. If such uses fall within these buffers, projects must either install enhanced filtration or prepare a HRA, with mitigation required if SJVAPCD thresholds are exceeded. Future projects would also be subject to the City's updated guidance on VMT analysis. No changes to the Draft EIR are required. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-11	9) Cleanest Available Heavy-Duty Trucks The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.	This comment recommends the inclusion of additional mitigation measures to reduce operational related emissions. Implementation of the proposed project would be required to adhere to all federal, State, and local requirements. Project applicants would be required to identify applicable mitigation measures based on current technology at the time a development is proposed in order to reduce potential emissions to less-than-significant levels. Mitigation measures would be implemented and made enforceable as applicable on a project-by-project basis during the discretionary review process.

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	For future development projects, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions: • Recommended Measure: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies. • Recommended Measure: All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.	All potential measures would be considered, consistent with SJVAPCD guidance. Furthermore, Mitigation Measure AIR-1b would require future development project applicants to prepare and submit technical evaluations of a project's operation-related health risk impacts in conformance with SJVAPCD methodology and identifies best available control technologies for toxics (T-BACTs) that would serve to further reduce impacts associated with HHD trucks. No changes to the Draft EIR are required.
B3-12	10) Reduce Idling of Heavy-Duty Trucks The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts. If future development projects are expected to result in HHD truck trips, the District recommends the Tower District Specific Plan Update include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.	This comment recommends the project include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discusses the importance of limiting the amount of engine idling, especially near sensitive receptors. Page 4.1-39 of the Draft EIR includes a discussion of TACs and their potential impacts on sensitive receptors, including TACs generated from off-road equipment use and truck engine idling. Land use projects are required to comply with AB 2588 and CARB standards for diesel engines. Additionally, the proposed project would be required to adhere to CARB's Regulation for In-Use Off-Road Diesel-Fueled Fleets (Off-Road Regulation), which includes a limit on unnecessary idling by restricting vehicles and other engines to no more than 5 consecutive minutes of engine idling. These regulatory measures would be required through the duration of implementation of the proposed project. Furthermore, Mitigation Measure AIR-1b would require future development under the proposed project that requires discretionary approval to conduct site-specific analysis to determine potential air quality impacts. This includes future projects which would have the potential to generate 100 or more truck trips per day, or have 40 or more trucks with operating diesel-powered transport refrigeration units. These projects would be required to implement Mitigation Measure AIR-1b which requires the inclusion of appropriate enforcement mechanisms to reduce impacts to air quality, including restricting idling.

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B3-13	11) Under-fired Charbroilers Future development projects have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors. Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns. Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the Tower District Specific Plan Update include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers. The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/	This comment warns of the immediate health risk associated with under-fire char broilers and recommends the project to include measures related to installation of control systems for new restaurants with under-fired char broilers. All future development proposals that contain under-fired char broilers will be evaluated for consistency with SJVPACD Rule 4692 for commercial charbroiling and will be evaluated for potential health effects during the discretionary review process. No changes to the Draft EIR are required.
B3-14	12) Vegetative Barriers and Urban Greening For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).	This comment recommends that the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors. The information provided in this comment is noted. The recommendation provided in this comment does not change the findings of the Draft EIR. The Draft EIR included the reference to the California Air Resources Board's (CARB) Air Quality and Land Use

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	While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.	Handbook: A Community Health Perspective, and the recommended buffer distances have been incorporated into future analysis requirements as outlined in Table 4.1.I and Mitigation Measure AIR-1c. Mitigation Measure AIR-1c is consistent with the goal of locating sensitive land away from major sources of air pollution, including TACs. Furthermore, project applicants would be required to identify applicable mitigation measures in order to reduce emissions to less-than-significant levels. Mitigation measures would be implemented and made enforceable as applicable at the project level during the discretionary project review process. No changes to the Draft EIR are required.
B3-15	13) Clean Lawn and Garden Equipment in the Community If future development projects consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/ and https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/.	This comment provides information on SJVAPCD's Clean Green Yard Machines program which includes potential funding sources for electric lawn care equipment. Refer to the Master Response for a discussion of comments on the Project Description and project merits. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-16	14) On-Site Solar Deployment It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Tower District Specific Plan Update.	This comment addresses State requirements regarding the adoption on-site solar development and suggests requiring solar systems as an emission reduction strategy. The Specific Plan includes policies to support the adoption of solar energy systems withing the Tower District. Refer to the Master Response for a discussion of comments on the Project Description and project merits. Implementation of the proposed project would be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24 and CALGreen Code standards which establish minimum efficiency standards related to various building features, including solar requirements. This comment addresses the Specific Plan itself and

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		does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-17	15) District's Bikeway Incentive Program Bikeways installation projects can achieve reduction in VMT and they may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at: https://ww2.valleyair.org/grants/bike-paths/ Guidelines and Project Eligibility for the grant program can be found at: https://ww2.valleyair.org/media/drpijuw1/bikeway-program-guidelines-62515.pdf	This comment provides information related to the District's Bikeway Incentive Program. Transportation impacts are addressed in the Initial Study included as Appendix C of the Draft EIR. The proposed project would support multimodal transportation cycling and the construction of bike lanes. This comment regarding the District's grant program is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-18	16) District Rules and Regulations The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes. The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit	This comment provides information on SJVAPCD's permits and permitting requirements. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.	
B3-19	16a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT). Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements. Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit. For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.	This comment provides information on District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). Rule 2201 and permitting requirements of the District are discussed on pages 4.1-29 of the Draft EIR. The Draft EIR acknowledges that any new or modified stationary/industrial source would be required to provide emission controls and offsets. The further information provided in this comment is noted, but no changes to the Draft EIR are required.
B3-20	16b) District Rule 9510 - Indirect Source Review (ISR) Accordingly, future development projects within the Tower District Specific Plan Update may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism: [Table 1: ISR Applicability Thresholds] District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM. The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to	This comment provides information related to the District's Rule 9510 (Indirect Source Rule). Rule 9510 is discussed in the Draft EIR (pages 4.1-21, 4.1-29, and 4.1-33) as an applicable law and regulation related to implementation of the proposed project. As indicated in the comment, an Air Impact Assessment (AIA) application is required for future development project(s) that are subject to District Rule 9510. As noted in the Draft EIR, future development projects requiring discretionary actions under CEQA will be required to prepare site specific analysis to determine any potential impacts. Future development projects would be required to comply with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project. As outlined in

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	mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions. In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis. Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/ District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.	Section 4.1.5.1, all development associated with the proposed project would comply with SJAVPCD's established rules and regulations. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-21	16c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants) Future development projects will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements. Information on how to comply with District Rule 4002 can be found online at: https://ww2.valleyair.org/compliance/demolition-renovation/.	This comment provides information related to the District's Rule 4002. As noted in the comment, future development projects under the proposed project would be subject to District Rule 4002. See response to Comment B3-20 regarding compliance with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project.
B3-22	16d) District Rule 4601 (Architectural Coatings) Future development projects may be subject to District Rule 4601 if it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling	This comment provides information related to the District's Rule 4601. Regulation 4601 is discussed in the Draft EIR page 4.1-21, as an applicable law and regulation related to implementation of the proposed project. See response to Comment B3-20 regarding compliance with all applicable permits and regulatory standards,

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	requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf	including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project.
B3-23	16e) District Regulation VIII (Fugitive PM10 Prohibitions) The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950. The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol	This comment provides information related to the District's Regulation VIII. As noted in the comment, future development projects will be subject to this regulation. Regulation VIII is discussed in the Draft EIR (pages 4.1-21, 4.1-28, 4.1-30, 4.1-31, and 4.1-33) as an applicable law and regulation related to implementation of the proposed project. See response to Comment B3-20 regarding compliance with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project.
B3-24	16f) Other District Rules and Regulations Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).	This comment states that future development projects may be subject to additional District rules. Recognizing the need for coordination and permitting requirements, the City has identified General Plan Policy RC-4-d: Forward Information, which requires the City to forward information regarding proposed development proposals that require air quality evaluation to the SJVAPCD for review and identification of any permitting requirements, including those listed in this comment. As noted in the Draft EIR, future development projects requiring discretionary actions under CEQA will be required to prepare site specific analysis to determine any

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		potential impacts. Future development projects would be required to comply with all applicable permits and regulatory standards, including those established by SJVAPD or other trustee/responsible agencies determined to have jurisdiction over the project. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B3-25	17) Future Projects / Land Use Agency Referral Documents Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf	This comment includes direction on submitting future documents for review by SJVAPC. This comment is noted, but this comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
B4	**Fresno Metropolitan Flood Control District**	
B4-1	The Fresno Metropolitan Flood Control District (FMFCD) submitted comments regarding the Environmental Impact Report for the Tower District Specific Plan Update on June 9, 2025. These comments continue to be relevant and should be considered in the ongoing planning process. For your convenience and reference, a copy of the original letter is enclosed. Thank you for the opportunity to comment.	This comment requests that previous comments submitted by FMFCD, continue to be referred to regarding ongoing planning process of the proposed project. As previously noted, all future development facilitated by the proposed project would be required to undergo environmental review under CEQA. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.
B4-2	Attachment 1: June 9, 2025 comment Letter on Notice of Preparation for the Tower District Specific Plan Update EIR	This comment includes the comment letter submitted by FMFCD on June 9, 2025 in response to the distribution of the Notice of Preparation for the proposed project, referenced in Comment B4-1. The comments included in the attached comment letter were taken

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		into account during the preparation of the Draft EIR. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
Organizations and Interested Parties		
C1	**Producers Dairy Foods, Inc**	
C1-1	The Producers Dairy team is grateful for the hard work and commitment of City of Fresno (City) staff, the Tower Committee, and the public to bring this draft Tower District Specific Plan (Plan) to fruition. We remain committed to providing input on the Plan that allows us to continue operating our family business alongside and in cooperation with the City and neighbors. Producers has been a member of the Tower Community for over 70 years, and we feel privileged to offer job opportunities to people living in the area; Producers employs more than 500 individuals, out of which over 300 reside within a 10-mile radius of our establishment. Our employees have emphasized the importance of living near their workplace for a multitude of reasons including the ability to walk and bike to work, use less gas, and use public transportation. With this in mind, Producers offers the following comments on the Plan and the related Environmental Impact Report (EIR) for the City's consideration:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C1-2	Page 14 - Figure 1.4 Community Components **Grammatical Recommendation**: Figure 1.4 (page 14) shows "Proposed Historic Districts" in the legend, reflected on the map with light-yellow shading. Of particular interest to Producers and its neighboring businesses is the area south of Belmont and west of Broadway, which is shaded as a proposed historic district. To remain consistent with the narrative of this draft plan, the legend should use the term "**historic designation study area**" rather than **"proposed historic district."** Labeling the area as "proposed" suggests the City has already taken a position to designate it as historic. This conflicts with the text on page 44, which instead states: "*Initiate a study for the historic designation of the following areas - pictured below. "* The map should therefore complement the text by identifying	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

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	the area south of Belmont and west of Broadway as a **historic designation study area**, not as a proposed district.	
C1-3	Furthermore, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway (page 3-16 and 3-17) as a planned/studied update or proposed historic district in the conservation and historic preservation section 3.6.1.	The City acknowledges the Tower District's established character as an important facet of the area. The Draft EIR identifies two formally designated areas within the Tower District as formally identified historic districts. Additionally, several areas within the Tower District are identified for further analysis as potentially eligible for formal designation. Section 4.3, Cultural Resources and Tribal Cultural Resources, of the Draft EIR, evaluates potential impacts on historic and cultural resources. The Draft EIR contains mitigation measures to mitigate potentially significant impacts related to historic and cultural resources, including Mitigation Measure CUL-1b which would require site specific analysis prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource. The Draft EIR adequately evaluated potential impacts related to historic or cultural resources and the proposed project would not cause a significant impact.
C1-4	• Page 38 - Figure 2.3 Historic Resources and Districts Additional Note: The same inconsistency appears on the map on page 38, where the legend again labels the purple cross hatched area as "Historic District-Proposed 2025." As with Figure 1.4 on page 14, this should be revised to read "Historic Designation Study Area" to align with the narrative on page 44. Consistent terminology across all maps and text is essential to avoid confusion and to ensure this draft plan accurately reflects the City's stated intent. Also, as noted above, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway as a planned/studied update or proposed historic district in the conservation and historic preservation section 3 .6.1.	Please see response to Comment C2-4. The Draft EIR adequately evaluated potential impacts related to historic or cultural resources and the proposed project would not cause a significant impact.
C1-5	• Page 125 -Figure 5.6 Producers continues to express concern to the City regarding the inclusion of bike lanes on H Street, as depicted in Figure 5.6 on page 125. H Street is a designated truck route, and our priority remains the safety of both our team members and the community.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

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C1-6	• EIR at 1-11 - **Mitigation Measure AIR-1c.** Mitigation Measure AIR-1 c should be clarified. The first sentence suggests the mitigation would apply only to businesses that seek to "locate"/construct within a certain distance from sensitive receptors. Does this provision only apply to businesses that seek to move into a new area, or would it apply to existing businesses that seek to modify or alter their operations to accommodate a changing business landscape? To provide transparency to the public, the EIR should state what the buffers would be. It is also unclear which categories of approvals or permits this mitigation measure would apply to.	This comment refers to Mitigation Measure AIR-1c, which identifies the use of the discretionary review process for residential and other sensitive land uses to impose site plan and design features aimed at minimizing exposure to environmental pollution. The first sentence of Mitigation Measure AIR-1c does not state that it would apply only to businesses that seek to locate or construct near sensitive receptors. Mitigation Measure AIR-1c stipulates that sensitive land uses should be located to avoid incompatibilities with recommended buffer distances identified in the CARB Handbook. CARB recommendations for siting of new sensitive land uses and recommended buffers are included in Table 4.1.I of the Draft EIR on page 4.1-40. Mitigation Measure AIR-1c is revised as follows: **Mitigation Measure AIR-1c.** Locate new sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a HRA to the City. If the health risk assessment (HRA) shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.
C1-7	• EIR at 1-29 – **NOI-1a & NOI-1b.** These mitigation measures appear to require a full construction noise analysis for any project that requires construction or grading and a full project-specific noise study for any "project." Because the term "project" encompasses virtually any discretionary permit, virtually any permits for any business within the Plan Area would be required to perform a noise analysis, regardless of whether any such study is necessary. Establishing such a blanket requirement would not have a reasonable nexus to many of "projects" within the Plan Area and could have a chilling effect on modest projects proposed by small businesses.	This comment refers to Mitigation Measure NOI-1a, which requires project-level construction noise analysis be prepared prior to issuance of demolition, grading, and/or construction permits, and Mitigation Measure NOI-1b, which requires a project-specific noise study be prepared to determine noise levels generated from long-term operations. Implementation of Mitigation Measures NOI-1a and NOI-1b would serve to ensure that future development facilitated by the Specific Plan Update would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the

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		project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, State, or federal standards. Evaluation of potential noise impacts is required under CEQA Guidelines to determine if a project would result in a significant impact with respect to noise. Noise analyses would be reviewed and approved by the City of Fresno Planning and Development Director to ensure compliance with the City of Fresno's stationary noise standards. Mitigation Measures NOI 1-a and NOI 1b are revised as follows: **Mitigation Measure NOI-1a.** Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and Development Director. Measures shall be implemented to reduce construction noise to the Federal Transit Administration (FTA) construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers. **Mitigation Measure NOI-1b.** Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise

Table 3.A: Comments and Responses Matrix

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		standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.
C2	**Business Owners (La Tapatia, Patton, and Producers)**	
C2-1	On behalf of several businesses operating in and around the Tower District, we want to thank the City of Fresno, the Tower Committee, and community stakeholders for the time and commitment invested in developing the Draft Tower District Specific Plan (Plan) and Environmental Impact Report (EIR). The business community values this collaborative effort and shares in the goal of balancing neighborhood priorities with a strong, sustainable economic base. As businesses rooted in this area, we are invested in both the success of our community and the ability to continue operating effectively. With this perspective, we respectfully submit the following comments for the City's consideration:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C2-2	**Plan Mapping – Figures 1.4 (p. 14) & 2.3 (p. 38)**: Both maps label certain areas, including south of Belmont and west of Broadway, as "Proposed Historic Districts." This terminology conflicts with the Plan narrative (p. 44), which calls for initiating a study of potential historic designation. To avoid confusion, the maps should be revised to reflect these areas as "Historic Designation Study Areas." Consistency between the maps and narrative is essential.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C2-3	**EIR – Mitigation Measure AIR-1c (p. 1-11)**: This mitigation measure should be clarified to ensure it will not apply to new permitting for existing businesses, all of whom have made significant investments in the Tower District, and who could be prevented from upgrading or modernizing as a result of the restrictions contemplated under this measure.	This comment refers to Mitigation Measure AIR-1c, which identifies the use of the discretionary review process for residential and other sensitive land uses to impose site plan and design features aimed at minimizing exposure to environmental pollution. Mitigation Measure AIR-1c stipulates that sensitive land uses should be located to avoid incompatibilities with recommended buffer distances identified in the CARB Handbook. Refer to the response to Comment C1-6.
C2-4	**EIR – Noise Mitigation Measures NOI-1a & NOI-1b (p. 1-29)**: As written, the requirement for project-specific noise studies appears to apply broadly to nearly any discretionary permit, regardless of scale or impact. This blanket approach risks creating unnecessary costs and barriers, especially for modest projects pursued by	This comment refers to Mitigation Measure NOI-1a, which requires project-level construction noise analysis be prepared prior to issuance of demolition, grading, and/or construction permits, and Mitigation Measure NOI-1b, which requires a project-specific noise study be

Table 3.A: Comments and Responses Matrix

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	small businesses. A more tailored requirement would ensure a reasonable nexus between project type and environmental review.	prepared to determine noise levels generated from long-term operations. Implementation of Mitigation Measures NOI-1a and NOI-1b would serve to ensure that future development facilitated by the Specific Plan Update would not 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. Evaluation of potential noise impacts is required under CEQA Guidelines to determine if a project would result in a significant impact with respect to noise. Refer to the response to Comment C1-7.
C2-5	We submit these comments not in opposition to the Plan, but to ensure it achieves its intended balance: protecting community character while providing a clear, predictable framework that supports local businesses. We believe this approach will allow both businesses and residents to thrive together in the Tower District. Thank you for considering these perspectives. We look forward to continuing dialogue with the City as the Plan advances.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3	**South Tower Community Land Trust**	
C3-1	We appreciate this opportunity to review the draft Tower District Specific Plan Update. We are providing this formal letter to aggregate our feedback and suggest significant alteration to more fully document the history and current reality in the Tower District as well as to chart a more equitable future for our neighborhood. First it is important for us to frame what perspective this letter comes from. Leading this organization is our founding executive director, Kiel Lopez-Schmidt. They have a diverse experience in architecture, affordable housing development, community development finance. This has included leading numerous projects in the Tower District such as: 1. banquet hall adaptive reuse of the former Turpin's Furniture at 1028 N Fulton St 2. architecture & sign design of affordable housing development, 541 @ South Tower 3. food truck commissary in former restaurant at 504 E. Belmont Ave	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	4. Nomination of the JR Turner Home at 815 E. Dudley Ave. to Local Historic Registry 5. Served 10 years on the Tower District Design Review Committee. 6. Design and manufacturer coordination of Tower Bike Racks 7. Conditional Use Permit for Goldstein's 8. Facade improvement design for Color Me Chula and En Las Nubes 9. Coordination of 4 public art murals in the neighborhood 10. Renovation of homes at 517 & 525 N. Farris Ave for affordable home ownership 11. Ongoing predevelopment of 8 units of new housing for affordable homeownership at 517 N.Farris and 604 N. San Pablo Ave. 12. Ongoing acquisition and rehab of 617-619 N. Fulton Ave. to be a non-profit center 13. Ongoing CUP for The Belmont Additionally, the board of directors of our organization included diverse backgrounds and experience: 1. Real estate agent 2. Two musicians 3. Artist 4. User experience design researcher 5. Two educators 6. Substance abuse counselor 7. Registered nurse 8. And two LGBTQ+ health educators and non-profit founders Our other Policy Committee members that contributed to this letter bring additional diverse experience and perspectives including: city planning, photography, nonprofit leadership and CEQA expertise. Our organization was born out of the community organizing and design for Broadway Parque. So we strongly believe in including community in the projects and policies that we advocate for. Living out those values, we have gone door to door informing and listening to South Tower neighbors about their concerns and	

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	barriers for health and prosperity and as well as their aspirations and assets to contribute to a shared vision. When the draft Specific Plan Update was made available, we organized a study session at Broadway Parque that 12 community members were able to attend. We broke out into 6 groups each group reading and discussing one chapter. The group discussion following the chapter break out groups generated numerous detailed comments that follow. Many of these topics were uplifted by our group throughout the Specific Plan outreach process. Hopefully this letter will have a greater impact on the final plan. The comments that follow are focused on improved social determinants of health in a framework of correcting racial and economic inequities experienced by South Tower residents and other residents who do not yet enjoy the full vitality that some Tower District residents have the privilege of enjoying. These comments also come from the perspective of a community development organization that has a proven ability to increase park and affordable housing access. It took decades to arrive at this point of disparity and we commit to the decades of work that will take to dismantle the barriers and structures that continue these inequities.	
C3-2	**02 Conservation & Historic Preservation** Page 32 2.1 It is appropriate to mention here that the growth to Tower District from Downtown was part of White Flight and redlining with racial covenants excluding many demographics from renting or owning homes or businesses north of Olive. Page 33 Health and equity section should note the loss of historic structures and threat of more historic structure loss with industrial expansion. Page 41 the example images used for context sensitive infill development are not context sensitive. The massing and materials of both do not respect or reflect the buildings adjacent to them. A good example of context sensitive design is 541 @ South Tower. It is new construction but with urban massing and art deco design built in 2016. But it does not appear anywhere in the Specific Plan or Design Standards Page #44: CHP 1.5 The historic survey of South of Belmont West of Broadway should place priority on identifying historic buildings and assets at risk from industrial expansion and deferred maintenance.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	CHP 1.7 ●comment: The Belmont phoenix palms and the deodar cedars should be mentioned here or under 2.2 Page #47: CHP 2.1 ●comment: This would be stronger if it said "hold accountable property owners…" instead of the more passive "work to preserve…" **03 Land Use** During the land use map initiation meeting with Fresno City Council, Councilmember Nelson Esparza motioned to study 604 N. San Pablo Ave for rezone from RS-5 to Mixed Use. That motion was seconded and voted affirmatively by all councilmembers. That rezone does not appear to be included on any map or text in the plan or EIR. The 604 N. San Pablo Ave. The property is owned by South Tower CLT and we have aspirations to develop a mixed use development on site. We would like to see that Council vote honored and included in this plan.	
C3-3	Table 3.B in the EIR on page 3-21 the table assumes the loss of 6 housing units. However a total of 24 units of existing housing are zoned industrial. We don't understand why any homes should be lost for industrial expansion especially in the context that there are few mitigations to protect other housing that will become adjacent to industrial when those homes are lost and converted to industrial uses. Table 3-B states there are 13 acres of vacant or underutilized Light Industrial with 6 units of housing to be removed. Can the plan identify the vacant / underutilized industrial land? Also of note during the planning process one industrial business Patton Air Conditioning purchased an existing home zoned industrial adjacent to other housing, they demolished the home and built a parking lot with bright lights and storage containers that are not appropriate for residential areas. Producers Dairy demolished several agricultural buildings from early 1900's that were eligible for historic designation for a planned parking lot.	Table 3.A of the Draft EIR provides a summary of the existing non-residential square-footage and residential units within the Specific Plan Area under the existing General Plan Land Use Designations. Table 3.B in the Draft EIR provides a summary of development capacity of vacant and underutilized sites based on proposed land use designations under the proposed project. Vacant parcels are shown in Figure 4.1 of the Specific Plan, and as shown in Table 3.1 of the Specific Plan, there will be no change in the acreage of Light Industrial land uses.
C3-4	EIR 3.6.2.3 states "Light industrial uses are located along the southwest boundary of the Specific Plan Area. These areas are important historical and economic centers, as they bring employment opportunities. Some of these businesses have	This comment restates a sentence from the Draft EIR and expresses an opinion regarding existing land uses. This comment does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation

