APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION

Environmental Checklist Form for:
EA No. P19-02033

1.	**Project title:** Environmental Assessment Application No. P19-02033
2.	**Lead agency name and address:** City of Fresno Planning and Development Department 2600 Fresno Street Fresno, CA 93721
3.	**Contact person and phone number:** Kelsey George, Planner City of Fresno Planning and Development Department (559) 621-8060
4.	**Project location:** 4259 W. Bullard Avenue; located on the east side of North Figarden Drive, south side of West Bullard Avenue; ±11.8 acres Site Latitude: 36°49'16.36" N Site Longitude: -119°52'5.52"W Mount Diablo Base & Meridian, Township 13S, Range 19E Section 11 – California Assessor's Parcel Number: 509-030-75S
5.	**Project sponsor's name and address:** Spencer Enterprises, Inc. 5286 E. Home Avenue Fresno, CA, 93711
6.	**General & Community plan land use designation:** Community Commercial (±11.8 acres) (City of Fresno General Plan) & Community Commercial (Bullard Community Plan)
7.	**Zoning:** Commercial - Community/Urban Growth Management (CC/UGM) (±11.8 acres)

8. **Description of project:**

Environmental Assessment Application No. P19-02033 proposes to construct one hundred ninety two (192) multi-family dwelling units and residential amenities situated on 11.8 acres, located near the north-east corner of Bullard Avenue and Figarden Drive (APN: 509-030-75S), within the Bullard Community Plan area in northwest Fresno. The units will be distributed within 23 multi-family buildings. The living units will range in size from 759 square feet to 1,353 square feet, with a distribution of 1-, 2- and 3-bedroom units. The project would also include the construction of a community building, pool, garages, carports, and landscaped open space, in addition to the living units. The project would include open space areas throughout the project site, for a total of approximately 5.28 acres. All units would be rented at market rates. The project