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	been in the neighborhood for many decades and have long-standing relationships with local residents and institutions."	of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3-5	Page #66 : Figure 3.2 ●Comment: "Please show the community feedback that requested this downzoning." ●Comment: The Cheese building and properties to its south need to be Public Facility with a NMXor CMS dual designation. It's original designation should have been considered spot zoning. Keeping it industrial today is not incentivizing the property owner to maintain it per their covenant; instead it is incentivizing the continued use of the lot as an industrial parking lot in a residential neighborhood. ●Comment: Light industrial zoning needs to have an asterisk similar to the Southwest Fresno Specific Plan to indicate the zoning will change when existing users leave. Or, there needs to be a policy committing the City to rezone this area should that occur. Office and Business Park should be examined as more neighborhood friendly alternatives. Page #67: 3.6 Industrial and Employment Compatibility ●Comment: This statement is out of balance. While they are an old company, they haven't always benefited the community. Instead they have a history of expansion into the neighborhood. Quantify "important" and what is the value of that importance compared to the health of their neighbors? Or opportunity costs of lack of space for other uses and lowered property values for the neighborhood? Page #67: 3.6 Industrial and Employment Compatibility ●Comment: How many employees? I've only heard a statistic referencing a distance of ten miles which includes Clovis and therefore is not just the neighborhood. Page #67: 3.6 Industrial and Employment Compatibility ●Comment: Can the City verify that a dairy plant is a light industrial use and not a heavy industrial use and what keeps it from being considered a heavy use? Page #79: LU 4.3	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	●Comment: Drive throughs should not be allowed anywhere in the Tower District. Also, they are already not allowed in CMS. Page #81: LU 6.1 Maintain industrial zoning for existing industrial uses, while striving to mitigate their negative effects on residential areas. ●Comment: "Striving" is not a commitment. There is no try only do. "Consider…consider…explore…" this policy has no teeth and is simply lip service to the residents. ●Comment: Why aren't there any design standards for Employment Uses including Industrial? Page #81: LU 6.2 Allow light industrial uses to have neighborhood-serving retail. ●Comment: What about requiring CBAs anytime an industrial business wants to expand in the Tower? Page #82: LU 6.4 Support the San Joaquin Valley Air Pollution Control District in monitoring emissions. ●Comment: What is the point of this policy if it doesn't require more than what's already required?	
C3-6	**04 Parks and Public Spaces.** Per the EIR page 81, the Specific Plan area currently has 8 acres of parks accounting for 0.33 park acres per 1,000 residents short of the 3 acre per 1,000 residents standard in the 2035 General Plan and Parks Master Plan. This means the Tower District Specific Plan has a deficit of 64 acres of parks. The proposed policies and "park opportunities for study" identified on Figure 4.1 fall far short of filling the need for 64 acres of new park in the Tower District. This plan should identify at least 64 acres of new park within the plan area. It is appropriate to identify more that 64 acres of potential parks space knowing that some opportunities will not come to fruition.	As stated in Chapter 4.6 of the Draft EIR, Mitigation Measures REC-1a and REC-1b would be implemented to reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable.
C3-7	Page 90 : Figure 4.1 ●Comment: Bradway Parque is complete and should not be noted as "planned" ●The vacant property on Clinton on the western edge of the plan area is under development now. Page #93: Figure 4.3 Measure P Park Prioritization for Future Parks	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	●Comment: The data shows that there needs to be a stronger commitment to parks. Potential new parks should be shown on the land use map to give the City more opportunities to potentially add park space. Page #94: Planned Parks ●Comment: disagree, the original subway was probably better Page #96: Canalside Parks ●Comment: herndon Page #97: 4.4 Public Schools and Libraries ●Comment: highlighted typo of the word, "currently" Page #101: POS 1.5 Pursue joint-use partnerships with schools in the Tower District. ●Comment: parking or parks? 1.Circulation Page #119: 5.5 Pedestrians ●Comment: highlighted text of unfinished sentence under image in margin, "Sidewalk gaps, as in the south Tower District area, are a barrier to…" incomplete sentence	
C3-8	**05 Circulation** H Street and Weber are ideal for bicycle and pedestrian traffic to and from Tower District and Downtown. These roads should include pedestrian oriented lighting standards and protected bike lanes to keep those active transportation methods safe from truck traffic.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3-9	**06 Utilities** Page 155 Figure 6.5 - The previous Tower District Specific Plan recommended a trail along Dry Creek Canal. The right of way along the canal has not been kept open to allow for a trail adjacent to the canal in many places. Undergrounding the canal into a pipe would allow for a trail above the canal and would reduce drowning risk, water contamination and evaporation. FID would be an essential partner in that work. Also FID is a potential blocker for development. Their requirements nearly stopped the development of the 541 @ South Tower development. FID needs to be proactively engaged.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

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	Although the City does not have direct control over electricity provision, it may be worthwhile to provide information on it since it can inhibit the development of new housing units, including ADUs. It also factors into sustainability and affordability. a. Recommendation: Work with PG&E to determine priorities for transformer replacement and undergrounding of power lines. 6.4 Solid Waste - Trash enclosure requirements for commercial and multifamily residential or mixed use projects can be a barrier to designing quality urban site plans. a. Recommendation: Allow for flexibility for urban developments on tight in-fill sites to utilize hand cart for solid waste, recycling and green waste rather than dumpsters. This will free up precious square footage for other uses while also encourage limiting waste produced on site. Recommendation: Add publicly accessible trash cans on sidewalks throughout the commercial corridors that can be emptied with automated lift of existing garbage trucks to reduce cost of trash collection and limit trash overflows and littering. Broadband internet access is a key equity issue. Recommendation: Identify areas of Tower District that lack broadband access. Work with broadband providers to encourage full coverage. **07 Implementation** Page 164 7.4 Review Bodies this existing Tower District Design Review Committee that is an official committee of citizens appointed by the Mayor and City Councilmembers is not listed among the review bodies. Will that committee be dissolved? This may have some overlapping purpose with the description of the Tower District Specific Plan Implementation Committee and the Council District Project Review Committee. Additionally, the Council District Project Review Committees are listed twice. Page 166 Our organization is incorrectly listed as “South Tower Trust” our correct name is South Tower Community Land Trust [South Tower CLT] **Appendix B Health and Equity Evaluation** Page #190: Policy recommendations grid (orange) ●Comment: This row should have more negatives by to reflect the negative healthy and equity outcomes of keeping industrial in the neighborhood.	

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C3-10	**Noise Pollution** - Despite public comments about noise pollution from the Producers Dairy industrial facility at Palm & Belmont, the three noise monitoring locations included in the EIR are nowhere near the Producers Dairy or an industrial zoned facility adjacent to residentials. Without proper study of the existing noise levels near the industrial section of South Tower, there is no baseline for noise mitigation measures. Only 3 sound monitors were included in this plan. We believe an additional monitor should be included at Palm & Franklin to capture the industrial noise levels adjacent to residential. Given other comments about concern of night life noise levels on the Olive corridor, it is appropriate to capture data somewhere along the Olive corridor.	Noise monitors are representative of the Specific Plan Area as a whole. The Draft EIR acknowledges that implementation of the proposed Specific Plan Update could 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. Future development facilitated by the proposed project would require project-specific noise studies, as identified in Mitigation Measures NOI-1a and NOI-1b.
C3-11	Light Pollution - The bright lights at Light Industrial businesses adjacent to residential uses has been uplifted during public comments as inappropriate for the peaceful enjoyment of those homes. A study of light pollution should be include in the EIR and mitigation measures should be proposed to limit light pollution bleeding from Industrial properties to residential ones.	The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts to aesthetics as a result of new light or glare that could adversely affect day or nighttime views in the area. The Initial Study found that potential new sources of light and glare associated with the proposed project would not be substantial in the context of existing lighting sources in the Specific Plan Area. In addition, daytime glare would not be substantial because no highly reflective glass elements or building materials are proposed as part of the project. Compliance with California Building Code (Title 24, California Code of Regulations) standards address light and glare impacts to day-time and night-time views resulting from construction of the proposed project. Therefore, potential light and glare from the proposed project would result in a less-than-significant impact.
C3-12	**EIR** Table 4.1.A does not include pollutants known to be included at the Producer's Dairy facility. See 2019 settlement between EPA and Producers Dairy related to anhydrous ammonia. "Producers Dairy Foods' industrial refrigeration system uses large quantities of anhydrous ammonia, a toxic chemical highly corrosive to skin, eyes and lungs." https://www.epa.gov/newsreleases/us-epa-settlement-producers-dairy-foods-improves-chemical-safety-fresno-california	The comment refers to a settlement between EPA and Producer's Dairy regarding chemical safety and risk management violations. Producers Dairy is an existing facility within the Tower District, and the proposed project does not include updates to the operational activities of the facility. The Draft EIR does include an evaluation of potential impacts to air quality due to the implementation of the Specific Plan Update in Chapter 4.1, Air Quality. Table 4.1.A of the Draft EIR lists the Sources and Health Effects of Air Pollutants as identified by CARB, and includes Toxic Air Contaminants (TACs). Mitigation Measures AIR-1a and AIR-1b require future projects that prepare environmental evaluations under CEQA to submit an HRA to

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		the City Department of Development and Resource Management. The HRAs would be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRAs show that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a future project is considered, the project applicant would be required to identify and demonstrate that best available control technologies for toxics, including appropriate enforcement mechanisms to reduce risks to an acceptable level.
C3-13	**Design Standards** - Most notably the design standards & guidelines contain no section for Industrial Districts. A large amount of residential single family and mixed-use zones are adjacent to light industrial zones. The conflict and lack of mitigation of negative impacts by industrial has been the topic of many public comments through this process. The Design Standards are an excellent places to include standards for those mitigations but that opportunity is completely ignored.	This comment addresses the Design Standards and Guidelines and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C3-14	Thanks again for the opportunity to comment and we hope these comments will be thoughtfully considered for their impact of health and equity of Tower District residents and for the advancement of developments being led by South Tower CLT.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4	**Diana Diehl**	
C4-1	Thank you for this opportunity to provide public comment on this important issue. While I very much appreciate the hard work involved in creating this document, the TDSP Update does not do enough to protect residents from the heavily negative effects of the nightlife, deferring mostly to a future "entertainment district overlay." Thanks to a long series of the City's choices, currently Tower's primary industry is drinking, and our secondary industry seems to be targeting the drinkers and their cars for crimes, which very much negatively impacts the health and equity of most residents regardless of their specific location."	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	This Specific Plan Update prioritizes health and equity" but redlining is still very much evident in the Update, as special designation is given to the areas formerly holding racial covenants while the third grade "C" and fourth grade "D" south of Olive continue the ongoing disinvestment, south Tower not meriting any of the bespoke vintage-style Tower street signage below Olive AND even having our residential Dunbar Tracts at Dennett and Yosemite rezoned from residential to Commercial Main Street in this Plan. Quite a slap in the face from a document that speaks about the long history of inequitable treatment in this very area. Somehow even the existing protections of the 1991 TDSP didn't save our historic Taylor and Wheeler homes from the City's industrialization. "Equity"? Someone's home is usually their largest asset, and the City just arbitrarily devalued over 20 residences for nonexistent business. Expanding commercialization into residential areas while housing is desperately needed AND there's a real issue with Tower vacancy rates seems doubly wrong headed.	
C4-2	Will this Plan protect all residents? Will everyone's "character-defining streetscape elements" be protected or only in certain areas, again? The 1991 TDSP mentions how valued are our street trees, yet not one of the 8 we've lost on Dennett since have ever been replaced.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR. Additionally, the City of Fresno Municipal Code, Chapter 13, Article 3 “Street Trees and Parkways” provides guidelines and requirements for the preservation and protection of existing street trees, as well as guidelines establishing the installation of City-owned trees along streets. This comment does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-3	So much of Tower has already been lost to inappropriate development, and sadly these neighborhoods continue to suffer because through no fault of their own but through decades of the City pandering to developers, these areas are no longer "intact" enough to be considered "historic" and worthy of these special designations and protections, and so the decline continues while the formerly racially-covenanted properties continue to receive disparate benefits and special designations.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-4	I am also concerned that more high density and mid density housing is planned, because Tower already has had more than her fair share. Our street was built out	As shown in Table 3.1 of the Specific Plan, Residential Medium density land uses will decrease by 4.6 percent, Residential Medium-

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	with mostly SFRs, and of the 13 houses, only 6 remain. The other 7 were cut into apartments or replaced with apartments after a damaging fire. The ENTIRE City of fresNo needs to get aboard the density train, not just distressed areas of Tower. Stop telling us we're "lucky to get anything new" and then building a high-density tightly-packed eyesore.	High Density will increase by 0.4 percent, and Residential High Density will have no change in acreage. The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts to land use. The Specific Plan Update would implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth, and as shown in Table 3.1 of the Specific Plan, Residential Medium-Low density would increase by 4.1 percent. Future development projects proposed in the zoning designations in the Specific Plan Area would be subject to regulations within the Development Code and the updated Design Guidelines and Standards. Future projects would also conform to the requirements of the underlying zoning district, all applicable overlay districts, and all other Articles within the Development Code. Implementation of the Specific Plan Update would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Land use changes within the Specific Plan Area that would occur would be consistent with the goals of the City's General Plan to encourage housing opportunities and connectivity within communities. Therefore, the impact from implementation of the Specific Plan Update would be less than significant.
C4-5	The updated Plan mentions "nurturing the mutually supportive relationship between residential and vibrant commercial areas." Page 22 has a photo of a community meeting showing a large "be a good neighbor" sign and I'm wondering where does the Plan address the good-neighborship of the "vibrant commercial areas"? Because "equity"? residents already compromise a lot. A LOT.	This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-6	18-wheelers travel our residential streets daily delivering liquor and consumables to Olive, there are numerous commercial dumpsters along Olive that require daily services accessed from side streets the City blows the Tower parking lot at 6 a.m. to dislodge the sleeping unhoused, residents listen to Scrubcan and City trucks as public trash cans are serviced at 4 a.m., and our Olive sidewalks are covered with	This comment discusses truck traffic on residential streets and general complaints within the Specific Plan Area. This comment does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	food and liquor garbage, urine and vomit that never seems to get washed away unless there's a City pressure-washing project.	to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C4-7	It's noisy here, 24 hours a day. Tower residents recognize that the "vibrant commercial areas" need services to operate. But WHERE are the "vibrant commercial areas" compromising for the residents? The City doesn't even enforce the mandate to secure commercial trash, which is certainly part of the reason Tower streets are so trashy. Meanwhile, local Tower businessman publicly announces that he's not obliged to clean up outside his Wishon bar, because his "excessive City taxes" should cover those services. Noise. Noise, noise, noise. The updated Plan mentions the ill health effects of ongoing excessive noise. The updated Plan mentions "noise mitigation" in the context of the vibrant commercial areas negatively affecting adjacent residents, but fails to note that the RESIDENTS should never be the sole notice/enforcement process. How Tower noise complaints currently work: residents are awakened by window-rattling music at 1 a.m., and call the non-emergency police number where after waiting on hold for 10+ minutes, they are told that a specific address is required before the PD can accept any complaint. Resident gets dressed and walks to Olive and must determine if the window rattling is caused by the excessively loud music coming from Veni's open door, if the excessively loud music is coming from the mobile vendor food trailer blocking parking spaces at International Furniture or the mobile vendor food trailer blocking parking spaces at Detention, or if the excessively loud music is coming from Vibez or Splash patios, or if the excessively loud music is coming from the hot dog cart in the Wishon/Olive parking lot, or if the excessively loud music is coming from the mobile DJ's speakers plugged in at the City-owned Tower Theater, or if the excessively loud music is coming from the unlicensed 24 hour business next door, or if the excessively loud music is just coming from some random parked tailgating party car. The resident will almost certainly walk past more than one police vehicle in this process. Once the specific address is secured, the resident calls back the non-emergency police number and waits on hold for another 10 minutes. The resident provides the specific address and makes their complaint and is told that this isn't the first complaint but police calls are very busy right now but maybe later they can send	This comment discusses how noise complaints are addressed in the Tower District. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	someone to the area. Having just walked past 3 or 4 parked patrol cars, this is disheartening to hear. The morning of the next day, the resident calls the non-emergency police number to follow up, and is told that there's no record of any noise complaint from last night. This "process" is insulting to residents and BEYOND ridiculous and the City should be monitoring these fully foreseeable ongoing noise issues as part of their code enforcement. Not relying upon specific complaints that the City then ignores and conveniently doesn't even track. When the City changes the character of a neighborhood by promoting nightlife and an "entertainment district" and licenses and inspects businesses adjacent to residential, the City should be aggressive and diligent in discovery of new or non-conforming business entities to ensure that they are appropriate and a good fit for a family neighborhood, and not overrepresented - too many smoke shops, e.g. The City sends the police to Tower to set up enforcement traps and DUI checkpoints, and parks patrol cars at Detention or Roger Rocka's to monitor the crowd drinking on the street. But issues for Tower residents go unaddressed - neighbors report break-ins, broken windows, even hot prowl burglaries, and the police never respond. The City process seems to only serve business needs. The Plan Update discourages front yard fences as "unwelcoming" and specifically mentions how these older residences have street-facing entrances and street-facing windows, and yet these are the very same streets where the City invites hundreds of rowdy people every night to park in our residential neighborhoods where they drink in their cars, urinate in our driveways, and noisily party in the street until 3 a.m. instead of spending their money at the businesses on Olive. Where is the "human focused design" in that? Looking forward to the updated Plan's "enhanced livability" because imposing an expanding nightlife on residents is the opposite of that. Also looking forward to the "sustainability" cited by the Update because approving increasing numbers of drinking places in a small residential neighborhood is NOT a sustainable business model when more and more entities are fighting for the same dwindling number of entertainment dollars.	
C4-8	Little two-lane Olive now has the additional traffic from the closed Hwy 99 exits at Belmont and McKinley, plus the HSR construction. This is an unprecedented amount of industrial and commuter traffic dumped into our historic residential	This comment is in regard to vehicle traffic from the closed SR-99 exits at Belmont Avenue and West McKinley Avenue, and High Speed Rail construction. Impacts from projects outside the scope of this EIR

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	neighborhood via an extremely narrow road. The Plan Update does not address mitigating the impact of this. We already suffer excess traffic short-cuts from drivers frustrated by the lane changes, protected bike lanes, mobile vendor food trailers, and the parklets, on top of the nightly tourist cars and those who come to prey upon the visitors. This traffic will affect air quality, noise, and our quality of life. Looking forward to "calming auto oriented roadways" because our previous efforts to bring this issue to the City's attention have been met with an unusual amount of great difficulty, resistance, and excuses.	are addressed in their own environmental documents. A trip generation analysis was conducted for the proposed project and found that the Specific Plan Update is anticipated to generate a maximum of 199 additional peak hour trips compared to the adopted specific plan, which is less than the 200 peak hour trip threshold requirement for Transportation Impact Study (TIS) or detailed Level of Service (LOS) analysis. As such, a TIS is not required for the proposed project per the City's General Plan goals and policies. However, individual future projects within the Specific Plan Area that are facilitated by the Specific Plan Update and meet the requirements for a TIS or a detailed LOS analysis Caltrans and safety analysis, would be required to conduct such studies at a project level in order to determine the individual project-related potential operational deficiencies, and recommend/implement operational improvements for eliminating such operational deficiencies. Additionally, individual future projects within the Specific Plan Area that are facilitated by the Specific Plan Update would be required to prepare project-level CEQA analysis to evaluate potential impacts to air quality and noise.
C4-9	The Plan Update is fairly silent about our parking issues. Our driveways and the fire hydrant are blocked or obstructed daily by parking tourists, and despite our "walkability" and notable pedestrian traffic, not even the crosswalk Daylighting laws are enforced in Tower. There are regular stop sign traps, but only on weekend nights. So much for Safe Routes To School. Much of the City-owned Tower Theater parking lot is often blocked off to the public for paid reserved parking. It is not fair for the City to permit the residential streets to be used for pre-and post-game tailgating from 10pm until 3am. The City should study the parking issue and provide tourists with signage and maps instead of inflicting these issues on residents. A residential parking permit district sounds awesome, or even metered parking for evenings and events. Our street is already crowded with parked cars: a 19-unit Airbnb with zero offstreet parking, a 400-person event venue with a shared 20-space parking lot, an 8-unit apartment complex with 24 bedrooms and only 10 parking spaces.	This comment discusses parking issues and safety in the Tower District. The Initial Study prepared for the proposed project (included as Appendix C of the Draft EIR) addressed potential impacts to safety and public facilities in Section XV, Public Services. The analysis included in the Initial Study determined that potential impacts related to these topics to be less than significant. The incremental increase in demand for fire and police services would not adversely affect existing response times to the site or within the City. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
	On weekends between the hours of 10 p.m. and 3 a.m., our street often looks like the Walmart parking lot on Christmas Eve - lines of cars jockeying for parking, drivers honking and shouting, loud stereos and car alarms. Meanwhile, there's not ONE car parked on Wishon or Fulton or at the Golden, Veni, or Babylon parking lots despite being so much closer to the nightlife. Why are so many seeking privacy for parking AND what is the impact of that decision on residents? How about installing (optional) "residential quiet zones" so that the families in these family neighborhoods can sleep at night? Utilities should be underground or concealed as much as possible in some sort of period-appropriate or decorative box especially when installed on private property or on residential streets, and City staff should be working to identify these eyesores and attractive nuisances and have them removed or improved because keeping Comcast property graffiti-free is a full time job in Tower. LU 5.4 "future street vending programs" is concerning; it is not at all equitable to divert commuter traffic from Olive to Dennett (the "Safe Route To School") for a weekly food truck event program that DIRECTLY COMPETES with our local businesses. Any street vending programs should be sensitive to and not competitive with existing local businesses, and any road closures should be sensitive to school routes and the needs of and the impact upon existing local residents. Short-term rentals affect Tower neighborhoods, especially vis-a-vis drinking and driving and the impact on visitor street parking. The impact of Airbnbs etc should be addressed as part of the updated Plan.	
C4-10	It was difficult to read the updated Plan, knowing all too well how readily the first Plan has been disregarded all these years. Many of the issues listed have been previously raised with the City repeatedly since 1991 only to go absolutely nowhere or be rudely blown off. Hoping that this Plan isn't also just pretty words to be ignored every time it's financially or politically expedient. I love this neighborhood. I've loved it since 1981. I loved it so much I bought two properties here and planned to stay forever. But I've noticed that no matter how much the City talks about mixed-use compromise and "mutual benefit," it's the residents who are expected to bend for convenience every time, and the Updated Plan seems like more of the same. More protections for residents, please. The houses will still be here long after the businesses go broke.	This comment provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
C5	**Neva Popenoe**	
C5-1	Hello, I would like to offer a few comments regarding the proposed Tower District Specific Plan Update. Below are a few items that I don't believe were sufficiently addressed and some suggested edits:	This comment provides an introduction to the comment letter. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-2	1. Adjust industrial zones to exclude housing units. Industrial zones include several residential properties and they should not be included in the industrial zoning.	This comment states that industrial zones should be adjusted to exclude existing housing units. As shown in Table 3.1 of the Specific Plan, there will be no change in Light Industrial land uses. Additionally, implementation of the Specific Plan Update would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Land use changes within the Specific Plan Area that would occur would be consistent with the goals of the City's General Plan to encourage housing opportunities and connectivity within communities. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-3	2. Provide more park areas with green space. The plan lists schools and Ted C Wills as public areas and parks, but they have limited hours, and often do not allow families to have access to green space on weekends. Provide open space areas throughout the District, and don't include areas that are limited in access and space.	This comment states open space areas should be provided throughout the Tower District. As described in Chapter 4.6 of the EIR, Mitigation Measures REC-1a and REC-1b would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-4	3. Restrict truck traffic through areas with residential properties. While many areas may be designated travel corridors, these are areas where people live, and should not be subject to air pollution because they have more affordable housing in these pockets. The people living along the corridors or in or adjacent to industrial zones do not deserve to have higher levels of pollution.	This comment expresses concern regarding truck traffic and emissions near residential properties. The Specific Plan discusses truck traffic and exposure to air pollution due to truck routes in Section 5, Circulation and includes objectives and policies, such C 5 to "minimize the impact of truck traffic on the residential neighborhoods of the Tower District." Additionally, as discussed under Impact AIR-3 of the Draft EIR beginning on page 4.1-36, development under the proposed project that would emit TACs would require review under SJVAPCD rules and regulations or review under CEQA, especially if located near sensitive receptors. Mitigation Measure AIR-1c requires that new sensitive land uses should be located to avoid conflicts with the buffer distances recommended in the CARB Air Quality and Land Use Handbook. If such uses fall within these buffers, projects must either install enhanced filtration or prepare a Health Risk Assessment, with mitigation required if SJVAPCD thresholds are exceeded. This mitigation measure is consistent with the goals of the CERP, and encourages the City to further assess the emission reduction measures and strategies contained in the CERP and address them in the Project in order to reduce air exposure in impacted disadvantaged communities. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-5	4. Require air monitoring throughout the district, particularly in industrial areas and travel corridors. Air quality monitors should be available for public viewing.	This comment recommends that public air quality monitors be installed throughout the District. This comment does not address the adequacy or completeness of the Draft EIR, and installation of air monitors would not be directly related to an impact resulting from implementation of the Specific Plan. As noted on page 4.1-23 in the

Table 3.A: Comments and Responses Matrix

Letter/ Comment Number	Comment	Response
		Draft EIR, there are several objectives and policies in the City's General Plan which establish a blueprint for ensuring physical development within the city is properly evaluated for all potential air quality impacts, and that the City maintains direct coordination with SJVAPCD, which monitors air quality in the San Joaquin Valley, to achieve compliance with State and federal air quality standards for criteria air pollutants, consistent with the SJVAPCD's goal of minimizing air quality impacts. As shown in Table 4.1.G and 4.1.H of the Draft EIR, construction and operational emissions for buildout of the proposed project would not exceed the SJVAPCD annual significance thresholds. As noted on page 4.1-32 of the Draft EIR, implementation of the proposed project would result in many individual development projects for which information regarding specifics are currently unknown. Future development under the proposed project would be required to complete site-specific analysis to assess any potential impacts related to air quality.
C5-6	5. Do not limit density in any area. Infill should not be restricted in historical areas. Houses throughout the Tower district are more than 100 years old, and there is no reason one block should have special treatment because its historic connection as a better graded property zone. There is something troubling about continuing such a designation.	This comment states areas with historic designation should not have limited density or infill restrictions. This comment addresses the Specific Plan itself and does not address the adequacy of completeness of the Draft EIR; does not raise an environmental issue; and does not request the incorporation of additional information be added to the Draft EIR which is relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.
C5-7	6. Provide better and more shelters at bus stops. In the hottest time of the year, I've seen people look like they were about to pass out waiting for the bus at the northeast corner of Olive and Van Ness and this is a designated sheltered bus stop. There is no shade at the seats during certain times of the day, and should not be considered a sheltered bus stop, as there is no shade near the bus stop. The bus stops along Olive and Fulton are some of the busiest and they have very few sheltered stops, and as stated, the shelters are grossly inadequate.	This comment expresses safety concerns related to bus stops located within the District. Bus stops and shelters in the Tower District are associated with the City's Fresno Area Express "FAX" transportation service. Issues regarding safety associated with FAX services are not within the scope of this EIR but have been noted. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines. No further response is necessary.

4.0 DRAFT EIR TEXT REVISIONS

This chapter presents specific changes to the text of the Draft Environmental Impact Report (Draft EIR) that are being made to clarify any errors, omissions, or misinterpretation of materials in the Draft EIR in response to comments received during the public review period, or as directed by City of Fresno (City) staff. In no case do these revisions result in a greater number of impacts or impacts of a greater severity than those set forth in the Draft EIR. Further, the clarifications and corrections provide in the following revisions do not constitute significant new information requiring recirculation of the Draft EIR. Where revisions to the text are called for, the page number is identified, followed by the appropriate revision. Added text is indicated with double-underlined text, and deleted text is shown in ~~strikeout~~ text.

CHAPTER 1.0, EXECUTIVE SUMMARY

The following staff-initiated text revision is made to mitigation measure AIR-1c in the Executive Summary Matrix on page 1-8 of the Draft EIR:

Mitigation Measure AIR-1c Locate new sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a health risk assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

The following staff-initiated text revision is made to mitigation measure BIO-1a in the Executive Summary Matrix on page 1-12 of the Draft EIR:

Mitigation Measure BIO-1a **Avoidance Measures for Bats.**

1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees ~~to be removed during construction~~ within 500 feet of the construction footprint for suitability as bat roosts. If a tree planned for removal is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately.

2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree.
3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats:
    a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs).
    b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours).

<u>For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.</u>

The following staff-initiated text revision is made to Mitigation Measure NOI-1a and Mitigation Measure NOI-1b in the Executive Summary Matrix on page 1-29 of the Draft EIR:

Mitigation Measure NOI-1a <u>Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and</u> prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and

Development Director. Measures shall be implemented to reduce construction noise to the Federal Transit Administration (FTA) construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers.

Mitigation Measure NOI-1b Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.

SECTION 4.1, AIR QUALITY

The following text revision is made to Mitigation Measure AIR-1c on page 4.1-43 of the Draft EIR:

Mitigation Measure AIR-1c Locate new sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a health risk assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

SECTION 4.2, BIOLOGICAL RESOURCES

The following text revision is made to Mitigation Measure BIO-1a on page 4.2-25 of the Draft EIR:

Mitigation Measure BIO-1a **Avoidance Measures for Bats.**

1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees ~~to be removed during construction~~ within 500 feet of the construction footprint for suitability as bat roosts. If a tree planned for removal is deemed suitable, the

qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately.

2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree.
3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats:
    a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs).
    b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours).

For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.

SECTION 4.5, NOISE

The following text revision is made to Mitigation Measure NOI-1a and Mitigation Measure NOI-1b on page 4.5-20 of the Draft EIR:

Mitigation Measure NOI-1a Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and Development Director. Measures shall be implemented to reduce construction noise to the Federal Transit Administration (FTA) construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers.

Mitigation Measure NOI-1b Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.

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APPENDIX L

PUBLIC COMMENT LETTERS ON THE DRAFT EIR

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CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE |P.O. BOX 12616 |FRESNO, CA 93778-2616
(559) 905-9371 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

August 25, 2025

FRE-180-57.58
Notice of Availability -Tower District Specific Plan Update EIR
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/36453

SENT VIA EMAIL

Sophia Pagoulatos
Planning Manager
City of Fresno – Planning and Development Department
2600 Fresno Street, Room 3043
Fresno, CA 93721
Sophia.Pagoulatos@fresno.gov

Dear Mx. Pagoulatos,

A1-1 The California Department of Transportation (Caltrans), District 6 appreciates the opportunity to review and provide comments on the Notice of Availability (NOA) for the Environmental Impact Report (EIR) for the Tower District Specific Plan Update. Our comments are submitted pursuant to the California Environmental Quality Act (CEQA) and in our role as a responsible agency with jurisdiction over the State Highway System (SHS), particularly State Route 180 (SR-180), which lies within the Specific Plan boundaries.

The Specific Plan area is generally bounded by State Route (SR) 180 to the south, Blackstone Avenue to the east, Shields Avenue to the north, and Fruit Avenue and Union Pacific Railroad tracks to the west. As such, Caltrans has a direct interest in ensuring that proposed development does not adversely affect the operation or safety of the SHS.

A1-2 The Specific Plan Objective C 4.2 states, "Initiate pedestrian improvements at the SR 180 Access Ramps." Caltrans recognizes the importance of complete streets in supporting our mission to provide a safe and reliable transportation network that serves all people and respects the environment. Early involvement with Caltrans is recommended for City of Fresno complete street improvements on Fulton Street, Van Ness Avenue, and Belmont Avenue near the SR 180 access ramps.

Caltrans Design Information Bulletin (DIB) Number 94, issued in accordance with the Director's Policy on Complete Streets (DP-37), is a document that provides flexibility in the design of context-sensitive facilities that serve travelers of all ages and abilities, and would be beneficial guidance in the development of City complete street projects.

A1-3 Also, it is important that the City of Fresno considers potential transportation safety impacts to the State Highway System during the Local Development Review (LDR) process. The February 2024 Caltrans Local Development Review Safety Practitioner's Guidance, provides guidance for analyzing the safety impacts of proposed land use projects and plans on local roadways and prioritizes vulnerable road

A1-4 The Draft EIR identifies several areas of controversy based on input received during the scoping process, including queueing near SR 180 ramps, increased vehicle miles traveled (VMT), and consistency with Statewide Transportation and Climate Plans. Caltrans supports the City's identification of these issues and recommends that the Final EIR provide additional clarity on how the Specific Plan Update will address them. This will ensure protection of the SHS and alignment with state and regional transportation objectives.

If you have any other questions, please call or email: Keyomi Jones, Associate Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,

David Padilla, Branch Chief
Local Development Review
dave.padilla@dot.ca.gov
(559) 905-9371

Docusign Envelope ID: B875C330-8012-4FDD-AB6B-56DE8C71E2DB

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

September 29, 2025

Sophia Pagoulatos, Planning Manager
City of Fresno, Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, California 93721
(559) 621-8062
longrangeplanning@fresno.gov

Subject: Draft Environmental Impact Report (DEIR)
Tower District Specific Plan Update (Project)
State Clearinghouse No.: 2025050309

Dear Sophia Pagoulatos:

The California Department of Fish and Wildlife (CDFW) received a DEIR from City of Fresno, as Lead Agency, for the above-referenced Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

A2-1

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

A2-2

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802.). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, reasonably foreseeable future projects may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of reasonably foreseeable future projects may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

A2-2 Cont.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Fresno

A2-3

Objective: The purpose of the proposed Project is to update the 1991 Tower District Specific Plan to create new housing, commercial, and recreational opportunities in the City of Fresno's Tower District. The proposed Project Update maintains the guiding principles from the 1991 Specific Plan while allowing for additional infill development, multi-unit housing, enhanced parks and public facilities, and the restoration and redevelopment of existing structures

Location: The Tower District (District) is an approximately 1,869-acre area located immediately north of Downtown Fresno and the State Route (SR) 180 freeway, and one mile east of the SR-99 corridor. The Tower District Specific Plan Area is centrally located within Fresno and is generally bounded by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west.

COMMENTS AND RECOMMENDATIONS

A2-4

CDFW offers the following comments and recommendations to assist the City of Fresno to adequately identify and/or mitigate the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments

or other suggestions may also be included to improve the CEQA document prepared for this Project.

A2-4 Cont.

Aerial imagery and information included in the DEIR indicate that the Project area is primarily composed of existing residential housing, as well as commercial, public institutions such as schools, and pockets of industrial uses. The highly disturbed nature of the Updated Plan area and the lack of suitable habitat limit the occurrence potential for plants and wildlife; however, the Biological Resource Evaluation (BRE) confirmed one special-status species with known or with potential to occur in the Biological Study Area (BSA), which included the Specific Plan Updated Area and a 500-foot buffer. Additionally, the BSA indicates that the Project area contains suitable habitat that could support a variety of ground-and tree-nesting bird species. Mitigation Measures BIO-1a and BIO-1b included in the DEIR may not be sufficient to minimize potential impacts to Western mastiff bat (*Eumops perotis californicus*) and nesting bird species protected under the Migratory Bird Treaty Act and California Fish and Game Code. CDFW recommends the following measures be incorporated in the Final Environmental Impact Report (FEIR) and implemented prior to initiation of construction activities associated with the Project.

Comment 1: Western Mastiff Bat

A2-5

The DEIR notes that trees throughout the BSA could provide suitable roosting and foraging habitat for western mastiff bat (WMB). The WMB occurs in a wide variety of habitats including urban habitats. The WMB roosts in crevices on cliff faces, high buildings, trees, and tunnels. CDFW concurs with the activities intended to minimize potential Project impacts to WMB included in BIO-1a. However, for activities that will not require tree removal, CDFW recommends the FEIR include a 100-foot no-disturbance buffer to be placed around the identified bat roosts. If a maternity colony is identified, a 500-foot no disturbance buffer be placed around the roost until the young are no longer reliant on parental care. Additionally, the FEIR should require installation of new roost sites to be installed prior to the initiation of Project related activities to allow enough time for bats to relocate and attenuate.

Comment 2: Nesting Birds

A2-6

CDFW concurs with the pre-activity nesting bird surveys described in Mitigation Measure BIO-1b. Additionally, CDFW recommends that Project construction be timed to avoid the bird breeding season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the entity carrying out a specific project is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes.

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A2-6 Cont.

CDFW recommends that a qualified biologist conduct a habitat assessment and analysis of impacts to nesting birds as part of the biological technical studies prior to approval of subsequent projects resulting from this DEIR. Prior to ground-disturbance activities, surveys for active nests should be conducted, regardless of the initial results, no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests, that could potentially be impacted, are detected. As noted in the Mitigation Measure, surveys should cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

Further, if continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

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Editorial Comments and/or Suggestions

Lake and Streambed Alteration: The DEIR notes that Dry Creek Canal traverses the southern portion of the Project area. Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq., even when heavily modified. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation): (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial and may include those that are highly modified such as canals and retention basins.

A2-7

CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSAA issuance. For information on notification requirements, please refer to CDFW's website ( ) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: . The completed form can be mailed electronically to the CNDDB at the following email address: CNDDB@wildlife.ca.gov The types of information reported to the CNDDB can be found at the following link: NDDB/Plants-and-Animals.

A2-8

FILING FEES

The Project and/or subsequent projects resulting from this DEIR, could have an impact on biological resources, and an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

A2-9

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CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City of Fresno in identifying and mitigating Project impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website ( ). If you

A2-10 have any questions regarding this letter or further coordination, please contact Marile Colindres, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 974-3452, or by electronic mail at .

Sincerely,

Julie A. Vance
Regional Manager

ec State Clearinghouse
Governor's Office of Land Use and Climate Innovation

From: Luna, Hector
To: Sophia Pagoulatos
Cc: Hines, Brody
Subject: RE: Tower District Specific Plan EIR Notice of Availability
Date: Friday, August 15, 2025 11:45:03 AM
Attachments: image003.png
image005.png

External Email: Use caution with links and attachments

B1-1 The County recommends project specific traffic analysis should also include nearby County-maintained roads, such as N. Palm Avenue and N. Van Ness Blvd., which may be affected by the development approved by the City of Fresno. An analysis of these roads would help evaluate the project's impact on existing and future traffic and determine if and/or when additional infrastructure is needed.

Regards,

Hector E. Luna| **Principal Planner**
Department of Public Works and Planning |
Water and Natural Resources Division
2220 Tulare St. 6th Floor Fresno, CA 93721
Main Office: (559) 600-4292 | Direct: (559) 600-9672
Email: hluna@FresnoCountyCa.gov
Your input matters! Customer Service Survey

From: Sophia Pagoulatos <Sophia.Pagoulatos@fresno.gov>
Sent: Friday, August 15, 2025 8:30 AM
To: LongRangePlanning <LongRangePlanning@fresno.gov>
Subject: Tower District Specific Plan EIR Notice of Availability

NOTICE OF AVAILABILITY OF AN ENVIRONMENTAL IMPACT REPORT FOR THE TOWER DISTRICT SPECIFIC PLAN UPDATE

Notice is hereby given that the City of Fresno (City), as the Lead Agency, has completed the Draft Environmental Impact Report (EIR) for the Tower District Specific Plan Update ("Specific Plan Update" or "proposed project"), which is being distributed for public review pursuant to the California Environmental Quality Act (CEQA) and the California Public Resources Code.

PROJECT LOCATION

The proposed project will apply to development in the Tower District located within the City of Fresno. The Tower District Specific Plan Area (Specific Plan Area) consists of approximately

1,869 acres, is centrally located within Fresno and is home to approximately 20,200 residents. The Tower District is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. The Tower District is the geographic area for which the Specific Plan Update establishes policies related to conservation, future growth, and change.

PROJECT DESCRIPTION

The proposed project would update the 1991 Tower District Specific Plan (1991 Specific Plan) to respond to both continuing and new issues in the Tower District. Recent decades have led to greater emphasis on housing availability and affordability, expanding recreational opportunities, and calming auto-oriented roadways. At the same time, the Specific Plan Update maintains the guiding principles from the 1991 Specific Plan and continues the focus on neighborhood character, walkability, and historic resources.

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. The Specific Plan Update establishes a set of goals, objectives, policies, and implementing actions for both neighborhood conservation and the future growth and change of the Specific Plan Area. The Specific Plan Update also aids in implementing the broader goals and policies for the City of Fresno, outlined in the General Plan, in a manner that can better meet the needs of the Tower District. This update is intended to streamline development within the Specific Plan Area by updating the Specific Plan's environmental analysis pursuant to CEQA requirements, and by providing a current regulatory framework and applicable mitigation measures.

The proposed project would also implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth. The Specific Plan Update would promote more mixed-use development along commercial corridors by re-designating a portion of Blackstone Avenue from neighborhood mixed use to corridor/center mixed-use and by re-designating a portion of Shields Avenue from office to neighborhood mixed-use areas, specifically on Blackstone Avenue and Shields Avenue. The Specific Plan Update would also expand the Apartment House (AH) Overlay zoning designation along Olive Avenue, from North Fruit Avenue to North Echo Avenue, and allow medium low density residential uses at Terrace Gardens, Porter Tract, and Wilson Island. Additionally, the existing Tower District Design Guidelines adopted in 2005 are proposed to be updated by the Tower District Design Standards and Guidelines as part of the proposed project. The updated Design Standards and Guidelines reflect the policy direction of the Specific Plan Update and are intended to result in compatible development.

DOCUMENT AVAILABILITY

Hard copies of the Draft EIR, Specific Plan, and Design Standards and Guidelines are available for review at the following locations:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Monday through Friday: 8:00 a.m. to 5:00 p.m. Saturday and Sunday: Closed

City of Fresno Central Library
2420 Mariposa Street
Fresno, CA 93721
Monday through Thursday: 10:00 a.m. to 7:00 p.m. Friday and Saturday: 10:00a.m. to 5:00 p.m.
Sunday: 12:00 p.m. to 5:00 p.m.

Gillis Branch Library
629 West Dakota Avenue
Fresno, CA 93705
Monday through Thursday 9:00 a.m. – 7:00 p.m. Friday and Saturday 9:00 a.m. – 5:00 p.m.
Sunday: Closed

The Draft EIR, Specific Plan, and Design Standards and Guidelines are also available on the City's website at:

www.fresno.gov/tdsp

Documents incorporated by reference can be viewed at the Planning and Development Department.

PUBLIC COMMENT PERIOD

The City of Fresno will receive public comments on the Draft EIR from August 15, 2025, through September 29, 2025. Comments will also be received on the Specific Plan and Design Standards and Guidelines. Written comments should be received no later than 5 pm (PST) on September 29, 2025. Please send your written comments to the Planning and Development Department and include your name, address, and phone number and/or email address so that we may contact you for clarification, if necessary. Comments may be made in person, by first class mail, facsimile or email to:

Sophia Pagoulatos, Planning Manager
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Email: longrangeplanning@fresno.gov

ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS

The Draft EIR identifies potential significant effects in the following areas:

- Air Quality
- Biological Resources
- Cultural Resources
- GHG
- Noise
- Recreation

All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated. Mitigation measures identified in the Draft EIR would reduce the potentially significant effects to a less-than-significant level in all areas except Recreation.

Pursuant to CEQA Guidelines 15087(c)(6), the notice shall include presence of a site on any of the lists of sites enumerated under Section 65962.5 of the Government Code, including but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that section. There is one site within the Specific Plan Area identified as an evaluation site consistent with Government Code Section 65962.5.

Sophia Pagoulatos | Planning Manager
Long Range Planning | Planning & Development
City of Fresno | 2600 Fresno St | Fresno CA 93721
559.621.8062
Sophia.Pagoulatos@Fresno.gov

Resources: Long Range Planning | GIS & Mapping
Citywide Development Code | Plans & Projects Under Review

2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

September 11, 2025

Sophia Pagoulatos
Planning and Development Department
City of Fresno
2600 Fresno Street
Fresno, CA 93721

RE: Notice of Availability of an Environmental Impact Report for the Tower District Specific Plan

Dear Ms. Pagoulatos:

B2-1 The Fresno Irrigation District (FID) has reviewed the Notice of Availability of an Environmental Impact Report for the Tower District Specific Plan (Project). We appreciate the opportunity to review and comment on the subject documents for the proposed project. FID's comments are as follows:

Impacted Facilities

B2-2
1. FID has a canal within the Project Area as shown on the attached FID exhibit map. The facility is Dry Creek Canal No. 75. FID's canals range from smaller diameter pipelines to large open canals. In most cases, the existing facilities will need to be upgraded to meet then-current urban standards and increase accessibility. FID will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Fresno and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements.

    a. Large Canal Crossing – The Dry Creek Canal No. 75 is a large canal and will more than likely be too large to be contained within a pipeline. Development impacts to this facility shall require designs that protect the canal's integrity for an urban setting including the need for access and full right-of-way widths for FID's operations and maintenance needs.

B2-3
2. FID's facility within the Planning Area carries irrigation water for FID users and recharge water for the City of Fresno, during the irrigation season and flood waters during the winter months.

B2-4
3. Canal Access – FID will continue to access the Canal from public roads. In order

BOARD OF DIRECTORS President RYAN JACOBSEN Vice-President JERRY PRIETO JR. CHRISTOPHER WOOLF
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

to access the maintenance bank with our larger equipment, FID requires a drive approaches wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive banks. The 50-foot width is defined as starting from the end portion of a bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.

B2-4 Cont.

a. If guard railings extend beyond attachment points at each wing-wall, they will obstruct FID's access to the canal and additional right-of-way will need to be acquired. FID will require the developer demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20-feet from the canal hinge on both sides of the canal, and FID will require the developer acquire and dedicate to FID exclusive easements for this purpose.

4. Canal Banks – If there will be any work on canal banks, the following will apply:

a. All in-channel disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.

B2-5

b. Drive banks must be sloped a minimum of 2% away with a maximum of 4% from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives outside FID's easements/property.

c. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the City's project limits.

5. Trail - It is FID's understanding that many trails are master-planned within the Project Area. The following requirements are intended for trail projects <u>adjacent</u> to FID-owned properties and rights-of-ways for open canals:

B2-6

a. FID will not allow the trail easement to be in common use with FID-owned property or easements.

b. FID requires all trail improvements be placed outside of FID-owned properties and easements.

c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.

d. FID's canals will not accept any drainage from the trail or the canal bank.

B2-6 Cont.

e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.

f. City parks that are adjacent to open canals are treated the same as trails, therefore the same requirements shall apply.

Water Supply Impact

B2-7

1. The document must consider whether the City's Water Master Plan may impact the developments within the Planning Area. The report must consider and evaluate the City's growth within the planning area and any other concerns including climate change, and whether the City's Water Master Plan can still provide the necessary guidance for the City.

B2-8

2. The City of Fresno has implemented many of the projects previously proposed in the City's Water Master Plan. The Proposed document should consider and evaluated whether the constructed projects have resulted in benefits that were anticipated.

B2-9

3. Any changes in land use should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated.

B2-10

4. If treated surface water will be used and the City has a deficit water supply or groundwater levels continue to drop, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create greater water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.

B2-11

5. The potential for increase in water consumption by the project will result in additional groundwater overdraft. There is a significant cone of depression beneath the City of Fresno. FID is concerned that the increased water demand due to a change in land use may have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. Many of the areas are historically native, and/or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a

B2-11 Cont.

modest but continuing groundwater overdraft. Should the proposed project result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require proposed projects balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

B2-12

6. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is in an over drafted groundwater basin and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the project on the City's ability to comply with the requirements of SGMA.

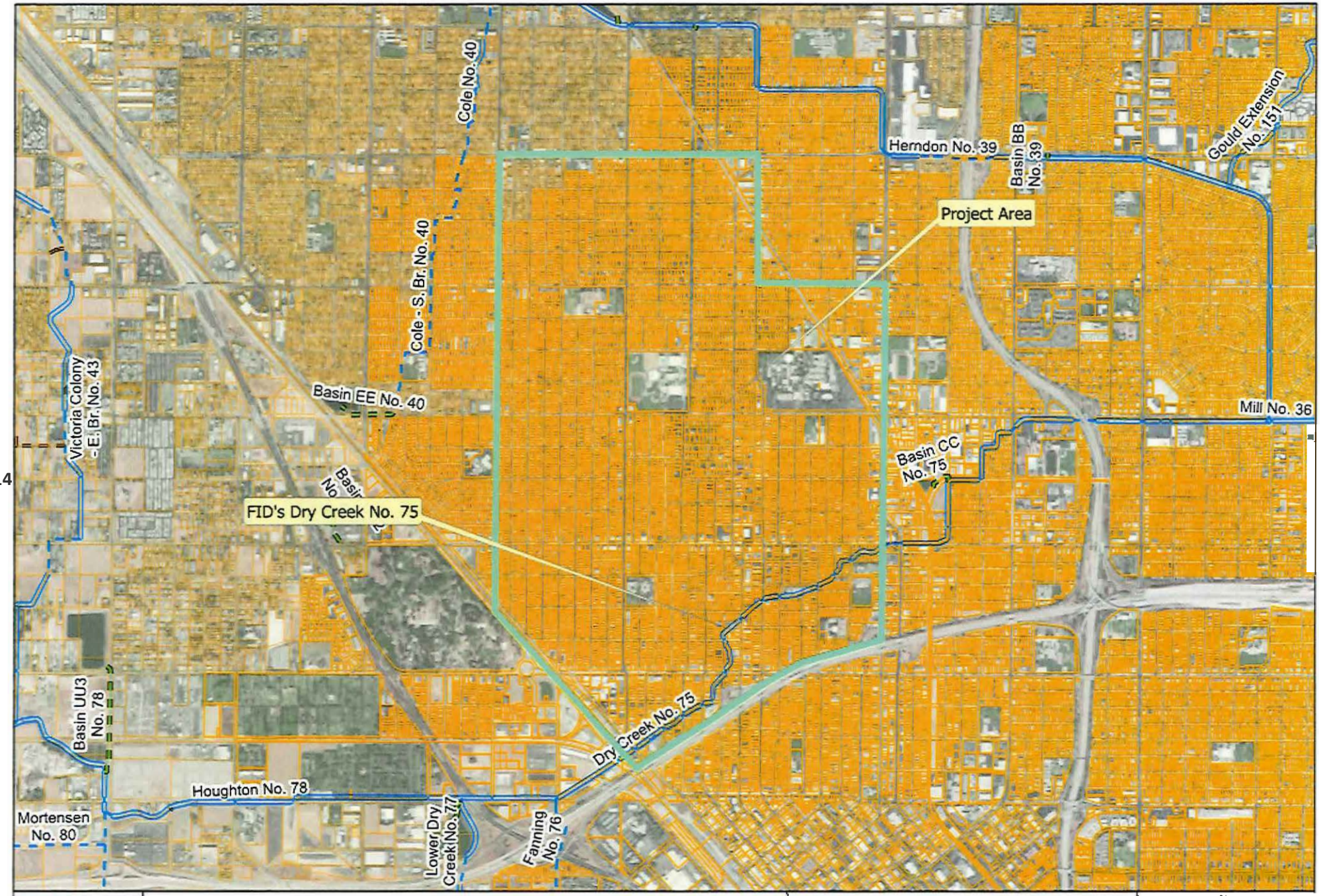
B2-13

Thank you for making available to us the Notice of Preparation of a Program Environmental Impact Report for our review and allowing us the opportunity to provide comments. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions, please feel free to contact me Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachments



B2-14

Legend
FID Canal
Private Canal
Abandoned Canal
FID Pipeline
Private Pipeline
Abandoned Pipeline
Stream Group
Other Creek/River
Other Pipeline
FID Boundary
Railroad
Streets & HWYs
Parcel
FMFCD Acquired Basins
FMFCD Proposed Basins

FRESNO IRRIGATION DISTRICT

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Spatial Reference:
Name: NAD 1983 StatePlane California IV FIPS 0404

Path: G:\...\...\...

Due 9/29

B2

Christopher Lundeen

From: Sophia Pagoulatos <Sophia.Pagoulatos@fresno.gov>
Sent: Friday, August 15, 2025 8:30 AM
To: LongRangePlanning
Subject: Tower District Specific Plan EIR Notice of Availability

Some people who received this message don't often get email from sophia.pagoulatos@fresno.gov. Learn why this is important

NOTICE OF AVAILABILITY OF AN ENVIRONMENTAL IMPACT REPORT FOR THE TOWER DISTRICT SPECIFIC PLAN UPDATE

Notice is hereby given that the City of Fresno (City), as the Lead Agency, has completed the Draft Environmental Impact Report (EIR) for the Tower District Specific Plan Update ("Specific Plan Update" or "proposed project"), which is being distributed for public review pursuant to the California Environmental Quality Act (CEQA) and the California Public Resources Code.

PROJECT LOCATION

The proposed project will apply to development in the Tower District located within the City of Fresno. The Tower District Specific Plan Area (Specific Plan Area) consists of approximately 1,869 acres, is centrally located within Fresno and is home to approximately 20,200 residents. The Tower District is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. The Tower District is the geographic area for which the Specific Plan Update establishes policies related to conservation, future growth, and change.

PROJECT DESCRIPTION

The proposed project would update the 1991 Tower District Specific Plan (1991 Specific Plan) to respond to both continuing and new issues in the Tower District. Recent decades have led to greater emphasis on housing availability and affordability, expanding recreational opportunities, and calming auto-oriented roadways. At the same time, the Specific Plan Update maintains the guiding principles from the 1991 Specific Plan and continues the focus on neighborhood character, walkability, and historic resources.

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. The Specific Plan Update establishes a set of goals, objectives, policies, and implementing actions for both neighborhood conservation and the future growth and change of the Specific Plan Area. The Specific Plan Update also aids in implementing the broader goals and policies for the City of Fresno, outlined in the General Plan, in a manner that can better meet the needs of the Tower District. This update is intended to streamline development within the Specific Plan Area by updating the Specific Plan's environmental analysis pursuant to CEQA requirements, and by providing a current regulatory framework and applicable mitigation measures.

The proposed project would also implement land use changes that would maintain and enhance the character-defining elements associated with the Tower District while allowing for future growth. The Specific Plan Update would promote more mixed-use development along commercial corridors by re-designating a portion of Blackstone Avenue from neighborhood mixed use to corridor/center mixed-use and by re-designating a portion of Shields Avenue from office to neighborhood mixed-use areas, specifically on Blackstone Avenue and Shields Avenue. The Specific Plan Update would also expand the Apartment House (AH) Overlay zoning designation along Olive Avenue, from North Fruit Avenue to North Echo Avenue, and allow medium low density residential uses at Terrace Gardens, Porter Tract, and Wilson Island. Additionally, the existing Tower District Design Guidelines adopted in 2005 are proposed to be updated by the Tower District Design Standards and Guidelines as part of the proposed project. The updated Design Standards and Guidelines reflect the policy direction of the Specific Plan Update and are intended to result in compatible development.

DOCUMENT AVAILABILITY

Hard copies of the Draft EIR, Specific Plan, and Design Standards and Guidelines are available for review at the following locations:

City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Monday through Friday: 8:00 a.m. to 5:00 p.m. Saturday and Sunday: Closed

City of Fresno Central Library
2420 Mariposa Street
Fresno, CA 93721
Monday through Thursday: 10:00 a.m. to 7:00 p.m. Friday and Saturday: 10:00a.m. to 5:00 p.m.
Sunday: 12:00 p.m. to 5:00 p.m.

Gillis Branch Library
629 West Dakota Avenue
Fresno, CA 93705
Monday through Thursday 9:00 a.m. – 7:00 p.m. Friday and Saturday 9:00 a.m. – 5:00 p.m.
Sunday: Closed

The Draft EIR, Specific Plan, and Design Standards and Guidelines are also available on the City's website at:

www.fresno.gov/tdsp

Documents incorporated by reference can be viewed at the Planning and Development Department.

PUBLIC COMMENT PERIOD

The City of Fresno will receive public comments on the Draft EIR from August 15, 2025, through September 29, 2025. Comments will also be received on the Specific Plan and Design Standards and Guidelines. Written comments should be received no later than 5 pm (PST) on September 29, 2025. Please send your written comments to the Planning and Development Department and include your name, address, and phone number and/or email address so that we may contact you for clarification, if necessary. Comments may be made in person, by first class mail, facsimile or email to:

Sophia Pagoulatos, Planning Manager
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3065, Third Floor
Fresno, CA 93721
Email: longrangeplanning@fresno.gov

ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS

The Draft EIR identifies potential significant effects in the following areas:

- Air Quality
- Biological Resources
- Cultural Resources
- GHG
- Noise
- Recreation

All other environmental issues were determined to have no impact, less than significant impacts, or less than significant impacts with mitigation measures incorporated. Mitigation measures identified in the Draft EIR would reduce the potentially significant effects to a less-than-significant level in all areas except Recreation.

Pursuant to CEQA Guidelines 15087(c)(6), the notice shall include presence of a site on any of the lists of sites enumerated under Section 65962.5 of the Government Code, including but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that section. There is one site within the Specific Plan Area identified as an evaluation site consistent with Government Code Section 65962.5.

Sophia Pagoulatos | Planning Manager
Long Range Planning | Planning & Development
City of Fresno | 2600 Fresno St | Fresno CA 93721
559.621.8062

Sophia.Pagoulatos@Fresno.gov

Resources: Long Range Planning | GIS & Mapping
Citywide Development Code | Plans & Projects Under Review

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

September 26, 2025

Sophia Pagoulatos
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3043
Fresno, CA, 93721

Project: Draft Environmental Impact Report for the Tower District Specific Plan Update

District CEQA Reference No: 20250949

Dear Ms. Pagoulatos:

B3-1

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Fresno (City) for the Tower District Specific Plan Update. Per the DEIR, the project consists of providing strategic and comprehensive guidance for making decisions regarding built environment and landscape character, land use activities, public open space, community facilities and transportation (Project). The Project area is located East Shields Avenue to the north, North Blackstone Avenue to the east, State Route 180 to the south, North Fruit Avenue and Union Pacific Railroad tracks to the west, in Fresno, CA. A portion of the Project lies within one of the communities in the state selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities. See Figure 1 below.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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

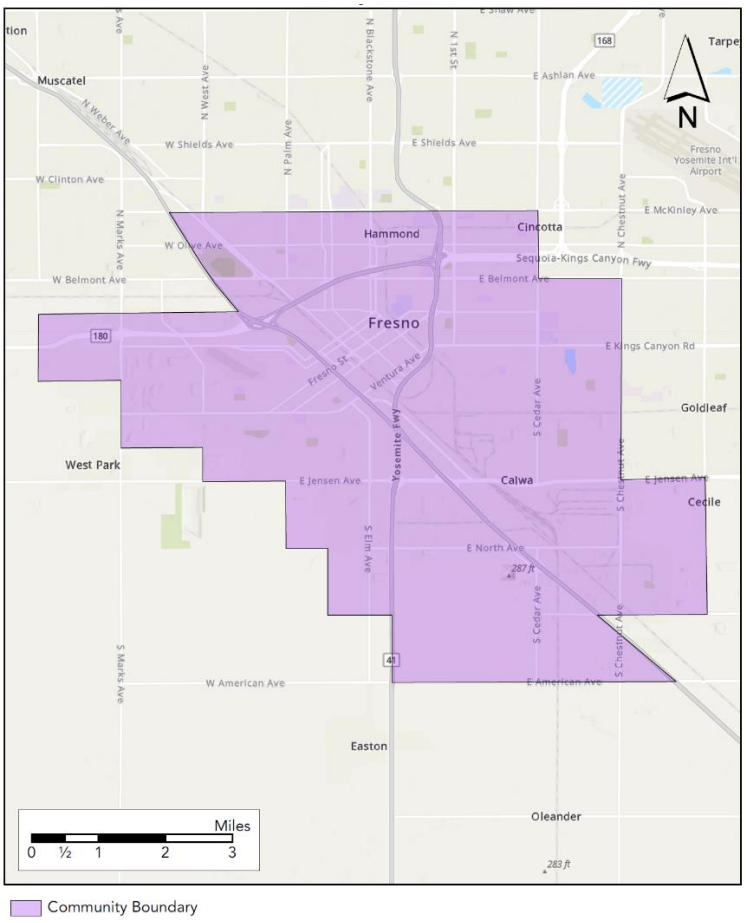
Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

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

www.valleyair.org www.healthyairliving.com

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Figure 1: Boundaries of the South Central Fresno AB617 Community



B3-2

The District offers the following comments at this time regarding the Project:

1) Ongoing Commitment to Strengthen Working Relationship

B3-3

The District appreciates the City's ongoing commitment to strengthen the working relationship with the District, in identifying and mitigating impacts on air quality through the California Environmental Quality Act (CEQA) review process.

Consistent with this cooperative effort and in order to address air quality impacts and concerns prior to future development projects occurring, the District recommends that the City develop administrative mechanisms and policies that ensure consistency in providing the District with information about projects under consideration by the City, such as land use designation, project size, and proximity to sensitive receptors and existing emission sources. To aid the City in determining a project's potential impacts, the District recommends the City provide an assessment evaluating potential project construction and operation related to air

quality impacts to the District as early as possible. Additionally, the District is available to work with the City and project applicants on future development projects to address air quality impacts and concerns. The District encourages the City to include guidance in relevant planning documents or development review procedures that advises project applicants to reach out and work with the District. The District's goal is to assist with enhancing project designs in the early stages of the planning process for a better overall project with minimized impact on air quality and early identification of feasible mitigation measures.

B3-3

2) Land Use Planning

Nearly all development projects within the San Joaquin Valley Air Basin, from the Tower District Specific Plan Update to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the Project incorporate strategies that reduce VMTs and require the cleanest available heavy duty trucks, vehicles, and off-road equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

B3-4

3) Assembly Bill 617

AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The South Central Fresno AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP.

B3-5

Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the South Central Fresno Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020.

During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering

B3-5 Conit.

Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them in the Project, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP.

For more information regarding the CERP approved for South Central Fresno, please visit the District's website at: https://community.valleyair.org/selected-communities/south-central-fresno

4) Construction Emissions

B3-6

The District recommends, to further reduce impacts from construction-related diesel exhaust emissions, future development projects should utilize the cleanest available off-road construction equipment.

5) Health Risk Screening/Assessment

B3-7

Currently, Mitigation Measure AIR-1b only requires environmental evaluation of development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. In urban areas, sources such as gasoline service stations, autobody shops, and metal fabricators have the potential to cause significant health impacts due to their operational emissions. Therefore, the District recommends that this mitigation measure be applied to all non-residential sources where operations have the potential to emit toxic air pollutants, regardless of the number truck trips and distance to sensitive receptors/land use.

6) Ambient Air Quality Analysis

B3-8

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambien Air Quality Standards. An acceptable analysis would include emissions from both project-

specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

B3-8 Conit.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: https://ww2.valleyair.org/permitting/ceqa/.

7) Allowed Uses Not Requiring Project-Specific Discretionary Approval

B3-9

In the event that the City determines that a project be approved as an allowed use not requiring a project-specific discretionary approval, the District recommends the Tower District Specific Plan Update include language requiring such projects to prepare a technical assessment, in consultation with the District, to determine if additional analysis and/or mitigation is required.

8) Truck Routing

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors.

B3-10

The District recommends the City evaluate HHD truck routing patterns for future development projects, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

9) Cleanest Available Heavy-Duty Trucks

B3-11

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NOx emissions in the San Joaquin Valley. Accordingly, to meet federal air quality attainment standards, the District's ozone and particulate matter attainment plans rely on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.

For future development projects, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure*: Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies.

B3-11 Conit.

- *Recommended Measure*: All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

10) Reduce Idling of Heavy-Duty Trucks

B3-12

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

If future development projects are expected to result in HHD truck trips, the District recommends the Tower District Specific Plan Update include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.

11) Under-fired Charbroilers

B3-13

Future development projects have the potential to include restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM2.5 species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the Tower District Specific Plan Update include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit:

B3-13 Conit.

https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/

12) Vegetative Barriers and Urban Greening

For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

B3-14

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

13) Clean Lawn and Garden Equipment in the Community

If future development projects consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/ and https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/.

B3-15

14) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects that may be approved under implementation of the Tower District Specific Plan Update.

B3-16

15) District's Bikeway Incentive Program

Bikeways installation projects can achieve reduction in VMT and they may be eligible for funding through the District's Bikeway Incentive Program.
The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at:
https://ww2.valleyair.org/grants/bike-paths/

B3-17

Guidelines and Project Eligibility for the grant program can be found at:
https://ww2.valleyair.org/media/drpijuw1/bikeway-program-guidelines-62515.pdf

16) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

B3-18

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

16a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

B3-19

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified

Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements.

B3-19 Cont.

Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 (obtain ATC permit from the District) shall be provided to the City before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.

16b) District Rule 9510 - Indirect Source Review (ISR)

Accordingly, future development projects within the Tower District Specific Plan Update may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

B3-20

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

B3-20 Cont.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview

The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

16c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

B3-21

Future development projects will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Information on how to comply with District Rule 4002 can be found online at: https://ww2.valleyair.org/compliance/demolition-renovation/.

16d) District Rule 4601 (Architectural Coatings)

B3-22

Future development projects may be subject to District Rule 4601 if it may

B3-22 Conit.

utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf

16e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.*

B3-23

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx

Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol

16f) Other District Rules and Regulations

B3-24

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

17) Future Projects / Land Use Agency Referral Documents

B3-25

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents

B3-25 Conit.

provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf

If you have any questions or require further information, please contact Michael Corder by e-mail at Michael Corder@valleyair.org or by phone at (559) 230-5818.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs



Daniel Martinez
Program Manager

Fresno Metropolitan Flood Control District
Capturing Stormwater since 1956

File 310. "EE", "RR2", "UU2"
420.209

September 29, 2025

Ms. Sophia Pagoulatos, Planning Manager
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

Dear Sophia,

Fresno Metropolitan Flood Control District (FMFCD)
Comments on the Notice of Availability of an
Environmental Impact Report for the Tower District Specific Plan Update
Drainage Areas "EE", "RR2", "UU2"

B4-1

The Fresno Metropolitan Flood Control District (FMFCD) submitted comments regarding the Environmental Impact Report for the Tower District Specific Plan Update on June 9, 2025. These comments continue to be relevant and should be considered in the ongoing planning process. For your convenience and reference, a copy of the original letter is enclosed.

Thank you for the opportunity to comment. If you have any questions or require further information, please do not hesitate to contact me at (559) 456-3292.

Sincerely,

Denise Wade
Master Plan and Special Projects Manager

DW/lrl

Attachments

5469 E. Olive Avenue • Fresno, CA 93727 • (559) 456-3292 • FAX (559) 456-3194
www.fresnofloodcontrol.org

Fresno Metropolitan Flood Control District
Capturing Stormwater since 1956

File 310. "EE", "RR2", "UU2"
420.209

June 9, 2025

Ms. Sophia Pagoulatos, Planning Manager
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721

Dear Sophia,

Fresno Metropolitan Flood Control District (FMFCD)
Comments on the Notice of Preparation of an
Environmental Impact Report for the Tower District Specific Plan Update
Drainage Areas "EE", "RR2", "UU2"

The Fresno Metropolitan Flood Control District (FMFCD) has adopted storm drainage Master Plan systems for the areas located within the Tower District Specific Plan Update (Plan Area). These Master Plan systems are based on the previously adopted General and Specific Plan land uses.

For areas that have existing drainage facilities and propose changes to land uses that generate more runoff than originally planned, some type of mitigation to accommodate the increased flow such as parallel pipes and/or on-site retention may be required. FMFCD has identified properties within the Plan Area that may require some form of mitigation as noted on attached Figure 3.2 from the subject Tower District Specific Plan Update.

The properties may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Implementation of the mitigation measures may be deferred until the time of development. Should the properties choose to construct a permanent peak reducing facility, this system would be required to reduce runoff from a ten-year storm produced by the increased land use and release a two-year discharge which has been designed into FMFCD's existing system. The developer will be required to submit improvement plans to the District for review and approval showing the proposed method of mitigation prior to implementation.

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www.fresnofloodcontrol.org

Drainage fees shall be collected pursuant to the Drainage Fee Ordinance prior to approval of final maps and/or issuance of building permits at the rates in effect at the time of such approval. Instances when the proposed density is reduced and the District's Master Plan facilities have been constructed will be subject to the higher rate anticipated to be collected when the facilities were installed. Should land use densities of existing areas be increased, the property would be subject to drainage fee commensurate to the higher density and paid to offset the effects of the increased land use. Please contact the District for a final fee obligation prior to issuance of any construction permits.

FMFCD offers the following comments specific to the review of the Plan Area (the individual page is included and the section or sentence has been highlighted for your reference):

1. Page 100, Local Streets and Alleys – In reference to "Green alleys", FMFCD recommends that the City incorporate policies addressing drainage capacity and structural elevation in alleys, particularly where upstream runoff could threaten adjacent property back yards and/or building structures. Alley grading shall be designed such that there are not adverse impacts to the passage of major storm flow. Additionally, development of alleys shall include surface flowage easements or covenants for any portions of the developing area that cannot convey storm water to public right-of-way without crossing private property.

   FMFCD does not recommend the use of permeable pavers and pavements as Low Impact Development (LID) strategies, as these conflict with FMFCD's requirements for positive drainage to the street. LID features often necessitate ongoing monitoring and maintenance, and they may become ineffective over time due to clogging.

The City of Fresno, FMFCD, the County of Fresno, the City of Clovis, and the California State University, Fresno are currently covered as Co-Permittees for Municipal Separate Storm Sewer System (MS4) discharges through National Pollutant Discharge Elimination System (NPDES) General Order No. R5-2016-0040 and NPDES Permit No. CAS0085324 (Storm Water Permit) effective May 17, 2018. The previous Storm Water Permit adopted on May 31, 2013 required the adoption of Stormwater Quality Management Program (SWQMP) that describes the Storm Water Permit implementation actions and Co-Permittee responsibilities. That SWQMP was approved by the Central Valley Regional Water Quality Control Board on April 17, 2015 and is effective until adoption of a new SWQMP, which is anticipated within the next two years.

The Storm Water Permit requires that Co-Permittees update their CEQA process to incorporate procedures for considering potential stormwater quality impacts when preparing and reviewing CEQA documents. This requirement is found on Provision D.14 of the 2013 Storm Water Permit and in Section 7: Planning and Land Development Program – PLD 3 – Update CEQA Process. The District has created a guidance document that will meet this Storm Water Permit requirement entitled *Guidance for Addressing Stormwater Quality for CEQA Review*, which has been attached. In an effort to streamline future CEQA processing and maintain compliance with the Storm Water Permit, FMFCD recommends that all future CEQA review within the City of Fresno utilize the attached guidance document Exhibit "A".

Thank you for the opportunity to comment. If you have any questions or require further information, please do not hesitate to contact me at (559) 456-3292.

Sincerely,

Denise Wade
Master Plan and Special Projects Manager

DW/lrl

Attachments

FIGURE 3.2 | Planned Land Use

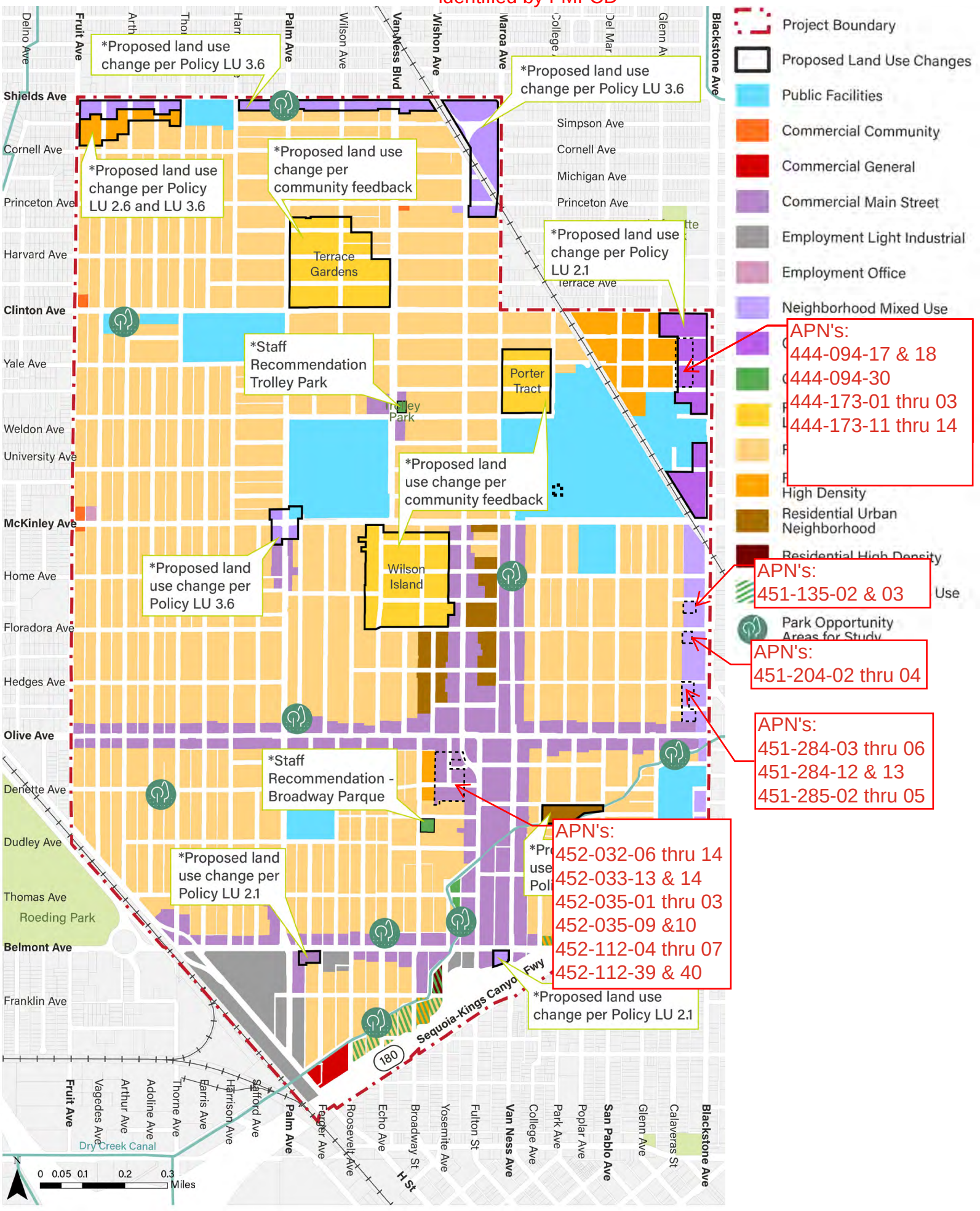


EXHIBIT "A"

Fresno Metropolitan Flood Control District

Guidance for Addressing Stormwater Quality for CEQA Review

Stormwater Checklist for CEQA Review

a. Potential impact of project construction on stormwater runoff.

Stormwater runoff from construction activities can have a significant impact on water quality. To build on sites with over one acre of disturbed land, property owners must obtain coverage under the California Construction General Permit for Discharges of Stormwater (CGP). The CGP is issued by the State Water Resources Control Board (SWRCB). The CGP requires sites that do not qualify for an erosivity waiver to create a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP is a site-specific plan that is designed to control the discharge of pollutants from the construction site to local storm drains and waterways.

b. Potential impact of project post-construction activity on stormwater runoff.

FMFCD operates the Regional Stormwater Mitigation System, which consists of facilities to handle stormwater runoff and non-stormwater discharges in the FMFCD service area. However, river discharging drainage areas and drainage areas without basin service are subject to FMFCD Policy: Providing for Compliance with Post-Development and Industrial Storm Water Pollution Control Requirements (Policy).

Development and redevelopment projects can result in discharge of pollutants to receiving waters. Pollutants of concern for a project site depend on the following factors:

- Project location;
- Land use and activities that have occurred on the project site in the past;
- Land use and activities that are likely to occur in the future; and
- Receiving water impairments.

As land use activities and site design practices evolve, particularly with increased incorporation of stormwater quality BMPs, characteristic stormwater runoff concentrations and pollutants of concern from various land use types are also likely to change.

Typical Pollutants of Concern and Sources for Post-Development Areas

Pollutant	Potential Sources
Sediment (total suspended solids and turbidity), trash and debris (gross solids and floatables)	Streets, landscaped areas, driveways, roads, construction activities, atmospheric deposition, soil erosion (channels and slopes)

c. Potential for discharge of stormwater from areas from material storage, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.

Development projects may create potential impacts to stormwater from non-stormwater discharge from areas with material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work area.

Some materials, such as those containing heavy metals or toxic compounds, are of more concern than other materials. Toxic and hazardous materials must be prevented from coming in contact with stormwater runoff. Non-toxic or non-hazardous materials, such as debris and sediment, can also have significant impacts on receiving waters. Contact between non-toxic or non-hazardous materials and stormwater runoff should be limited, and such materials prevented from being discharged with stormwater runoff. To help mitigate these potential impacts, BMPs should be included to prevent discharges from leaving the property.

Refer to FMFCD Post-Development Standards Technical Manual for more information or go to http://water.epa.gov/polwaste/nps/urban.cfm.

d. Potential for discharge of stormwater to impact the beneficial uses of the receiving waters or areas that provide water quality benefits.

Identify receiving waters and describe activities that may impact the beneficial uses of the receiving waters or that project water quality benefits. Project that can impact beneficial uses or receiving waters may be mitigated by implementation of the FMFCD Post-Development Standards Technical Manual.

e. Potential for the discharge of stormwater to cause significant harm on the biological integrity of the water ways and water bodies.

Conservation of natural areas, soils, and vegetation helps to retain numerous functions of pre-development hydrology, including rainfall interception, infiltration, and evapotranspiration. Each project site possesses unique topographic, hydrologic, and vegetative features, some of which are more suitable for development than others. Sensitive areas, such as streams and their buffers, floodplains, wetlands, steep slopes, and highly-permeable soils, should be protected and/or restored. Slopes can be a major source of sediment and should be properly protected and stabilized. Locating development in less sensitive areas of a project site and conserving naturally vegetated areas can minimize environmental impacts from stormwater runoff.

The evaluation of a project's effect on sensitive natural communities should encompass aquatic and wetland habitats. Consider "aquatic and wetland habitat" as examples of sensitive habitat.

f. Potential for significant changes in the flow velocity or volume of stormwater runoff that can cause environmental harm.

The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.

g. Potential for significant increases in erosion of the project site or surrounding areas.

The evaluation of a project's effect on drainage patterns should refer to the FMFCD's Storm Drainage and Flood Control Master Plan and have their project reviewed by FMFCD to assess the significance of altering existing drainage patterns and to develop any mitigation measures in addition to our stormwater mitigation system. The evaluation should also consider any potential for streambed or bank erosion downstream from the project.

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September 19, 2025

Via Email & U.S. Mail:

Sophia Pagoulatos, Planning Manager
CITY OF FRESNO
Planning & Development Department
2600 Fresno Street, Suite 3065, Third Floor
Fresno, CA 93721
longrangeplanning@fresno.gov
Sophia.Pagoulatos@fresno.gov

Re: Tower District Specific Plan Update
Related Environmental Impact Report

Dear Ms. Pagoulatos:

C1-1 The Producers Dairy team is grateful for the hard work and commitment of City of Fresno (City) staff, the Tower Committee, and the public to bring this draft Tower District Specific Plan (Plan) to fruition. We remain committed to providing input on the Plan that allows us to continue operating our family business alongside and in cooperation with the City and neighbors. Producers has been a member of the Tower Community for over 70 years, and we feel privileged to offer job opportunities to people living in the area; Producers employs more than 500 individuals, out of which over 300 reside within a 10-mile radius of our establishment. Our employees have emphasized the importance of living near their workplace for a multitude of reasons including the ability to walk and bike to work, use less gas, and use public transportation.

With this in mind, Producers offers the following comments on the Plan and the related Environmental Impact Report (EIR) for the City's consideration[1]:

- Page 14 - **Figure 1.4 Community Components**

C1-2 **Grammatical Recommendation:** Figure 1.4 (page 14) shows "Proposed Historic Districts" in the legend, reflected on the map with light-yellow shading. Of particular interest to Producers and its neighboring businesses is the area south of Belmont and west of Broadway, which is shaded as a

[1] Producers also incorporates its August 9, 2024, Comments on the Draft Tower District Specific Plan, available at: https://fresno.legistar.com/View.ashx?M=F&ID=13271207&GUID=2A21DD20-AF20-46E0-B006-59B6CB35EBF8

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proposed historic district. To remain consistent with the narrative of this draft plan, the legend should use the term **"historic designation study area"** rather than **"proposed historic district."**

Labeling the area as "proposed" suggests the City has already taken a position to designate it as historic. This conflicts with the text on page 44, which instead states: *"Initiate a study for the historic designation of the following areas – pictured below."* The map should therefore complement the text by identifying the area south of Belmont and west of Broadway as a **historic designation study area**, not as a proposed district.

C1-2 Cont.

CHP 1.5 Initiate a study for the historic designation of the following areas:

- **Area bounded by Olive and Van Ness, down to Elizabeth and San Pablo - east of Van Ness**
- **South of Belmont, West of Broadway**

Prioritize these areas for historic resource surveys and the evaluation of designated and potential resources, to provide for their potential designation as historic districts.

C1-3

Furthermore, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway (page 3-16 and 3-17) as a planned/studied update or proposed historic district in the conservation and historic preservation section 3.6.1.

- Page 38 - **Figure 2.3 Historic Resources and Districts**

C1-4

Additional Note: The same inconsistency appears on the map on page 38, where the legend again labels the purple cross hatched area as "Historic District – Proposed 2025." As with Figure 1.4 on page 14, this should be revised to read **"Historic Designation Study Area"** to align with the narrative on page 44. Consistent terminology across all maps and text is essential to avoid confusion and to ensure this draft plan accurately reflects the City's stated intent.

Also, as noted above, the EIR does not identify or acknowledge the area of South of Belmont, West of Broadway as a planned/studied update or proposed historic district in the conservation and historic preservation section 3.6.1.

- Page 125 – **Figure 5.**6

C1-5

Producers continues to express concern to the City regarding the inclusion of bike lanes on H Street, as depicted in Figure 5.6 on page 125. H Street is a designated truck route, and our priority remains the safety of both our team members and the community.

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- EIR at 1-11 – **Mitigation Measure AIR-1c**

C1-6 Mitigation Measure AIR-1c should be clarified. The first sentence suggests the mitigation would apply only to businesses that seek to "locate"/construct within a certain distance from sensitive receptors. Does this provision only apply to businesses that seek to move into a new area, or would it apply to existing businesses that seek to modify or alter their operations to accommodate a changing business landscape? To provide transparency to the public, the EIR should state what the buffers would be. It is also unclear which categories of approvals or permits this mitigation measure would apply to.

- EIR at 1-29 – **NOI-1a & NOI-1b**

C1-7 These mitigation measures appear to require a full construction noise analysis for any project that requires construction or grading and a full project-specific noise study for any "project." Because the term "project" encompasses virtually any discretionary permit, virtually any permits for any business within the Plan Area would be required to perform a noise analysis, regardless of whether any such study is necessary. Establishing such a blanket requirement would not have a reasonable nexus to many of "projects" within the Plan Area and could have a chilling effect on modest projects proposed by small businesses.

Thank you for your consideration of these important comments.

Respectfully submitted,

Scott Shehadey
Owner and Chief Executive Officer
Producers Dairy

September 29, 2025

City of Fresno
Planning and Development Department

Attn: Long Range Planning and Sophia Pagoulatos

Re: Draft Tower District Specific Plan and Environmental Impact Report

On behalf of several businesses operating in and around the Tower District, we want to thank the City of Fresno, the Tower Committee, and community stakeholders for the time and commitment invested in developing the Draft Tower District Specific Plan (Plan) and Environmental Impact Report (EIR). The business community values this collaborative effort and shares in the goal of balancing neighborhood priorities with a strong, sustainable economic base.

C2-1

As businesses rooted in this area, we are invested in both the success of our community and the ability to continue operating effectively. With this perspective, we respectfully submit the following comments for the City's consideration:

C2-2

- **Plan Mapping – Figures 1.4 (p. 14) & 2.3 (p. 38):** Both maps label certain areas, including south of Belmont and west of Broadway, as "Proposed Historic Districts." This terminology conflicts with the Plan narrative (p. 44), which calls for initiating a study of potential historic designation. To avoid confusion, the maps should be revised to reflect these areas as **"Historic Designation Study Areas."** Consistency between the maps and narrative is essential.

C2-3

- **EIR – Mitigation Measure AIR-1c (p. 1-11):** This mitigation measure should be clarified to ensure it will not apply to new permitting for existing businesses, all of whom have made significant investments in the Tower District, and who could be prevented from upgrading or modernizing as a result of the restrictions contemplated under this measure.

C2-4

- **EIR – Noise Mitigation Measures NOI-1a & NOI-1b (p. 1-29):** As written, the requirement for project-specific noise studies appears to apply broadly to nearly any discretionary permit, regardless of scale or impact. This blanket approach risks creating unnecessary costs and barriers, especially for modest projects pursued by small businesses. A more tailored requirement would ensure a reasonable nexus between project type and environmental review.

C2-5

We submit these comments not in opposition to the Plan, but to ensure it achieves its intended balance: protecting community character while providing a clear, predictable framework that supports local businesses. We believe this approach will allow both businesses and residents to thrive together in the Tower District.

Thank you for considering these perspectives. We look forward to continuing dialogue with the City as the Plan advances.

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community land trust

9/29/2025

Attn: Sophia Pagoulatos, Planning Manager
Planning and Development Department
City of Fresno
2600 Fresno St, Room 3065
Fresno, CA 93721
longrangeplanning@fresno.gov

Comments in response to Draft Tower District Specific Plan

We appreciate this opportunity to review the draft Tower District Specific Plan Update. We are providing this formal letter to aggregate our feedback and suggest significant alteration to more fully document the history and current reality in the Tower District as well as to chart a more equitable future for our neighborhood.

First it is important for us to frame what perspective this letter comes from.

Leading this organization is our founding executive director, Kiel Lopez-Schmidt. They have a diverse experience in architecture, affordable housing development, community development finance. This has included leading numerous projects in the Tower District such as:

C3-1

1. banquet hall adaptive reuse of the former Turpin's Furniture at 1028 N Fulton St
2. architecture & sign design of affordable housing development, 541 @ South Tower
3. food truck commissary in former restaurant at 504 E. Belmont Ave
4. Nomination of the JR Turner Home at 815 E. Dudley Ave. to Local Historic Registry
5. Served 10 years on the Tower District Design Review Committee.
6. Design and manufacturer coordination of Tower Bike Racks
7. Conditional Use Permit for Goldstein's
8. Facade improvement design for Color Me Chula and En Las Nubes
9. Coordination of 4 public art murals in the neighborhood
10. Renovation of homes at 517 & 525 N. Farris Ave for affordable home ownership
11. Ongoing predevelopment of 8 units of new housing for affordable homeownership at 517 N. Farris and 604 N. San Pablo Ave.
12. Ongoing acquisition and rehab of 617-619 N. Fulton Ave. to be a non-profit center
13. Ongoing CUP for The Belmont

Additionally, the board of directors of our organization included diverse backgrounds and experience:

1. Real estate agent

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2. Two musicians
3. Artist
4. User experience design researcher
5. Two educators
6. Substance abuse counselor
7. Registered nurse
8. And two LGBTQ+ health educators and non-profit founders

Our other Policy Committee members that contributed to this letter bring additional diverse experience and perspectives including: city planning, photography, nonprofit leadership and CEQA expertise.

C3-1 Cont.

Our organization was born out of the community organizing and design for Broadway Parque. So we strongly believe in including community in the projects and policies that we advocate for. Living out those values, we have gone door to door informing and listening to South Tower neighbors about their concerns and barriers for health and prosperity and as well as their aspirations and assets to contribute to a shared vision.

When the draft Specific Plan Update was made available, we organized a study session at Broadway PArque that 12 community members were able to attend. We broke out into 6 groups each group reading and discussing one chapter. The group discussion following the chapter break out groups generated numerous detailed comments that follow. Many of these topics were uplifted by our group throughout the Specific Plan outreach process. Hopefully this letter will have a greater impact on the final plan.

The comments that follow are focused on improved social determinants of health in a framework of correcting racial and economic inequities experienced by South Tower residents and other residents who do not yet enjoy the full vitality that some Tower District residents have the privilege of enjoying. These comments also come from the perspective of a community development organization that has a proven ability to increase park and affordable housing access. It took decades to arrive at this point of disparity and we commit to the decades of work that will take to dismantle the barriers and structures that continue these inequities.

02 Conservation & Historic Preservation

C3-2

Page 32 2.1 It is appropriate to mention here that the growth to Tower District from Downtown was part of White Flight and redlining with racial covenants excluding many demographics from renting or owning homes or businesses north of Olive.

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Page 33 Health and equity section should note the loss of historic structures and threat of more historic structure loss with industrial expansion.
Page 41 the example images used for context sensitive infill development are not context sensitive. The massing and materials of both do not respect or reflect the buildings adjacent to them. A good example of context sensitive design is 541 @ South Tower. It is new construction but with urban massing and art deco design built in 2016. But it does not appear anywhere in the Specific Plan or Design Standards

C3-2 Cont.

Page #44: CHP 1.5 The historic survey of South of Belmont West of Broadway should place priority on identifying historic buildings and assets at risk from industrial expansion and deferred maintenance.
CHP 1.7

- comment: The Belmont phoenix palms and the deodar cedars should be mentioned here or under 2.2

Page #47: CHP 2.1

- comment: This would be stronger if it said “hold accountable property owners…” instead of the more passive “work to preserve…”

03 Land Use

During the land use map initiation meeting with Fresno City Council, Councilmember Nelson Esparza motioned to study 604 N. San Pablo Ave for rezone from RS-5 to Mixed Use. That motion was seconded and voted affirmatively by all councilmembers. That rezone does not appear to be included on any map or text in the plan or EIR. The 604 N. San Pablo Ave. The property is owned by South Tower CLT and we have aspirations to develop a mixed use development on site. We would like to see that Council vote honored and included in this plan.

Table 3.B in the EIR on page 3-21 the table assumes the loss of 6 housing units. However a total of 24 units of existing housing are zoned industrial. We don’t understand why any homes should be lost for industrial expansion especially in the context that there are few mitigations to protect other housing that will become adjacent to industrial when those homes are lost and converted to industrial uses.

C3-3

Table 3-B states there are 13 acres of vacant or underutilized Light Industrial with 6 units of housing to be removed. Can the plan identify the vacant / underutilized industrial land? Also of note during the planning process one industrial business Patton Air Conditioning purchased an existing home zoned industrial adjacent to other housing, they demolished the home and built a parking lot with bright lights and storage containers that are not appropriate for residential areas. Producers Dairy demolished several agricultural buildings from early 1900’s that were eligible for historic designation for a planned parking lot.

C3-4

EIR 3.6.2.3 states “Light industrial uses are located along the southwest boundary of the Specific Plan Area. These areas are important historical and economic centers, as they bring employment

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C3-4 Cont.

opportunities. Some of these businesses have been in the neighborhood for many decades and have long-standing relationships with local residents and institutions."

Page #66 : Figure 3.2

- Comment: "Please show the community feedback that requested this downzoning."
- Comment: The Cheese building and properties to its south need to be Public Facility with a NMX or CMS dual designation. It's original designation should have been considered spot zoning. Keeping it industrial today is not incentivizing the property owner to maintain it per their covenant; instead it is incentivizing the continued use of the lot as an industrial parking lot in a residential neighborhood.
- Comment: Light industrial zoning needs to have an asterisk similar to the Southwest Fresno Specific Plan to indicate the zoning will change when existing users leave. Or, there needs to be a policy committing the City to rezone this area should that occur. Office and Business Park should be examined as more neighborhood friendly alternatives.

Page #67: 3.6 Industrial and Employment Compatibility

C3-5

- Comment: This statement is out of balance. While they are an old company, they haven't always benefited the community. Instead they have a history of expansion into the neighborhood. Quantify "important" and what is the value of that importance compared to the health of their neighbors? Or opportunity costs of lack of space for other uses and lowered property values for the neighborhood?

Page #67: 3.6 Industrial and Employment Compatibility

- Comment: How many employees? I've only heard a statistic referencing a distance of ten miles which includes Clovis and therefore is not just the neighborhood.

Page #67: 3.6 Industrial and Employment Compatibility

- Comment: Can the City verify that a dairy plant is a light industrial use and not a heavy industrial use and what keeps it from being considered a heavy use?

Page #79: LU 4.3

- Comment: Drive throughs should not be allowed anywhere in the Tower District. Also, they are already not allowed in CMS.

Page #81: LU 6.1 Maintain industrial zoning for existing industrial uses, while striving to mitigate their negative effects on residential areas.

- Comment: "Striving" is not a commitment. There is no try only do. "Consider…consider…explore…" this policy has no teeth and is simply lip service to the residents.
- Comment: Why aren't there any design standards for Employment Uses including Industrial?

Page #81: LU 6.2 Allow light industrial uses to have neighborhood-serving retail.

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C3-5 Cont.

- Comment: What about requiring CBAs anytime an industrial business wants to expand in the Tower?

Page #82: LU 6.4 Support the San Joaquin Valley Air Pollution Control District in monitoring emissions.

- Comment: What is the point of this policy if it doesn't require more than what's already required?

04 Parks and Public Spaces.

C3-6

Per the EIR page 81, the Specific Plan area currently has 8 acres of parks accounting for 0.33 park acres per 1,000 residents short of the 3 acre per 1,000 residents standard in the 2035 General Plan and Parks Master Plan. This means the Tower District Specific Plan has a deficit of 64 acres of parks. The proposed policies and "park opportunities for study" identified on Figure 4.1 fall far short of filling the need for 64 acres of new park in the Tower District. This plan should identify at least 64 acres of new park within the plan area. It is appropriate to identify more that 64 acres of potential parks space knowing that some opportunities will not come to fruition.

C3-7

Page 90 : Figure 4.1

- Comment: Bradway Parque is complete and should not be noted as "planned"
- The vacant property on Clinton on the western edge of the plan area is under development now.

Page #93: Figure 4.3 Measure P Park Prioritization for Future Parks

- Comment: The data shows that there needs to be a stronger commitment to parks. Potential new parks should be shown on the land use map to give the City more opportunities to potentially add park space.

Page #94: Planned Parks

- Comment: disagree, the original subway was probably better

Page #96: Canalside Parks

- Comment: herndon

Page #97: 4.4 Public Schools and Libraries

- Comment: highlighted typo of the word, "currently"

Page #101: POS 1.5 Pursue joint-use partnerships with schools in the Tower District.

- Comment: parking or parks?

1. Circulation

Page #119: 5.5 Pedestrians

- Comment: highlighted text of unfinished sentence under image in margin, "Sidewalk gaps, as in the south Tower District area, are a barrier to…" incomplete sentence

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05 Circulation

C3-8

H Street and Weber are ideal for bicycle and pedestrian traffic to and from Tower District and Downtown. These roads should include pedestrian oriented lighting standards and protected bike lanes to keep those active transportation methods safe from truck traffic.

06 Utilities

Page 155 Figure 6.5 - The previous Tower District Specific Plan recommended a trail along Dry Creek Canal. The right of way along the canal has not been kept open to allow for a trail adjacent to the canal in many places. Undergrounding the canal into a pipe would allow for a trail above the canal and would reduce drowning risk, water contamination and evaporation. FID would be an essential partner in that work. Also FID is a potential blocker for development. Their requirements nearly stopped the development of the 541 @ South Tower development. FID needs to be proactively engaged.

Although the City does not have direct control over electricity provision, it may be worthwhile to provide information on it since it can inhibit the development of new housing units, including ADUs. It also factors into sustainability and affordability.

a. Recommendation: Work with PG&E to determine priorities for transformer replacement and undergrounding of power lines.

C3-9

6.4 Solid Waste - Trash enclosure requirements for commercial and multifamily residential or mixed use projects can be a barrier to designing quality urban site plans. a. Recommendation: Allow for flexibility for urban developments on tight in-fill sites to utilize hand cart for solid waste, recycling and green waste rather than dumpsters. This will free up precious square footage for other uses while also encourage limiting waste produced on site.

Recommendation: Add publicly accessible trash cans on sidewalks throughout the commercial corridors that can be emptied with automated lift of existing garbage trucks to reduce cost of trash collection and limit trash overflows and littering.

Broadband internet access is a key equity issue.

Recommendation: Identify areas of Tower District that lack broadband access. Work with broadband providers to encourage full coverage.

07 Implementation

Page 164 7.4 Review Bodies this existing Tower District Design Review Committee that is an official committee of citizens appointed by the Mayor and City Councilmembers is not listed among the review

SOUTH TOWER
community land trust

C3-9 Cont.

bodies. Will that committee be dissolved? This may have some overlapping purpose with the description of the Tower District Specific Plan Implementation Committee and the Council District Project Review Committee. Additionally, the Council District Project Review Committees are listed twice.

Page 166 Our organization is incorrectly listed as “South Tower Trust” our correct name is South Tower Community Land Trust [South Tower CLT]

Appendix B Health and Equity Evaluation

Page #190: Policy recommendations grid (orange)

- Comment: This row should have more negatives by to reflect the negative healthy and equity outcomes of keeping industrial in the neighborhood.

C3-10

Noise Pollution - Despite public comments about noise pollution from the Producers Dairy industrial facility at Palm & Belmont, the three noise monitoring locations included in the EIR are nowhere near the Producers Dairy or an industrial zoned facility adjacent to residentials. Without proper study of the existing noise levels near the industrial section of South Tower, there is no baseline for noise mitigation measures. Only 3 sound monitors were included in this plan. We believe an additional monitor should be included at Palm & Franklin to capture the industrial noise levels adjacent to residential. Given other comments about concern of night life noise levels on the Olive corridor, it is appropriate to capture data somewhere along the Olive corridor.

C3-11

Light Pollution - The bright lights at Light Industrial businesses adjacent to residential uses has been uplifted during public comments as inappropriate for the peaceful enjoyment of those homes. A study of light pollution should be include in the EIR and mitigation measures should be proposed to limit light pollution bleeding from Industrial properties to residential ones.

C3-12

EIR
Table 4.1.A does not include pollutants known to be included at the Producer’s Dairy facility. See 2019 settlement between EPA and Producers Dairy related to anhydrous ammonia. “Producers Dairy Foods’ industrial refrigeration system uses large quantities of anhydrous ammonia, a toxic chemical highly corrosive to skin, eyes and lungs.”
https://www.epa.gov/newsreleases/us-epa-settlement-producers-dairy-foods-improves-chemical-safety-fresno-california

C3-13

Design Standards - Most notably the design standards & guidelines contain no section for Industrial Districts. A large amount of residential single family and mixed-use zones are adjacent to light industrial zones. The conflict and lack of mitigation of negative impacts by industrial has been the topic of many public comments through this process. The Design Standards are an excellent places to include standards for those mitigations but that opportunity is completely ignored.

SOUTH TOWER
community land trust

C3-14 Thanks again for the opportunity to comment and we hope these comments will be thoughtfully considered for their impact of health and equity of Tower District residents and for the advancement of developments being led by South Tower CLT.

With gratitude,

Kiel Lopez-Schmidt
Executive Director
South Tower Community Land Trust

From: Diana
To: LongRangePlanning
Subject: Tower District Specific Plan Update public comment
Date: Monday, September 29, 2025 12:17:30 PM

External Email: Use caution with links and attachments

Longrangeplanning@fresno.gov

Thank you for this opportunity to provide public comment on this important issue.

While I very much appreciate the hard work involved in creating this document, the TDSP Update does not do enough to protect residents from the heavily negative effects of the nightlife, deferring mostly to a future "entertainment district overlay."

Thanks to a long series of the City's choices, currently Tower's primary industry is drinking, and our secondary industry seems to be targeting the drinkers and their cars for crimes, which very much negatively impacts the health and equity of most residents regardless of their specific location.

C4-1 "This Specific Plan Update prioritizes health and equity" but redlining is still very much evident in the Update, as special designation is given to the areas formerly holding racial covenants while the third grade "C" and fourth grade "D" south of Olive continue the ongoing disinvestment, south Tower not meriting any of the bespoke vintage-style Tower street signage below Olive AND even having our residential Dunbar Tracts at Dennett and Yosemite rezoned from residential to Commercial Main Street in this Plan.

Quite a slap in the face from a document that speaks about the long history of inequitable treatment in this very area. Somehow even the existing protections of the 1991 TDSP didn't save our historic Taylor and Wheeler homes from the City's industrialization. "Equity"? Someone's home is usually their largest asset, and the City just arbitrarily devalued over 20 residences for nonexistent business.

Expanding commercialization into residential areas while housing is desperately needed AND there's a real issue with Tower vacancy rates seems doubly wrong headed.

C4-2 Will this Plan protect all residents? Will everyone's "character-defining streetscape elements" be protected or only in certain areas, again? The 1991 TDSP mentions how valued are our street trees, yet not one of the 8 we've lost on Dennett since have ever been replaced.

C4-3 So much of Tower has already been lost to inappropriate development, and sadly these neighborhoods continue to suffer because through no fault of their own but through decades of the City pandering to developers, these areas are no longer "intact" enough to be considered "historic" and worthy of these special designations and protections, and so the decline continues while the formerly racially-covenanted properties continue to receive disparate benefits and special designations.

C4-1 I am also concerned that more high density and mid density housing is planned, because

C4-4 Cont. Tower already has had more than her fair share. Our street was built out with mostly SFRs, and of the 13 houses, only 6 remain. The other 7 were cut into apartments or replaced with apartments after a damaging fire. The ENTIRE City of fresNo needs to get aboard the density train, not just distressed areas of Tower. Stop telling us we're "lucky to get anything new" and then building a high-density tightly-packed eyesore.

C4-5 The updated Plan mentions "nurturing the mutually supportive relationship between residential and vibrant commercial areas." Page 22 has a photo of a community meeting showing a large "be a good neighbor" sign and I'm wondering where does the Plan address the good-neighborship of the "vibrant commercial areas"? Because "equity"? residents already compromise a lot. A LOT.

C4-6 18-wheelers travel our residential streets daily delivering liquor and consumables to Olive, there are numerous commercial dumpsters along Olive that require daily services accessed from side streets, the City blows the Tower parking lot at 6 a.m. to dislodge the sleeping unhoused, residents listen to Scrubcan and City trucks as public trash cans are serviced at 4 a.m., and our Olive sidewalks are covered with food and liquor garbage, urine and vomit that never seems to get washed away unless there's a City pressure-washing project.

It's noisy here, 24 hours a day. Tower residents recognize that the "vibrant commercial areas" need services to operate. But WHERE are the "vibrant commercial areas" compromising for the residents? The City doesn't even enforce the mandate to secure commercial trash, which is certainly part of the reason Tower streets are so trashy. Meanwhile, local Tower businessman publicly announces that he's not obliged to clean up outside his Wishon bar, because his "excessive City taxes" should cover those services.

C4-7 Noise. Noise, noise, noise. The updated Plan mentions the ill health effects of ongoing excessive noise. The updated Plan mentions "noise mitigation" in the context of the vibrant commercial areas negatively affecting adjacent residents, but fails to note that the RESIDENTS should never be the sole notice/enforcement process.

How Tower noise complaints currently work: residents are awakened by window-rattling music at 1 a.m., and call the non-emergency police number where after waiting on hold for 10+ minutes, they are told that a specific address is required before the PD can accept any complaint.

Resident gets dressed and walks to Olive and must determine if the window rattling is caused by the excessively loud music coming from Veni's open door, if the excessively loud music is coming from the mobile vendor food trailer blocking parking spaces at International Furniture or the mobile vendor food trailer blocking parking spaces at Detention, or if the excessively loud music is coming from Vibez or Splash patios, or if the excessively loud music is coming from the hot dog cart in the Wishon/Olive parking lot, or if the excessively loud music is coming from the mobile DJ's speakers plugged in at the City-owned Tower Theater, or if the excessively loud music is coming from the unlicensed 24 hour business next door, or if the excessively loud music is just coming from some random parked tailgating party car. The resident will almost certainly walk past more than one police vehicle in this process.

Once the specific address is secured, the resident calls back the non-emergency police number and waits on hold for another 10 minutes. The resident provides the specific address and makes their complaint and is told that this isn't the first complaint but police calls are very

busy right now but maybe later they can send someone to the area. Having just walked past 3 or 4 parked patrol cars, this is disheartening to hear. The morning of the next day, the resident calls the non-emergency police number to follow up, and is told that there's no record of any noise complaint from last night.

This "process" is insulting to residents and BEYOND ridiculous and the City should be monitoring these fully foreseeable ongoing noise issues as part of their code enforcement. Not relying upon specific complaints that the City then ignores and conveniently doesn't even track.

When the City changes the character of a neighborhood by promoting nightlife and an "entertainment district" and licenses and inspects businesses adjacent to residential, the City should be aggressive and diligent in discovery of new or non-conforming business entities to ensure that they are appropriate and a good fit for a family neighborhood, and not over-represented - too many smoke shops, e.g.

C4-7 Cont.

The City sends the police to Tower to set up enforcement traps and DUI checkpoints, and parks patrol cars at Detention or Roger Rocka's to monitor the crowd drinking on the street. But issues for Tower residents go unaddressed - neighbors report break-ins, broken windows, even hot prowl burglaries, and the police never respond. The City process seems to only serve business needs.

The Plan Update discourages front yard fences as "unwelcoming" and specifically mentions how these older residences have street-facing entrances and street-facing windows, and yet these are the very same streets where the City invites hundreds of rowdy people every night to park in our residential neighborhoods where they drink in their cars, urinate in our driveways, and noisily party in the street until 3 a.m. instead of spending their money at the businesses on Olive. Where is the "human focused design" in that?

Looking forward to the updated Plan's "enhanced livability" because imposing an expanding nightlife on residents is the opposite of that. Also looking forward to the "sustainability" cited by the Update because approving increasing numbers of drinking places in a small residential neighborhood is NOT a sustainable business model when more and more entities are fighting for the same dwindling number of entertainment dollars.

Little two-lane Olive now has the additional traffic from the closed Hwy 99 exits at Belmont and McKinley, plus the HSR construction. This is an unprecedented amount of industrial and commuter traffic dumped into our historic residential neighborhood via an extremely narrow road. The Plan Update does not address mitigating the impact of this. We already suffer excess traffic short-cuts from drivers frustrated by the lane changes, protected bike lanes, mobile vendor food trailers, and the parklets, on top of the nightly tourist cars and those who come to prey upon the visitors. This traffic will affect air quality, noise, and our quality of life.

C4-8

Looking forward to "calming auto oriented roadways" because our previous efforts to bring this issue to the City's attention have been met with an unusual amount of great difficulty, resistance, and excuses.

The Plan Update is fairly silent about our parking issues. Our driveways and the fire hydrant are blocked or obstructed daily by parking tourists, and despite our "walkability" and notable

C4-9

pedestrian traffic, not even the crosswalk Daylighting laws are enforced in Tower. There are regular stop sign traps, but only on weekend nights. So much for Safe Routes To School.

Much of the City-owned Tower Theater parking lot is often blocked off to the public for paid reserved parking. It is not fair for the City to permit the residential streets to be used for pre- and post-game tailgating from 10pm until 3am. The City should study the parking issue and provide tourists with signage and maps instead of inflicting these issues on residents.

A residential parking permit district sounds awesome, or even metered parking for evenings and events. Our street is already crowded with parked cars: a 19-unit Airbnb with zero offstreet parking, a 400-person event venue with a shared 20-space parking lot, an 8-unit apartment complex with 24 bedrooms and only 10 parking spaces.

C4-9 Cont.

On weekends between the hours of 10 p.m. and 3 a.m., our street often looks like the Walmart parking lot on Christmas Eve - lines of cars jockeying for parking, drivers honking and shouting, loud stereos and car alarms. Meanwhile, there's not ONE car parked on Wishon or Fulton or at the Golden, Veni, or Babylon parking lots despite being so much closer to the nightlife. Why are so many seeking privacy for parking AND what is the impact of that decision on residents?

How about installing (optional) "residential quiet zones" so that the families in these family neighborhoods can sleep at night?

Utilities should be underground or concealed as much as possible in some sort of period-appropriate or decorative box especially when installed on private property or on residential streets, and City staff should be working to identify these eyesores and attractive nuisances and have them removed or improved because keeping Comcast property graffiti-free is a full time job in Tower.

LU 5.4 "future street vending programs" is concerning; it is not at all equitable to divert commuter traffic from Olive to Dennett (the "Safe Route To School") for a weekly food truck event program that DIRECTLY COMPETES with our local businesses. Any street vending programs should be sensitive to and not competitive with existing local businesses, and any road closures should be sensitive to school routes and the needs of and the impact upon existing local residents.

Short-term rentals affect Tower neighborhoods, especially vis-a-vis drinking and driving and the impact on visitor street parking. The impact of Airbnbs etc should be addressed as part of the updated Plan.

It was difficult to read the updated Plan, knowing all too well how readily the first Plan has been disregarded all these years. Many of the issues listed have been previously raised with the City repeatedly since 1991 only to go absolutely nowhere or be rudely blown off. Hoping that this Plan isn't also just pretty words to be ignored every time it's financially or politically expedient.

C4-10

I love this neighborhood. I've loved it since 1981. I loved it so much I bought two properties here and planned to stay forever. But I've noticed that no matter how much the City talks about mixed-use compromise and "mutual benefit," it's the residents who are expected to bend for convenience every time, and the Updated Plan seems like more of the same.

C4-10 Cont.

More protections for residents, please. The houses will still be here long after the businesses go broke.

Thank you.

Diana Diehl
Dennett Avenue
fresNo, 93728

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From: Neva Popenoe
To: LongRangePlanning
Subject: Tower District Specific Plan Update
Date: Monday, September 29, 2025 9:50:47 PM

External Email: Use caution with links and attachments

Hello,

C5-1 I would like to offer a few comments regarding the proposed Tower District Specific Plan Update. Below are a few items that I don't believe were sufficiently addressed and some suggested edits:

C5-2 1. Adjust industrial zones to exclude housing units. Industrial zones include several residential properties and they should not be included in the industrial zoning.

C5-3 2. Provide more park areas with green space. The plan lists schools and Ted C Wills as public areas and parks, but they have limited hours, and often do not allow families to have access to green space on weekends. Provide open space areas throughout the District, and don't include areas that are limited in access and space.

C5-4 3. Restrict truck traffic through areas with residential properties. While many areas may be designated travel corridors, these are areas where people live, and should not be subject to air pollution because they have more affordable housing in these pockets. The people living along the corridors or in or adjacent to industrial zones do not deserve to have higher levels of pollution.

C5-5 4. Require air monitoring throughout the district, particularly in industrial areas and travel corridors. Air quality monitors should be available for public viewing.

C5-6 5. Do not limit density in any area. Infill should not be restricted in historical areas. Houses throughout the Tower district are more than 100 years old, and there is no reason one block should have special treatment because its historic connection as a better graded property zone. There is something troubling about continuing such a designation.

C5-7 6. Provide better and more shelters at bus stops. In the hottest time of the year, I've seen people look like they were about to pass out waiting for the bus at the northeast corner of Olive and Van Ness and this is a designated sheltered bus stop. There is no shade at the seats during certain times of the day, and should not be considered a sheltered bus stop, as there is no shade near the bus stop. The bus stops along Olive and Fulton are some of the busiest and they have very few sheltered stops, and as stated, the shelters are grossly inadequate.

Thank you,
Neva Popenoe

Exhibit P - Attachment 2:
Mitigation Monitoring and
Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) lists mitigation measures recommended in the Tower Specific Plan Update EIR and identifies mitigation monitoring requirements, and is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled "Mitigation Responsibility," refers to the party responsible for implementing the mitigation measure. The third column, entitled "Monitoring/Reporting Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Monitoring Timing/Schedule," refers to when monitoring will occur to ensure that the mitigating action is completed.

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
AIR QUALITY			
AIR-1a: Prior to future discretionary approval for projects that require environmental evaluation under CEQA, development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical health risk assessment (HRA) evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology for assessing construction impacts. If construction-related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, project applicants for new development projects shall be required to incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. Mitigation measures can include, but are not limited to: ● Maintain construction equipment and provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [CCR Title 13, Sections 2449 and 2449.1] to SJVAPCD; and ● Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. Documentation of a certified mechanic's inspection and determinations shall be maintained by the Construction Manager and available for City inspection upon reasonable request. The identified measures shall be included as part of the project Conditions of Approval. If the recommendations of the HRA are insufficient to reduce impacts to levels at or below SJVAPCD's threshold of 20 in one million, such development with significant cancer risk (i.e., that exceed that threshold) shall be prohibited.	Project Applicant and qualified air quality consultant	Planning and Development Department	Assessments completed in conformance with SJVAPCD methodology to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.
AIR-1b: Prior to future discretionary approval for projects that require environmental evaluation under CEQA, the City of Fresno (City) shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a HRA to the City Department of Development and Resource Management. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health	Project Applicant and qualified air quality consultant	Planning and Development Department	Assessments completed in conformance with SJVAPCD methodology to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to an acceptable level. T-BACTs may include, but are not limited to: ● Restrict idling on site by shutting equipment off when not in use or reducing idling time to 3 minutes as enforced by an identified compliance officer within the construction crew. Idling restrictions shall be enforced by highly visible posting at the site entry, posting at other on-site locations frequented by truck drivers, conspicuous inclusion in employee training and guidance material and owner, operator or tenant direct action as required; ● Electrify warehousing docks to reduce diesel particulate matter; Reque use of newer equipment and/or vehicles; ● Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or ● Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site. T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.			
AIR-1c: Locate new sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a health risk assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.	Project Applicant and qualified air quality consultant	Planning and Development Department	Health Risk Assessment (HRA) to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.
BIOLOGICAL RESOURCES			
BIO-1a: Avoidance Measures for Bats. 1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees to within 500 feet of the construction footprint for suitability as bat roosts. If	Project Applicant and qualified biologist	Planning and Development Department	Pre-construction clearance survey to be completed during environmental review of project and prior to approval of

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
a tree planned for removal is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately. 2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree. 3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats: a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs). b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours). For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.			discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.
BIO-1b: Pre-activity Nesting Bird Surveys. If future development and site-specific project activities facilitated by the implementation of the Specific Plan Update must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys will be conducted by a	Project Applicant and qualified biologist	Planning and Development Department, California	Pre-construction clearance survey to be completed during environmental review of project and prior to approval of discretionary project. The City shall

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
qualified biologist in accordance with the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) no more than 7 days prior to the start of construction at the construction site, and a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson's hawk [*Buteo swainsoni*]) will be installed. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during future project construction facilitated by implementation of the Tower District Specific Plan Update, the project proponent shall install an avoidance buffer ranging from 50 feet to 350 feet will be required, as determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The qualified biologist will have the ability to stop construction if nesting adults show signs of distress.		Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS)	ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.
CULTURAL RESOURCES			
CUL-1a: 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 of Fresno 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 City of Fresno 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.	Project Applicant and qualified historical resources specialist	Planning and Development Department	Planning and Development Department to review contract specifications to ensure inclusion of provisions included in project-specific mitigation measure. Following discovery of previously unknown resource, a qualified historical resources specialist shall prepare and submit recommendations to the Planning and Development Department. Timing for recommendations shall be established by project-specific mitigation measure.
CUL-1b: Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-	Project Applicant and qualified	Planning and Development	Cultural resources study to be completed during environmental review and prior to

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of the Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development. During project-specific environmental review of development under the proposed plan, before altering or otherwise affecting a building or structure that is 50 years old or older, the City shall require project applicants to retain a qualified architectural historian meeting the Secretary of Interior's Professional Qualifications Standards to record the building or structure on a California Department of Parks and Recreation DPR 523 form or equivalent documentation, if the building has not previously been evaluated. Its significance shall be assessed and documented by a qualified architectural historian in accordance with the significance criteria set forth for historic resources under CEQA Guidelines Section 15064.5. The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the structure in the history of the City and the region. For buildings, structures, and other resources determined through this evaluation process not to meet the CEQA historical resource criteria, no further mitigation is required. For any building, structure, and or other resource that qualifies as a historic resource, the architectural historian and the future project-specific applicant shall consult to consider measures that would enable projects under the proposed plan to avoid direct or indirect impacts to the historic building or structure. These could include preserving the building on site, using it "as is," or other measures that would not materially alter the historically significant components of the building or structure. If the project cannot feasibly avoid modifications to the historically significant features of the historic building or structure, the following measures shall be undertaken as appropriate: ● If the building or structure can be preserved on-site, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (NPS 2017). ● If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, the City shall ensure that a qualified architectural historian thoroughly documents the building and associated landscaping and setting. Documentation shall include still and video photography	historical/cultural resources specialist	Department	approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
and a written documentary record of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. A copy of the record shall be provided to the City. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate. If preservation and reuse at the site are not feasible, the historical building shall be documented as described in item (2) and, when physically and financially feasible, be moved and preserved or reused.			
CL-2: Subsequent to a preliminary City review of grading plans for future development projects facilitated by the Specific Plan Update, 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 of Fresno 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 *State CEQA Guidelines*. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the *State CEQA Guidelines*, mitigation measures shall be identified by the monitor and recommended to the City of Fresno. 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.	Project Applicant and qualified archaeologist	Planning and Development Department	Cultural resources study to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
● 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. 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.			
CUL-3: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (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 MLDs 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.	Project Applicant and qualified historical/cultural resources specialist	Planning and Development Department	Planning and Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.
GEOLOGY AND SOILS			
GEO-1: Paleontological/Geologic Features. Subsequent to a preliminary City of Fresno 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	Project Applicant and qualified paleontologist	Planning and Development Department	City shall review preliminary grading plans prior to issuance of grading permits. If needed, a field survey or literature review shall occur prior to start

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
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.			of grading activities. Additional monitoring of project site during construction period shall be determined by a qualified paleontologist and consistent with project-specific mitigation measure.

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
GREENHOUSE GAS EMISSIONS			
GHG-1: Prior to discretionary approval by the City of Fresno (City) for development projects subject to California Environmental Quality Act (CEQA) review (i.e., nonexempt projects), Project applicants shall prepare and submit a technical assessment evaluating potential project-related greenhouse gas (GHG) impacts to the City for review and approval. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology. While neither the City nor the SJVAPCD currently have established threshold of significance for evaluating the GHG emissions impact of a proposed project, if either the City or the SJVAPCD develop GHG thresholds in the future (i.e. CEQA qualified Greenhouse Gas Reduction Plan/Climate Action Plan or SJVAPCD project-specific GHG thresholds), the evaluation of project-related GHG emissions shall demonstrate consistency with those thresholds of significance. In the absence of project-specific GHG thresholds established by the City or SJVAPCD, projects shall demonstrate compliance with the 2022 Scoping Plan GHG requirements, consistent with State GHG emissions reduction and equity prioritization goals, by implementing the following design elements, where feasible: ● Projects shall not include natural gas appliances or natural gas plumbing. ● Projects shall achieve a reduction in project-generated VMT below the regional average consistent with the current version of the 2022 Scoping Plan (currently 15 percent) or meets the City's locally adopted target reduction (13 percent reduction). ● Projects shall not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the *State CEQA Guidelines.* ● Projects must achieve compliance with EV requirements in the most recently adopted version of CALGreen Tier 2. Should a proposed project exceed established thresholds of significance, the City shall require that the proposed project implement GHG emission reduction measures to reduce emissions below applicable thresholds or to a level commensurate with implementing the recommended project-design features outlined above. Such mitigation measures could include, but are not limited to, energy efficiency measures, water conservation and efficiency measures, solid waste measures, and transportation and motor vehicles measures. The identified measures shall be included as part of the conditions of approval.	Project Applicant	Planning and Development Department	Planning and Development Department shall review project plans during environmental review of proposed project, and shall review construction specifications to ensure inclusion of applicable measures.

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
NOISE			
NOI-1a: Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Community Development Director. Measures shall be implemented to reduce construction noise to the Federal Transit Administration (FTA) construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers.	Project Applicant and construction contractor	Planning and Development Department	Prior to issuance of any grading or construction permits, the construction contractor shall include specifications for the installation of a minimum 10-foot-high temporary construction noise barrier along the project boundary, if necessary, to meet FTA daytime noise standards. Barriers shall be continuous with no gaps and made of materials with a minimum STC rating.
NOI-1b: Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.	Project Applicant and acoustical consultant	Planning and Development Department	A project-specific noise study shall be prepared by a qualified acoustical consultant to evaluate operational noise levels and identify necessary measures to ensure compliance with the City's stationary noise standards. The noise study shall be submitted to the City for review and approval.
NOI-2: Future development would require that the construction contractor for the project shall restrict heavy construction (e.g., large bulldozers) or require the use of light construction equipment (e.g., small bulldozers and trucks) within 10 feet of a historic building, 9 feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial building, to be confirmed by the City of Fresno or lead agency.	Project Applicant and construction contractor	Planning and Development Department	Prior to issuance of any grading or construction permits, construction plans shall include restrictions on heavy construction equipment within proximity to existing structures. Specifically, heavy construction shall be restricted or replaced with light equipment. Distances shall be confirmed by the City or lead agency during plan review.
RECREATION			
REC-1a: As new development occurs in the Specific Plan Area, the City of Fresno (City) shall periodically (every 5 years) monitor residential population growth compared to development of new parklands for the purpose of evaluating the strength of the	Planning and Development Department	Planning and Development Department	The City shall monitor residential population growth and parkland development within the Specific Plan

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
Tower District Specific Plan Update to meet the ratio of 3.0 acres of parkland per 1,000 population. If the ratio is not met, the City shall explore additional ways to increase the amount of dedicated parkland in the Specific Plan Area, including but not limited to designating additional lands for parkland development.			Area at five-year intervals following the adoption of the Specific Plan Update. The evaluation shall assess whether the parkland-to-population ratio is being improved or maintained. If the ratio is not achieved, the City shall identify and consider options to increase dedicated parkland.
REC-1b: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from construction and operation of parks and recreational facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes: ● Air Quality/Greenhouse Gas Emissions: Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity. ● Noise: Barriers and setbacks placed on parks and recreational facilities. ● Traffic: Traffic devices for circulation. ● Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights.	Planning and Development Department	Planning and Development Department	The City shall evaluate project-specific environmental impacts during environmental review, including air quality/greenhouse gas emissions, noise, traffic, and lighting. If significant impacts are identified, appropriate mitigation measures shall be incorporated into project design. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.

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Exhibit P - Attachment 3:
Findings of Fact and Statement
of Overriding Considerations

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

TOWER DISTRICT SPECIFIC PLAN UPDATE
ENVIRONMENTAL IMPACT REPORT

STATE CLEARINGHOUSE NO. 2025050309

FRESNO, CALIFORNIA

LSA

November 2025

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

TOWER DISTRICT SPECIFIC PLAN UPDATE
ENVIRONMENTAL IMPACT REPORT

STATE CLEARINGHOUSE NO. 2025050309

FRESNO, CALIFORNIA

Submitted to:

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1.0 INTRODUCTION

The purpose of these findings is to satisfy the requirements of Sections 15091, 15092, and 15093 of the California Environmental Quality Act (CEQA) Guidelines, associated with approval of the Tower District Specific Plan Update (project).

The CEQA Statutes (California Public Resources Code [PRC] Sections 21000, et seq.) and Guidelines (California Code of Regulations [CCR] Sections 15000, et seq.) state that if it has been determined that a project may or will have significant impacts on the environment, then an environmental impact report (EIR) must be prepared. Prior to approval of the project, the EIR must be certified pursuant to CEQA Guidelines Section 15090. When an EIR has been certified that identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to CEQA Guidelines Section 15091, for each identified significant impact:

Changes or alterations have been required in, or incorporated into, such project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.

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.

CEQA Guidelines Section 15092 states that after consideration of an EIR, and in conjunction with making the Section 15091 findings identified above, the lead agency may decide whether or how to approve or carry out the project. A project that would result in a significant environmental impact cannot be approved if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact.

However, in the absence of feasible mitigation, an agency may approve a project with significant and unavoidable impacts, if there are specific economic, legal, social, technological, or other considerations that outweigh the unavoidable adverse environmental effects. CEQA Guidelines Section 15093 requires the lead agency to document and substantiate any such determination in a “statement of overriding considerations” as a part of the record.

The requirements of CEQA Guidelines Sections 15091, 15092, and 15093 (as summarized above) are all addressed herein. This document summarizes the findings of fact and statement of overriding considerations authorized by those provisions of the CEQA Guidelines and by the PRC for the project.

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2.0 PROJECT DESCRIPTION

The following provides a summary of the Project Description.

2.1 PROJECT LOCATION AND SETTING

The City of Fresno is located in Fresno County in the central San Joaquin Valley, approximately 200 miles north of Los Angeles and 170 miles south of Sacramento. The Tower District (District) is an 1,869-acre area located immediately north of Downtown Fresno and the State Route (SR) 180 freeway and one mile east of the SR-99 corridor. To the north of Fresno is Madera County, to the northeast and adjacent to Fresno is the City of Clovis, and unincorporated land is located to the east, south, and west of Fresno.

The Tower District Specific Plan Area (Specific Plan Area) for the proposed project encompasses the Tower District, which is centrally located within Fresno and is home to approximately 20,200 residents. The District is generally bound by Shields Avenue to the north, Blackstone Avenue to the east, SR-180 to the south, and Fruit Avenue and the Union Pacific Railroad tracks to the west. The Specific Plan Area is the geographic area for which the Specific Plan Update establishes policies conservation, future growth, and change, and conservation.

2.2 PROJECT

The intent of the proposed project is to provide strategic and comprehensive guidance for making decisions regarding the Tower District's built environment and landscape character, land use and activities, public open space, community facilities, transportation, and other forms of infrastructure within the Specific Plan Area. The Specific Plan Update establishes a shared set of goals, objectives, policies, and implementing actions for the both neighborhood conservation and the future growth and change of the Specific Plan Area. The Specific Plan Update also aids in implementing the broader goals and policies for the City of Fresno outlined in the General Plan in a manner that can better meet the needs of the District. This update is intended to streamline development within the Specific Plan Area by updating the Specific Plan's environmental analysis pursuant to CEQA requirements, and by providing a current regulatory framework and applicable mitigation measures.

Project Objectives

CEQA Guidelines Section 15124(b) states that an EIR project description must include "[a] statement of objectives sought by the proposed project. The statement of objectives should include the underlying purpose of the project." The proposed project objectives are outlined below.

1. Enhance the livability and social diversity of the Tower District's residential neighborhoods and create housing opportunities that make the District inclusive and welcoming.

2. Nurture the mutually supportive relationship between the Tower District's residential neighborhoods and vibrant commercial areas.

3. Conserve and revitalize the Tower District's historic resources.

4. Shape the character of new development to complement the Tower District's character as a walkable place not dominated by the automobile.

5. Provide effective transportation access for pedestrians, bicyclists, motorists, and transit users, and emphasize the importance of pedestrian-friendly environments.

6. Increase opportunities for recreation within walking distance of Tower District residents.

7. Promote environmental sustainability and climate resilience.

2.3 PROJECT ALTERNATIVES

The Draft EIR considered and evaluated two alternatives, the No Project Alternative and Recreation Alternative. Findings for the alternatives are included in Section 6.0 of this document.

No Project Alternative

Under the No Project Alternative, the proposed Specific Plan Update would not be adopted. Development within the Specific Plan Area would continue to be implemented in accordance with the existing 1991 Specific Plan and land use and zoning changes allowed under the General Plan. Despite the lack of an update under the No Project Alternative, the distribution and location of projected growth within the Specific Plan Area would occur in a manner consistent with the City's General Plan and zoning documents. The identified improvements proposed in the Specific Plan Update for the Tower District would not be implemented. Land use and zoning changes would not be implemented, and any future development would be consistent with the current allowed land use and zoning designations. The existing land use and zoning designations anticipate that the Specific Plan Area would result in an increase of 2,271 additional residential units, for a total of 9,607 residential units within the Tower District, as the 1991 Specific Plan and General Plan is implemented through the Horizon Year of 2035. Similar to existing conditions, future development within the Specific Plan Area that trigger significant impacts under CEQA would be required to prepare Environmental Impact Reports and adopt statements of overriding consideration pursuant to CEQA Guidelines Section 15093.

Recreation Alternative

The Recreation Alternative would continue to implement the Specific Plan Update, with the provision to utilize vacant sites and dedicate additional land for the development of parks and recreation facilities. Conceptually, this alternative would involve the development of vacant sites within the Specific Plan Area with recreational uses including active and passive park facilities such as trails, picnic areas, playground and tot lots, landscaped areas, and open spaces. Most of these sites would require purchase by the City, as they are under private ownership. Under the proposed project, the majority of these sites are included in the development capacity for future residential development. By prioritizing parks and recreation facilities and designating additional land for parkland development at vacant sites, this would also slightly decrease the projected residential units to be developed through implementation of the proposed project.

3.0 PROCEDURAL FINDINGS

Based on the nature and scope of the project, the City determined, based on substantial evidence, that the project may have a significant effect on the environment and prepared an EIR. The Draft EIR (State Clearinghouse No. 2025050309) was prepared, noticed, published, circulated, reviewed, and completed in full compliance with CEQA, and additional noticing and opportunities for public comment were also provided, as follows:

- A Notice of Preparation (NOP) was prepared and circulated on May 7, 2025, for a 30-day public and agency comment period. The NOP was submitted to the State Clearinghouse, Fresno County Clerk-Recorder, and responsible and trustee agencies.

- A public scoping meeting to receive comments regarding the issues to be covered in the EIR was held on May 27, 2025, at Fresno City Hall, Fresno, CA.

- A Notice of Completion and copies of the Draft EIR were distributed to the Office of Planning and Research on August 15, 2025, to those public agencies that have jurisdiction by law with respect to the project, or which exercise authority over resources that may be affected by the project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.

- Pursuant to Assembly Bill (AB) 52, the City distributed letters dated July 15, 2025, to the California tribes that are culturally and geographically affiliated with the Planning Area. Representatives for the following tribes were notified: Amah Mutsun Tribal Band, Kitanemuk & Yowlumne Tejon Indians, Northern Valley Yokut/Ohlone Tribe, Picayune Rancheria of the Chukchansi Indians, Table Mountain Rancheria, Tule River Indian Tribe, Wuksachi Indian Tribe/Eschom Valley Band.

- One response was received from the Table Mountain Rancheria tribe during the 90-day response period, and no resources have been identified as Tribal Cultural Resources. On this basis, the consultation process under California Public Resources Code (PRC) Section 21080.3.1(b) was concluded.

- A Notice of Availability of the Draft EIR was mailed on August 15, 2025, to all interested groups, organizations, and individuals who had previously requested notice in writing. The Notice of Availability stated that City had completed the Draft EIR and that copies were available on the City's website: www.fresno.gov/tdsp. Hard copies of the Draft EIR were made available at the City's offices at 2600 Fresno Street, Room 3065, Fresno, CA and the City of Fresno Central Library and the Gillis Branch Library.

- A 45-day State review and public comment period for the Draft EIR began on August 15, 2025, and ended on September 29, 2025.

- The City provided written responses to all comments received during and after the public comment period referenced above for the Draft EIR and additional information to clarify such responses was added by the City to the Draft EIR to produce the Final EIR (FEIR).
- The FEIR was made available on November 7, 2025, and consists of the following items:
    - The Draft EIR released on August 15, 2025;
    - Responses to Comments; and
    - Revisions to the Draft EIR.
- As required by CEQA Guidelines Section 15088(b), public agencies that commented on the Draft EIR were provided at least 10 days to review the proposed responses contained in the FEIR prior to the date for consideration of the FEIR for certification.

4.0 RECORD OF PROCEEDINGS

In accordance with California 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 Draft EIR and all appendices to the Draft EIR;
- The FEIR and all appendices to the FEIR;
- 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 and the Draft EIR;
- All studies conducted for the project and contained or referenced in the Draft EIR and the FEIR;
- All documents cited or referenced in the Draft EIR and the FEIR;
- All public reports and documents related to the project prepared for the City and other agencies;
- All other documents related to the project;
- The mitigation monitoring and reporting program (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 offices at 2600 Fresno Street, Room 3065, Fresno, CA.

The Draft EIR and FEIR are incorporated into these findings in their entirety, unless and only to the extent these findings expressly do not incorporate by reference the Draft EIR and FEIR. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the project in spite of the potential for associated significant and unavoidable adverse physical environmental impacts.

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5.0 FINDINGS REQUIRED UNDER CEQA

California Public Resources Code (PRC) Section 21002 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[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 of the PRC goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles in PRC Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first such finding is that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the FEIR (CEQA Guidelines Section 15091[a][1]). For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level, or of the project's ability to avoid a potentially significant impact altogether. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less- than-significant level.

The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by such other agency or can and should be adopted by such other agency (CEQA Guidelines Section 15091[a][2]).

The third potential conclusion is that 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 Draft EIR and FEIR (CEQA Guidelines Section 15091[a][(3]). "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors (CEQA Guidelines Section 15364).

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, "feasibility" under CEQA encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors" (City of Del Mar v. City of San Diego [1982] 133 Cal.App.3d 410, 417).

In the process of adopting mitigation measures, the City has made a determination regarding whether the mitigation proposed in the EIR is "feasible." In some cases, modifications may have been made to the mitigation measures proposed in the EIR to update, clarify, streamline, or revise those measures. None of these changes result in significant new information or impacts that would require recirculation of the EIR.

With respect to a project for which significant impacts are not avoided or substantially lessened, a lead agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons in support of the finding that the project benefits outweigh its unavoidable adverse environmental effects. In the process of considering the EIR for certification, the City has recognized that impact avoidance is not possible in all instances. To the extent that significant adverse environmental impacts will not be reduced to a less-than-significant level with the adopted mitigation, the City has found that specific economic, social, and other considerations support approval of the project. Those findings are reflected herein in Section 5, "Findings Required Under CEQA," and in Section 7, "Statement of Overriding Considerations," below.

5.1 SUMMARY OF FINDINGS

The Draft EIR identified a number of less-than-significant impacts associated with the project that do not require mitigation. The 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. Some of these significant effects can be fully avoided or substantially lessened through the adoption of feasible mitigation measures. Other effects cannot be, and thus may be significant and unavoidable. For reasons set forth in Section 7, "Statement of Overriding Considerations," however, the City has determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the project.

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 Draft EIR and FEIR for more detail.

The following provides a summary description of each potentially significant and significant impact, describes the applicable mitigation measures identified in the FEIR 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 Draft EIR and FEIR 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 in 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]).

Findings Regarding No Impact or Less Than Significant Impacts (No Mitigation Required)

The City agrees with the characterization in the Draft EIR and FEIR of all project-specific impacts identified as "no impact" or "less than significant" and finds that those impacts have been described accurately and are either less than significant or have no impact, as described in the EIR. Section 15091 of the 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.

The impacts for which the project would result in either no impact or a less than significant impact, and which require no mitigation, are identified in the bulleted list below. Please refer to the Draft EIR and FEIR for more detail.

AESTHETICS

- Impact AES-1: The proposed project would not have a substantial adverse effect on a scenic vista.

- Impact AES-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.

- Impact AES-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 publicly accessible vantage point), and 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.

- Impact AES-4: The proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

- Impact AES-5: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not contribute to a significant cumulative impact with respect to aesthetics.

AGRICULTURAL AND FORESTRY RESOURCES

- Impact AG-1: The proposed project would not 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.

- Impact AG-2: The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

- Impact AG-3: The proposed project would not 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)).

- Impact AG-4: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use.

- Impact AG-5: The proposed project would not 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.

- Impact AG-6: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to agricultural resources.

AIR QUALITY

- Impact AIR-1: The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

- Impact AIR-2: The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project is nonattainment under an applicable federal or state ambient air quality standard.

- Impact AIR-4: The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

BIOLOGICAL RESOURCES

- Impact BIO-2: The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

- Impact BIO-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.

- Impact BIO-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.

- Impact BIO-5: The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- Impact BIO-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.

ENERGY

- Impact ENG-1: The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

- Impact ENG-2: The proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

- Impact ENG-3: The project, in combination with other projects, would not contribute to a significant cumulative impact related to energy.

GEOLOGY AND SOILS

- Impact GEO-1: The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

    I. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.);

    II. Strong seismic ground shaking;

    III. Seismic-related ground failure, including liquefaction;

    IV. Landslides

- Impact GEO-2: The project would not result in substantial soil erosion or the loss of topsoil.

- Impact GEO-3: The project would not 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.

- Impact GEO-4: The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property.

- Impact GEO-5: The project does not contain soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

HAZARDS AND HAZARDOUS MATERIALS

- Impact HAZ-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.

- Impact HAZ-2: The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment.

- Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

- Impact HAZ-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 not create a significant hazard to the public or the environment.

- Impact HAZ-5: The project would be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and would not result in a safety hazard for people residing or working in the project area.

- Impact Haz-6: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

- Impact HAZ-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.

- Impact HAZ-8: The proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts related to hazards and hazardous materials.

HYDROLOGY AND WATER QUALITY

- Impact HYD-1: The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

- Impact HYD-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.

- Impact HYD-3: The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

    - Result in a substantial erosion or siltation on- or off-site;

- Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- 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; nor
- Impede or redirect flood flows.

- Impact HYD-4: The project would not risk release of pollutants due to project inundation in a flood hazard, tsunami, or seiche zones.
- Impact HYD-5: The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.
- Impact HYD-6: The project, in combination with other projects, would not contribute to a significant cumulative impact related to hydrology and water quality.

LAND USE AND PLANNING

- Impact LU-1: The proposed project would not physically divide an established community.
- Impact LU-2: The proposed project would not 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.
- Impact LU-3: The project, in combination with other projects, would not contribute to a significant cumulative impact related to land use and planning.

MINERAL RESOURCES

- Impact MIN-1: The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- Impact MIN-2: The proposed project would not 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.
- Impact MIN-3: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to mineral resources.

NOISE

- Impact NOI-3: The proposed would not expose people residing or working in the project area to excessive noise levels.

POPULATION AND HOUSING

- Impact POP-1: The project would not 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).

- Impact POP-2: The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

- Impact Pop-3: The proposed project would not contribute to a significant cumulative impact related to population and housing.

PUBLIC SERVICES AND RECREATION

- Impact PSR-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities.

TRANSPORTATION

- Impact TRA-1: The project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

- Impact TRA-2: The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

- Impact TRA-3: The proposed 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).

- Impact TRA-4: The proposed project would not result in inadequate emergency access.

- Impact TRA-5: The project, in combination with other projects, would not contribute to a significant cumulative impact related to transportation.

UTLITIES AND SERVICE SYSTEMS

- Impact UTL-1: The project would not require nor result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

- Impact UTL-2: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

- Impact UTL-3: The project would not result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

- Impact UTL-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.

- Impact UTL-5: The proposed project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

- Impact UTL-6: The project, in combination with other projects, would not contribute to a significant cumulative impact related to utilities and service systems.

WILDFIRE

- Impact WF-1: The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

- Impact WF-2: The proposed project would not, 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.

- Impact WF-3: The proposed project would not 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.

- Impact WF-4: The proposed project would not 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.

- Impact WF-5: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to wildfire.

Findings Regarding Impacts Mitigated to a Less than Significant Level

The City hereby finds that feasible mitigation measures have been identified in the EIR and that these mitigation measures will avoid or substantially lessen the following potentially significant and significant environmental impacts to a less-than-significant level. The potentially significant and significant impacts and the mitigation measures that will reduce them to a less-than-significant level are summarized below. Please refer to the DEIR for more detail.

AIR QUALITY

Impact AIR-3: The proposed project would expose sensitive receptors to substantial pollutant concentrations.

Future development associated with the implementation of the Specific Plan Update would have the potential to expose sensitive receptors to substantial pollutant concentrations. Information regarding operational characteristics of future specific development projects and the associated emissions cannot be determined at the time of this analysis; therefore, growth within the city could result in exposure of sensitive receptors to substantial pollutant concentrations, including potential TAC emissions.

Mitigation Measure AIR-1a:

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical health risk assessment (HRA) evaluating potential project construction phase-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology for assessing construction impacts. If construction-related air pollutants are determined to have the potential to exceed the SJVAPCD adopted threshold of significance, project applicants for new development projects shall be required to incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. Mitigation measures can include, but are not limited to:

- Maintain construction equipment and provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [CCR Title 13, Sections 2449 and 2449.1] to SJVAPCD; and

- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. Documentation of a certified mechanic's inspection and determinations shall be maintained by the Construction Manager and available for City inspection upon reasonable request.

The identified measures shall be included as part of the project Conditions of Approval. If the recommendations of the HRA are insufficient to reduce impacts to levels at or below SJVAPCD's threshold of 20 in one million, such development with significant cancer risk (i.e., that exceed that threshold) shall be prohibited.

Mitigation Measure AIR-1b:

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), the City of Fresno (City) shall evaluate new development proposals for new industrial or warehousing land uses that: (1) have the potential to generate 100 or more truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration

units, and (2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use. Such projects shall submit a HRA to the City Department of Development and Resource Management. The HRA shall be prepared in accordance with policies and procedures of the most current State Office of Environmental Health Hazard Assessment (OEHHA) and the SJVAPCD. If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the SJVAPCD at the time a project is considered, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to an acceptable level. T-BACTs may include, but are not limited to:

- Restrict idling on site by shutting equipment off when not in use or reducing idling time to 3 minutes as enforced by an identified compliance officer within the construction crew. Idling restrictions shall be enforced by highly visible posting at the site entry, posting at other on-site locations frequented by truck drivers, conspicuous inclusion in employee training and guidance material and owner, operator or tenant direct action as required;

- Electrify warehousing docks to reduce diesel particulate matter; Reque use of newer equipment and/or vehicles;

- Provide charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy duty trucks; and/or

- Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.

T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

Mitigation Measure AIR-1c:

Locate new sensitive land uses (e.g., residences, schools, and daycare centers) to avoid incompatibilities with recommended buffer distances identified in the most current version of the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook). Sensitive land uses that are within the recommended buffer distances listed in the CARB Handbook shall provide enhanced filtration units or submit a health risk assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level must be identified and approved by the City.

Significance after Mitigation.Compliance with Mitigation Measure AIR-1a would require future development projects in the Planning Area to evaluate and mitigate potential TAC exposure related to project-level construction activity. Mitigation Measure AIR-1b would ensure that mobile sources of TACs not covered under SJVAPCD permits are considered during subsequent project-level environmental review. Mitigation Measure AIR-1b would require the preparation of project-specific technical health risk assessments for certain discretionary large industrial or

warehousing uses to evaluate operational-related health risk impacts to further ensure that operational-related emissions are reduced to a less than significant level. Mitigation Measure AIR-1c identifies the use of the discretionary review process for residential and other sensitive land uses near freeways to impose site plan and design features aimed at minimizing exposure to environmental pollution. Implementation of Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would serve to ensure that the impacts due to the implementation of the proposed project are assessed to determine if they would expose sensitive receptors to potentially significant impacts from TAC emissions. Therefore, compliance with Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would ensure the potential TAC health risk impact associated with the implementation of the proposed project would be less than significant. (Draft EIR pages 4.1-41 through 4.2-43).

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the potential to expose sensitive receptors to substantial pollutant concentrations.

BIOLOGICAL RESOURCES

Although 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; it is acknowledged that future projects may not be able to avoid these species.

Impact BIO-1: Implementation of the Specific Plan Update would have a substantial adverse effect, either directly or through habitat modifications, on a 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.

Although 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; it is acknowledged that future projects may not be able to avoid these species. While future development under the proposed project would be largely focused within developed areas, the proposed improvements could still adversely impact sensitive special-status species.

Mitigation Measure BIO-1a: Avoidance Measures for Bats.

1. A qualified biologist with experience in assessing trees for bat roosts will survey all trees within 500 feet of the construction footprint for suitability as bat roosts. If a tree planned for removal is deemed suitable, the qualified biologist will conduct a night emergence survey of the suitable roost tree 1 to 2 nights prior to tree removal using night vision and/or infrared-sensitive camera equipment and bioacoustic recording equipment. If surveys are negative, trees should be removed immediately.

2. If night emergent surveys are positive, trees should be removed using a two-step process for 2 consecutive days and should be monitored by a qualified biologist. On the first day, small branches and small limbs that do not contain potential roost habitat (e.g., cavities, crevices, exfoliating bark) will be removed using chainsaws. On the second day, the remainder of the tree

will be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree will cause colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree.

3. Any trees suitable as bat roost will be removed during one of the following periods to avoid harm to young or hibernating bats:

    a. Between approximately March 1 and April 15 (or after evening temperatures rise above 45 degrees Fahrenheit [°F], and less than 0.5 inch of rainfall in 24 hours occurs).

    b. After maternity season and prior to winter torpor or hibernation, September 1 through about October 15 (or before evening temperatures fall below 45°F, and prior to greater than 0.5 inch of rainfall within 24 hours).

For trees that will not be removed but which are actively in use as a roost, a no disturbance buffer shall be implemented. If a maternity roost is confirmed, the no disturbance buffer will be 500 feet until it is confirmed that the young are no longer reliant on parental care or the bats have left the area. For all other roosts, the no disturbance buffer will be determined by the qualified biologist based on the conditions at the site and the planned construction activities. The qualified biologist may identify other avoidance measures to be implemented during construction, such as restricting work to specific times of day, to support no disturbance buffers of less than 50 feet.

Mitigation Measure BIO-1b: Pre-activity Nesting Bird Surveys.

If future development and site-specific project activities facilitated by the implementation of the Specific Plan Update must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys will be conducted by a qualified biologist in accordance with the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) no more than 7 days prior to the start of construction at the construction site, and a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson's hawk [Buteo swainsoni]) will be installed. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during future project construction facilitated by implementation of the Tower District Specific Plan Update, the project proponent shall install an avoidance buffer ranging from 50 feet to 350 feet will be required, as determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The qualified biologist will have the ability to stop construction if nesting adults show signs of distress

Significance after Mitigation. Implementation of Mitigation Measures BIO-1a and BIO-1b would require avoidance measures for bats and nesting bird surveys conducted by a qualified biologist. As such, future development under the proposed project would require project-specific level and site-specific analysis as needed to reduce impacts to bats and nesting birds. Thus, the

proposed program would not result in significant impacts to sensitive special-status species. (Draft EIR pages 4.2-24 through 4.2-27)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts to special-status species and associated habitat identified in the EIR.

CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

Impact CUL-1: The project could cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

While future development under the proposed project would be largely focused within developed areas, development could still adversely impact previously unknown resources during grading and construction activities. As development 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.

Mitigation Measure CUL-1a:

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 of Fresno (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 State 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 State 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 City of Fresno 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.

Mitigation Measure CUL-1b:

Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of the Interior's Qualifications. The

evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development. During project-specific environmental review of development under the proposed plan, before altering or otherwise affecting a building or structure that is 50 years old or older, the City shall require project applicants to retain a qualified architectural historian meeting the Secretary of Interior's Professional Qualifications Standards to record the building or structure on a California Department of Parks and Recreation DPR 523 form or equivalent documentation, if the building has not previously been evaluated. Its significance shall be assessed and documented by a qualified architectural historian in accordance with the significance criteria set forth for historic resources under CEQA Guidelines Section 15064.5. The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the structure in the history of the City and the region. For buildings, structures, and other resources determined through this evaluation process not to meet the CEQA historical resource criteria, no further mitigation is required. For any building, structure, and or other resource that qualifies as a historic resource, the architectural historian and the future project-specific applicant shall consult to consider measures that would enable projects under the proposed plan to avoid direct or indirect impacts to the historic building or structure. These could include preserving the building on site, using it “as is,” or other measures that would not materially alter the historically significant components of the building or structure. If the project cannot feasibly avoid modifications to the historically significant features of the historic building or structure, the following measures shall be undertaken as appropriate:

- If the building or structure can be preserved on-site, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (NPS 2017).

- If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, the City shall ensure that a qualified architectural historian thoroughly documents the building and associated landscaping and setting. Documentation shall include still and video photography and a written documentary record of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. A copy of the record shall be provided to the City. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.

- If preservation and reuse at the site are not feasible, the historical building shall be documented as described in item (2) and, when physically and financially feasible, be moved and preserved or reused.

  Significance after Mitigation. Compliance with Mitigation Measures CUL-1a and CUL-1b would ensure that implementation of the Specific Plan Update would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, and impacts

associated with the proposed project would be less than significant. (Draft EIR pages 4.3-16 through 4.3-23)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts to any historic resources identified in the DEIR.

Impact CUL-2: The project could cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines.

The absence of prehistoric resources previously documented within the Specific Plan Area, and severe disturbance associated with development, suggest that sensitivity for in situ pre-contact archaeological resources is low. However, the establishment of Fresno as a streetcar suburb in the early 20th century and the subsurface debris and associated trash within the Specific Plan Area indicate that the area retains some potential for archaeological resources which could be discovered during implementation of the proposed project, particularly in previously undisturbed areas.

Mitigation Measure CUL-2:

Subsequent to a preliminary City review of grading plans for future development projects facilitated by the Specific Plan Update, 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 of Fresno 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 State CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the State CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the City of Fresno. 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.

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

Significance after Mitigation. Compliance with Mitigation Measure CUL-2 would ensure that implementation of the Specific Plan Update would not cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines, and impacts associated with the proposed project would be less than significant. (Draft EIR pages 4.3-23 through 43-25)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts to any archaeological resources identified in the DEIR.

Impact CUL-3: The project could disturb human remains, including those interred outside of formal cemeteries.

The absence of prehistoric resources previously documented within the Specific Plan Area, and severe disturbance associated with development, suggest that sensitivity for in situ pre-contact archaeological resources is low. However, the Specific Plan Area retains some potential for archaeological resources which could be discovered during implementation of the proposed project, particularly in previously undisturbed areas.

Mitigation Measure CUL-3:

In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (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 MLDs 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.

Significance after Mitigation. Compliance with Mitigation Measure CUL-3 would ensure that implementation of the Specific Plan would not disturb human remains, including those interred outside of formal cemeteries, and the impact would be less than significant. (Draft EIR pages 4.3-25 and 4.3-26)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts to any tribal cultural resources, identified in the DEIR.

Impact CUL-4: Implementation of the proposed project would have the potential to impact TCRs, the disturbance of which could result in a significant impact under CEQA.

Future development under the proposed project has the potential to impact Tribal Cultural Resources (TCRs), particularly in previously undisturbed areas. Impacts resulting from future development within the Specific Plan Area in accordance with the Specific Plan Update could impact unknown archaeological resources including Native American artifacts and human remains. Potential impacts would be reduced to a less than significant levels with implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3

Significance after Mitigation. Compliance with Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3 would ensure that implementation of the Specific Plan Update would not have the potential to impact TCRs, the disturbance of which could result in a significant impact under CEQA, and impacts associated with the proposed project would be less than significant. (Draft EIR page 4.3-27)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts to any tribal cultural resources, identified in the DEIR.

GEOLOGY AND SOILS

Impact GEO-6: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Although many areas within the Specific Plan Area have been previously disturbed by development, implementation of the Specific Plan Update could include future development that would require excavations or construction within previously undisturbed soils containing unique paleontological resources geologic features.

Mitigation Measure GEO-1: Paleontological/Geologic Features

Subsequent to a preliminary City of Fresno 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.

  Significance after Mitigation. Compliance with Mitigation Measure GEO-1 would reduce impacts to paleontological resources through the field surveys, literature searches, and retention of a qualified paleontologist should resources be discovered. (Draft EIR page 1-23)

  Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts to any paleontological resources, identified in the DEIR.

GREENHOUSE GAS EMISSIONS

Impact GHG-1: The proposed project would result in a potentially significant impact related to GHG emissions.

The proposed project would result in greenhouse gas (GHG) emissions from construction and operational sources. Construction activities would generate emissions from off-road construction equipment and on roadways as a result of construction-related truck hauling, vendor deliveries, and worker commuting. Operational GHG emissions are typically associated with mobile sources, area

sources, indirect emissions from sources associated with energy consumption, waste sources, and water sources.

Mitigation Measure GHG-1:

Prior to discretionary approval by the City of Fresno (City) for development projects subject to California Environmental Quality Act (CEQA) review (i.e., nonexempt projects), Project applicants shall prepare and submit a technical assessment evaluating potential project-related greenhouse gas (GHG) impacts to the City for review and approval. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology. While neither the City nor the SJVAPCD currently have established threshold of significance for evaluating the GHG emissions impact of a proposed project, if either the City or the SJVAPCD develop GHG thresholds in the future (i.e. CEQA qualified Greenhouse Gas Reduction Plan/Climate Action Plan or SJVAPCD project-specific GHG thresholds), the evaluation of project-related GHG emissions shall demonstrate consistency with those thresholds of significance. In the absence of project-specific GHG thresholds established by the City or SJVAPCD, projects shall demonstrate compliance with the 2022 Scoping Plan GHG requirements, consistent with State GHG emissions reduction and equity prioritization goals, by implementing the following design elements, where feasible:

- Projects shall not include natural gas appliances or natural gas plumbing.
- Projects shall achieve a reduction in project-generated VMT below the regional average consistent with the current version of the 2022 Scoping Plan (currently 15 percent) or meets the City's locally adopted target reduction (13 percent reduction).
- Projects shall not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
- Projects must achieve compliance with EV requirements in the most recently adopted version of CALGreen Tier 2.

Should a proposed project exceed established thresholds of significance, the City shall require that the proposed project implement GHG emission reduction measures to reduce emissions below applicable thresholds or to a level commensurate with implementing the recommended project-design features outlined above. Such mitigation measures could include, but are not limited to, energy efficiency measures, water conservation and efficiency measures, solid waste measures, and transportation and motor vehicles measures. The identified measures shall be included as part of the conditions of approval.

Significance after Mitigation. Implementation of Mitigation Measures GHG-1 would serve to ensure that the potential impacts of the proposed project are assessed to determine if they would have a significant impact on GHG. Therefore, compliance with Mitigation Measure GHG-1 would ensure the potential GHG impacts associated with the continued implementation of the proposed project would be less than significant. (Draft EIR pages 4.4-25 through 4.4-29)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts related to substantial temporary or permanent increase in ambient noise, identified in the EIR.

Impact GHG-2: The proposed project would result in a potentially significant impact related to building decarbonization and transportation electrification.

Future development under the proposed project would result in greenhouse gas emissions which have the potential to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Future development would be required to prepare site specific analysis to assess consistency with building decarbonization and transportation electrification goals.

Significance after Mitigation. Implementation of Mitigation Measure GHG-1 would serve to ensure that the impacts of the continued implementation of the proposed project would meet the building decarbonization, transportation electrification, and VMT goals. Therefore, compliance with Mitigation Measure GHG-1 would ensure the potential GHG impacts associated with the continued implementation of the proposed project would be less than significant. (Draft EIR pages 4.4-19 through 4.4-25)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts related to substantial temporary or permanent increase in ambient noise, identified in the EIR.

NOISE

Impact NOI-1: Implementation of the proposed project could 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.

Implementation of the Specific Plan Update would have a significant impact if it would expose new and existing receptors to incompatible levels of noise from both the construction and operations resulting from future development facilitated by the Specific Plan Update. The proposed project would result in both short-term and long-term noise impacts. Therefore, implementation of the project has the potential to 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.

Mitigation Measure NOI-1a:

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), and prior to the issuance of demolition, grading, and/or construction permits, the construction contractor shall conduct a project-level construction noise

analysis to evaluate potential impacts on off-site sensitive land uses adjacent to the project site. The project-level construction noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning and Development Director. Measures shall be implemented to reduce construction noise to the FTA construction noise criteria or below if construction noise impacts are identified. Measures may include, but are not limited to the installation of temporary construction barriers.

Mitigation Measure NOI-1b:

Prior to future discretionary approval for projects that require environmental evaluation under CEQA (i.e. non-exempt projects), a project-specific noise study shall be prepared by a qualified acoustical consultant to determine the noise levels generated from long-term operations of future projects associated with implementation of the Tower District Specific Plan Update, and measures will be included as necessary to reduce noise levels and ensure compliance with the City of Fresno's stationary noise standards. The project specific noise study will be submitted to the city for review and approval. Noise reduction measures may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or soundwalls) or by using equipment that has a quieter rating.

Significance after Mitigation. Implementation of Mitigation Measures NOI-1a and NOI-1b would serve to ensure that the impacts due to the implementation of the Specific Plan would be reduced to a less than significant level. (Draft EIR pages 4.5-16 through 4.5-21)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts related to substantial temporary or permanent increase in ambient noise, identified in the EIR.

Impact NOI-2: The proposed project would generate excessive groundborne vibration or groundborne noise levels.

Implementation of the proposed project has the potential to generate excessive ground-borne vibration or ground-borne noise levels during construction of future development under the proposed project. The greatest vibration levels are anticipated during the site preparation and grading phases.

Mitigation Measure NOI-2:

Future development would require that the construction contractor for the project shall restrict heavy construction (e.g., large bulldozers) or require the use of light construction equipment (e.g., small bulldozers and trucks) within 10 feet of a historic building, 9 feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial building, to be confirmed by the City of Fresno or lead agency.

Significance after Mitigation. Implementation of Mitigation Measure NOI-2, which restricts heavy construction (e.g., large bulldozers and loaded trucks) or requires the use of light construction equipment (e.g., small bulldozers and trucks) within 10 feet of a historic building, 9

feet of an older residential structure, or 6 feet of a new residential or modern industrial/commercial building, would reduce vibration levels to below the vibration damage threshold for the respective building types. Therefore, vibration levels generated from project construction would be less than significant with the implementation of Mitigation Measure NOI-2. (Draft EIR pages 4.5-21 through 4.5-23)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts related to groundbourne vibration and groundbourne noise levels, identified in the DEIR.

RECREATION

Impact REC-3: Implementation of the Specific Plan Update could require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Buildout under proposed project could include construction or expansion of recreational facilities. The development of new parks or the expansion of existing parks that could be a result of the implementation of the Specific Plan Update could result in significant adverse environmental impacts. The construction and operation of new or expanded parks facilities could result in significant adverse environmental impacts such as air quality, greenhouse gas emissions, noise, traffic, and lighting

Significance after Mitigation. Compliance with Mitigation Measure REC-1b would reduce potential construction impacts resulting from implementation of the Specific Plan Update, which would reduce potential impacts to a less than significant level. (Draft EIR pages 4.6-21 and 4.6-22)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts related to construction or expansion of recreational facilities, identified in the DEIR.

Findings Regarding Cumulative Impacts Mitigated to a Less than Significant Level

The City hereby finds that feasible mitigation measures have been identified in the EIR and these mitigation measures will avoid or substantially lessen the following potentially significant and significant cumulative impacts to a less-than-significant level. The potentially significant and significant impacts and the mitigation measures that will reduce them to a less-than-significant level are summarized below. Please refer to the EIR for more detail.

AIR QUALITY

Impact AIR-5: The proposed project would have a significant effect on the environment if it – in combination with other projects – would contribute to a significant cumulative impact related to air quality.

Cumulative growth within the city could result in potential TAC health risks exceeding applicable standards and cumulatively contributing to elevated health risks in the San Joaquin Valley Air Basin.

Significance after Mitigation. Compliance with Mitigation Measure AIR-1a would require future development projects in the Planning Area to evaluate and mitigate potential TAC exposure related to project-level construction activity. Mitigation Measure AIR-1b would ensure that mobile sources of TACs not covered under SJVAPCD permits are considered during subsequent project-level environmental review. Mitigation Measure AIR-1b would require the preparation of project-specific technical health risk assessments for certain discretionary large industrial or warehousing uses to evaluate operational-related health risk impacts to further ensure that operational-related emissions are reduced to a less than significant level. Mitigation Measure AIR-1c identifies the use of the discretionary review process for residential and other sensitive land uses near freeways to impose site plan and design features aimed at minimizing exposure to environmental pollution. Implementation of Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would serve to ensure that the impacts due to the implementation of the proposed project are assessed to determine if they would expose sensitive receptors to potentially significant impacts from TAC emissions. Therefore, compliance with Mitigation Measures AIR-1a, AIR-1b, and AIR-1c would ensure the potential TAC health risk impact associated with the implementation of the proposed project would be less than significant. (Draft EIR pages 4.1-41 through 4.2-43).

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the potential to expose sensitive receptors to substantial pollutant concentrations.

BIOLOGICAL RESOURCES

Impact BIO-7: Implementation of the Specific Plan Update could result in cumulative impacts to biological resources.

While the Specific Plan Area is largely a built-out environment, future cumulative development and redevelopment under the proposed project could result in significant impacts to biological resources, including special-status species, within the Specific Plan Area.

Significance after Mitigation. Implementation of Mitigation Measures BIO-1a and BIO-1b would serve to ensure that the impacts of the implementation of the proposed project would reduce cumulative impacts to biological resources to a less than significant level. (Draft EIR pages 4.2-27)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen cumulative impacts to state or federally protected wetlands, identified in the EIR.

CULTURAL RESOURCES

Impact CUL-5: The project, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to cultural resources.

Future development within the Specific Plan Area as well as other cumulative development could result in impacts to known and unknown historical resources. All future development facilitated by the implementation of the Specific Plan Update would similarly require separate environmental review under CEQA to evaluate project-level potential impacts to historical resources and to identify any required mitigation.

> ***Significance after Mitigation.*** Compliance with Mitigation Measures CUL-1a, CUL-1b, CUL-2, and CUL-3 would serve to ensure that the impacts associated with the implementation of the Specific Plan Update would reduce cumulative impacts to cultural resources to a less than significant level. (Draft EIR page 4.3-27 and 4.3-28)
>
> ***Finding on Proposed Mitigation.*** The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen cumulative impacts to historic resources, archaeological resources, and tribal cultural resources, identified in the EIR.

GEOLOGY AND SOLS

Impact GEO-7: Result in significant cumulative impacts with respect to paleontological resources.

Implementation of the Specific Plan Update could result in the discovery paleontological/geological resources during excavation and/or construction activities within previously undisturbed soils. Although current regulations to preserve cultural resources are expected to reduce potential impacts resulting from future development, the project's contribution to impacts on paleontological resources would be considered cumulative considerable. Potential impacts would be reduced to a less than significant level with implementation of Mitigation Measure GEO-1.

> ***Significance after Mitigation.*** Compliance with Mitigation Measure GEO-1 would reduce impacts to paleontological resources through the field surveys, literature searches, and retention of a qualified paleontologist should resources be discovered. (Draft EIR page 1-23)
>
> ***Finding on Proposed Mitigation.*** The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen impacts to any paleontological resources, identified in the DEIR.

GREENHOUSE GAS EMISSIONS

Impact GHG-3: Implementation of the proposed project in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to GHG emissions.

GHG emissions are a global issue and it is unlikely that the proposed project would generate enough GHG emissions to influence GHG emissions on its own. However, GHG emissions are inherently cumulative in nature, and future development under the proposed project would require site specific analysis to determine its GHG impact and compliance with applicable State related goals for reducing GHG emissions.

Significance after Mitigation. Implementation of Mitigation Measure GHG-1 would serve to ensure that the impacts due to implementation of the proposed project are assessed to determine if they would have a significant impact on GHG and ensure that future development projects would comply with State goals related to the reduction of GHG emissions. Therefore, compliance with Mitigation Measure GHG-1 would ensure the potential GHG impacts associated with the continued implementation of the proposed project would be less than significant. (Draft EIR pages 4.4-29 and 4.4-30)

Finding on Proposed Mitigation. The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen cumulative impacts to paleontological resources, identified in the EIR.

NOISE

Impact NOI-4: Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to noise.

Buildout of the Specific Plan Update, along with construction of related projects in the Specific Plan Area, would introduce construction activities that could potentially overlap and result in temporary or periodic increases in ambient noise levels. Therefore, implementation of the Specific Plan Update could result in cumulative impacts with respect to noise.

Significance after Mitigation. Implementation of Mitigation Measures NOI-1a, NOI-1b, and NOI-2 would serve to ensure that noise and vibration impacts associated with implementation of the proposed project would not result in a cumulative significant impact. (Draft EIR pages 4.5-23 through 4.5-25)

Finding on Proposed Mitigation. The City finds that, with implementation of Mitigation Measures NOI-1 and NOI-2, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen cumulative impacts with respect to water supply and hydrology, identified in the EIR.

Findings Regarding Environmental Impacts not Mitigated to a Less than Significant Level

The following significant environmental impacts of the project are unavoidable and cannot be mitigated in a manner that would substantially lessen the environmental impacts to less-than-significant levels.

The following significant environmental impacts of the project are unavoidable and cannot be mitigated in a manner that would substantially lessen the environmental impacts to less-than-significant levels.

RECREATION

Impact REC-1: The proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered parks or recreation facilities, or the need for new or physically altered parks or recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives

The population increase projected under the proposed project is within the population growth contemplated by the General Plan and the 2023–2031 Housing Element. However, the Specific Plan Update does not implement the creation of new parks or recreation facilities, and there are approximately 84.6 acres less than the total parkland acreage needed to meet the citywide parks and open space standard of 3.0 acres per 1,000 residents. Therefore, potential impacts related to the provision of parks and recreation services could be significant.

Mitigation Measure REC-1a:

As new development occurs in the Specific Plan Area, the City of Fresno (City) shall periodically (every 5 years) monitor residential population growth compared to development of new parklands for the purpose of evaluating the strength of the Tower District Specific Plan Update to meet the ratio of 3.0 acres of parkland per 1,000 population. If the ratio is not met, the City shall explore additional ways to increase the amount of dedicated parkland in the Specific Plan Area, including but not limited to designating additional lands for parkland development

Mitigation Measure REC-1b:

As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from construction and operation of parks and recreational facilities include air quality/greenhouse gas emissions, noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:

- Air Quality/Greenhouse Gas Emissions: Install solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity.
- Noise: Barriers and setbacks placed on parks and recreational facilities.
- Traffic: Traffic devices for circulation.
- Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights

Significance with Mitigation. Mitigation Measures REC-1a and REC-1b would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific

Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable. (Draft EIR Pages 4.6-16 through 4.6-20)

Finding on Proposed Mitigation. The City finds that there are no feasible mitigation measures available to reduce potential impacts to a less than significant level.

Impact REC-2: The proposed project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated.

Implementation of the Specific Plan Update would result in a population increase of approximately 8,621 residents for a total of 30,429 residents within the Specific Plan Area by full build out in horizon year 2046. The additional residential growth would result in an increase in demand for parks and recreation facilities. Based on the City's General Plan and Parks Master Plan standard of 3.0 acres of public parkland per 1,000 residents, the proposed project would require the dedication of approximately 91.311 of useable parkland to meet the standard. While the proposed project includes park opportunity areas for future study, as well as objectives and policies to guide the development of future park and recreation facilities, no new parks are actively proposed to be constructed or expanded under the Specific Plan Update. Implementation of the Specific Plan Update would facilitate increased population which could 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.

Significance with Mitigation. Implementation of Mitigation Measure REC-1a would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this potential impact would be considered significant and unavoidable. (Draft EIR pages 4.6-20 and 4.6-21)

Finding on Proposed Mitigation. The City finds that there are no feasible mitigation measures available to reduce potential impacts to a less than significant level.

Findings Regarding Cumulative Impacts not Mitigated to a Less than Significant Level

The following significant cumulative environmental impacts of the project are unavoidable and cannot be mitigated in a manner that would substantially lessen the cumulative environmental impact to less-than-significant levels.

RECREATION

Impact REC-4: The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in potentially significant cumulative impacts with respect to recreation.

Implementation of the Specific Plan Update is projected to generate an increase in the population of approximately 8,621 requiring the dedication of approximately 91.3 acres of useable parkland. Useable parkland refers to pocket, neighborhood, and community parks. The Specific Plan Area currently has approximately 8.2 acres of parkland, of which 6.7 acres is usable. While the Specific Plan Update introduces park opportunity areas for future study, as well as objectives and policies to guide the development of future park and recreation facilities, no new parks are actively proposed to be constructed or expanded under the Specific Plan Update. Implementation of the Specific Plan Update, in combination with past, present, and reasonably foreseeable projects, could result in potentially significant cumulative impacts with respect to recreation.

Significance with Mitigation. Mitigation Measures REC-1a and REC-1b would reduce potential impacts resulting from implementation of the Specific Plan Update on parks and public facilities; however, because the existing amount of parkland and recreational facilities within the Specific Plan Area does not meet City standards, and no construction of new park facilities is planned through the implementation of the Specific Plan Update, this impact would be considered cumulatively significant and unavoidable. (Draft EIR pages 4.6-22 and 4.6-23)

Finding on Proposed Mitigation. The City finds that there are no feasible mitigation measures available to reduce potential impacts to a less than significant level.

5.2 MITIGATION MONITORING

A Mitigation Monitoring and Reporting Program (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 project mitigation measures. The MMRP will remain available for public review during the compliance period.

5.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENT EFFECTS

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 the Draft EIR Chapter 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 and land, as discussed below.

Approval and implementation of the proposed project would provide a framework for future development and redevelopment within the Specific Plan Area. The project's land use changes would guide long-term urban form and commit future generations to development consistent with the updated plan. However, because the Specific Plan Area is largely developed and surrounded by other urban land uses with similar characteristics, implementation would not establish land use patterns inconsistent with surrounding areas or result in the conversion of undeveloped land to urban uses.

Construction and operation of future development under the proposed project would involve the irreversible consumption of nonrenewable resources, including energy, water, and raw materials. These resources include lumber, aggregate materials used in concrete and asphalt, metals, and fossil fuels consumed during construction and ongoing operations. While such use represents a permanent and irretrievable commitment of limited resources, the scale of consumption would be typical of urban infill development and consistent with regional growth projections. Energy use associated with the project was evaluated in the Initial Study (Appendix C of the Draft EIR) and found to be less than significant.

Potential environmental accidents associated with demolition, grading, and construction activities were also evaluated. These activities would be subject to applicable federal, state, and local regulations governing hazardous materials management, which would minimize the potential for accidental releases. Furthermore, industrial activities would remain confined to existing light industrial areas in the southwest portion of the Specific Plan Area, reducing the likelihood of large-scale environmental incidents. Therefore, while the project would result in the irreversible commitment of limited, slowly renewable, and nonrenewable resources, these impacts would not be considered significant given the project's infill nature, regulatory oversight, and consistency with City sustainability policies. In addition, implementation of the proposed project would align with the Fresno General Plan's sustainability goals, further ensuring that long-term resource commitments are balanced with environmental stewardship objectives.

5.4 GROWTH INDUCEMENT

Under CEQA, a project is considered growth-inducing if it directly or indirectly fosters substantial population or economic growth, or stimulates the construction of additional housing in the surrounding area. Growth-inducing impacts can occur when a project extends or expands infrastructure systems beyond what is required to meet project-specific needs, removes physical or regulatory barriers to development, or generates new economic activity that encourages further growth. Section 15126.2(e) of the CEQA Guidelines requires discussion of how a project may facilitate such growth, including the elimination of obstacles to population growth, such as added

wastewater or roadway capacity, and the potential for economic expansion. Direct growth may occur when a project itself brings new residents or jobs, while indirect growth may result when the project's infrastructure enables or supports additional unrelated development. Projects located within areas already planned and served by existing infrastructure are generally not considered adversely growth-inducing, as they accommodate anticipated development rather than promote unplanned expansion..

5.4.1 Elimination of Obstacles to Population Growth

Growth-inducing impacts under CEQA can occur when a project eliminates physical or regulatory obstacles to population growth, such as extending infrastructure or changing land use regulations that previously limited development. Physical obstacles include the absence of essential public services, such as roadways, water mains, and sewer lines, while regulatory obstacles can involve restrictive zoning or development policies. Removing these barriers can make new areas available for residential or commercial development, thereby facilitating population growth.

The proposed Specific Plan Update would not eliminate any physical obstacles to population growth, as it does not include the construction of new major infrastructure or public service extensions beyond those already serving the Specific Plan Area. Existing water, wastewater, storm drainage, and roadway systems would continue to support the area, and implementation of the Specific Plan Update would not create excess capacity that could induce additional unplanned development. Instead, the Specific Plan Update focuses on accommodating projected growth within the City's existing urban framework through infill and redevelopment.

While the Specific Plan Update does include regulatory adjustments that promote housing diversity, mixed-use development, and affordability, these are intended to improve livability and reduce displacement rather than to remove growth constraints. The policies of the Specific Plan Update align with the City's General Plan and Housing Element objectives for managed, urban-centered growth. Therefore, implementation of the Specific Plan Update would not remove significant obstacles to population growth or facilitate new development beyond what has already been anticipated in the City's long-term planning documents.

5.4.2 Promotion of Economic Growth

Promotion of economic growth refers to a project's potential to increase economic activity and generate a multiplier effect, where initial investments stimulate additional spending, employment, and development in related sectors. Projects that create new commercial opportunities, attract visitors, or enhance local business conditions can contribute to regional economic vitality.

The proposed Specific Plan Update is intended to guide long-term reinvestment within the Specific Plan Area by strengthening existing commercial areas, encouraging small businesses, and enhancing the district's role as a cultural and entertainment destination. The Specific Plan Update promotes neighborhood-serving retail, supports pedestrian-oriented commercial corridors, and encourages compatible light industrial and mixed-use activities. These strategies are designed to reinforce the Tower District's economic base and preserve its historic urban character while improving local quality of life.

While the Specific Plan Update encourages economic revitalization within an already developed area, it would not trigger large-scale or unplanned regional economic expansion. The policies are aimed at supporting sustainable, localized growth, such as improving business diversity, maintaining existing employment centers, and promoting cultural events, rather than inducing extensive new economic development. As a result, the proposed project would promote moderate economic growth consistent with existing City planning objectives without generating substantial indirect growth effects beyond the Specific Plan Area.

6.0 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 remains 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).

6.1 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 proposed Specific Plan Update would not be adopted. Development within the Specific Plan Area would continue to be implemented in accordance with the existing Tower District 1991 Specific Plan (1991 Specific Plan) and land use and zoning changes allowed under the General Plan.

- Alternative 2 – Recreation Alternative: The Recreation Alternative would prioritize providing more parks and recreation facilities within the Specific Plan Area, specifically on vacant sites, including the areas highlighted as "park opportunity areas for study" in the Specific Plan Update.

Alternative 1: No Project Alternative

Under the No Project Alternative, the proposed Specific Plan Update would not be adopted, and development within the Tower District would continue under the existing 1991 Specific Plan and General Plan designations. Growth would still occur consistent with existing zoning, resulting in an estimated 2,271 additional residential units by 2035 for a total of 9,607 units. However, the land use changes and improvements envisioned in the updated Specific Plan, such as new mixed-use zoning and expanded residential areas, would not be implemented. As a result, future development would remain limited to what is presently allowed, and opportunities for coordinated revitalization and enhanced neighborhood design would not be realized.

Alternative 2: Recreation Alternative

The Fresno General Plan and Parks Master Plan set a goal of providing 3.0 acres of neighborhood and community parks and 2.0 acres of regional and open space parks per 1,000 residents. Within the Tower District, existing parks total 6.7 acres, providing 0.33 acre per 1,000 residents which is below the City's established service goal. The Recreation Alternative would address this deficiency by prioritizing the development of new park and recreation facilities on vacant sites identified as park opportunity areas within the Specific Plan Area. However, because most of these 79 vacant sites are

small and privately owned, they would largely produce pocket parks and would require City acquisition. Shifting these parcels from residential to recreational use would modestly reduce the number of housing units achievable under the proposed project**,** but would increase local access to open space and recreation amenities.

6.2 FINDINGS REGARDING ALTERNATIVES

Alternative 1, the No Project Alternative, would not adopt the proposed Specific Plan Update, and development within the Tower District would continue under the existing 1991 Specific Plan and existing General Plan. Growth would still occur within current land use and zoning designations, resulting in approximately 2,271 additional residential units by 2035 for a total of 9,607 residential units. However, this alternative would not implement the updated plan's mixed-use zoning, enhanced residential opportunities, or revitalization strategies. As a result, development would remain limited to existing entitlements, and opportunities for coordinated redevelopment, design improvements, and community enhancement would not be achieved.

Alternative 2, the Recreation Alternative, would prioritize the creation of new parks and recreational amenities within the Tower District to address the area's current parkland deficiency. This alternative would focus future development of recreational facilities on vacant parcels, many of which are small and privately owned, into pocket parks and other open space features, thereby increasing public access to recreation. However, it would also reduce the number of parcels available for housing and slightly decrease the total potential residential buildout under the proposed plan. Additionally, as the Tower District is a highly-developed and urban area, the vacant sites that could be utilized for potential parks and recreation facilities are not all readily available to the City or easily accessible to the general public. The vacant sites within the Specific Plan Area are constrained by the acreage of the parcels, and therefore could only be developed as pocket parks and would not meet the need for a neighborhood park (2-10 acres) or a community park (10-40 acres). The location of these parks would also be dependent on the vacant sites, which are not spread geographically equally throughout the Specific Plan Area. Therefore, the potential parks would not serve all residents of the Tower District, as the service area radius for pocket parks is only up to 0.5-miles.

CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a project shall require the identification of an Environmentally Superior Alternative, and that if the No Project Alternative is the Environmentally Superior Alternative, then the EIR shall also identify an Environmentally Superior Alternative among the other alternatives. The No Project Alternative would be the environmentally superior alternative as it would result in no new environmental impacts and would reduce some of the proposed project impacts; however, it would not meet the Project Objectives. Therefore, the Recreation Alternative would be the Environmentally Superior Build Alternative, as it has similar impacts as the proposed project and slightly reduced impact to recreation. The Recreation Alternative would result in modest environmental benefits compared to the No Project Alternative by expanding community open space and improving neighborhood livability. However, it would not fully meet the objectives of the proposed project related to housing diversity, mixed-use development, and economic revitalization.

7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Section 21081 of the California Public Resources Code and Section 15093 of the CEQA Guidelines, the City adopts and makes the following statement of overriding considerations regarding the remaining significant unavoidable impacts of the project, as discussed above, and the anticipated economic, social, and other benefits of the project.

Based on the record of proceedings, the City finds and determines that (1) the majority of the significant impacts of the project will be reduced to less-than-significant levels by implementation of the mitigation measures recommended in these findings; (2) the City's approval of the project as proposed will result in certain significant adverse environmental effects that cannot be avoided or reduced to a less-than-significant level even with the incorporation of all feasible mitigation measures into the project; and (3) there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than significant level the remaining significant environmental effects.

In light of the environmental, social, economic, and other considerations identified in the findings for the project, the objectives of the project, and the considerations set forth below related to this project, the City chooses to approve the project because, in its view, the economic, social, technological, and environmental benefits resulting from the project substantially outweigh the project's significant and unavoidable adverse environmental effects.

The following statements identify the reasons why, in the City's judgment and based on substantial evidence, the benefits of the project outweigh the significant and unavoidable effects. The substantial evidence supporting the enumerated benefits of the project can be found in the preceding findings, which are herein incorporated by reference; in the project itself; and in the record of proceedings as defined above. Each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the project outweigh its significant adverse environmental effects and is an overriding consideration warranting approval.

The City finds that the project, as approved, will have the following economic, social, technological, and environmental benefits, which constitute overriding considerations:

1. The project would meet the project objectives established by the City.

   As demonstrated by the EIR, the Findings, this Statement, and the additional documents and evidence comprising the administrative record, the project meets the following objectives established by the City in the EIR, which are fundamental to the approval of the project:

   - Enhance the livability and social diversity of the Tower District's residential neighborhoods and create housing opportunities that make the District inclusive and welcoming.

   - Nurture the mutually supportive relationship between the Tower District's residential neighborhoods and vibrant commercial areas.

- Conserve and revitalize the Tower District's historic resources.
- Shape the character of new development to complement the Tower District's character as a walkable place not dominated by the automobile.
- Provide effective transportation access for pedestrians, bicyclists, motorists, and transit users, and emphasize the importance of pedestrian-friendly environments.
- Increase opportunities for recreation within walking distance of Tower District residents.
- Promote environmental sustainability and climate resilience.

2. The project would enhance livability and social diversity within the Tower District by supporting mixed-use infill, reinvestment in aging infrastructure, and new housing opportunities at varied affordability levels. This would improve neighborhood vitality and help meet the City's housing goals while maintaining the area's historic character.

3. The project would encourage small business development, cultural programming, and entertainment uses that strengthen the Tower District's role as a local and regional destination. These activities would generate employment, expand the local tax base, and reinforce the district's identity as Fresno's historic arts and cultural hub.

4. The project would support walkability, bicycle and transit connectivity, and multimodal street design consistent with the Fresno General Plan and Active Transportation Plan. By promoting sustainable infill growth, energy efficiency, and reduced vehicle trips, the project would contribute to sustainability and climate-adaptation goals citywide.

5. The project is consistent with and would contribute to achieving the policies, goals, and objectives established by the City of Fresno General Plan. Objectives and policies relating to Conservation and Historic Preservation, Land Use, Parks and Public Facilities, Circulation, and Utilities would provide regulatory guidance to facilitate growth and development in the Specific Plan Area consistent with the City of Fresno General Plan. Specifically, the Specific Plan Update implements key policies of the Fresno General Plan and Parks Master Plan by guiding equitable development, improving access to open space, and fostering complete neighborhoods. Although the City's parkland service ratio would remain below target levels, the plan identifies strategies and opportunity areas for long-term recreation improvements for future development.

Accordingly, the City finds that these collective benefits substantially outweigh the remaining significant and unavoidable impact related to recreation, and that approval of the Tower District Specific Plan Update is warranted in light of the project's enduring community, environmental, and economic advantages.

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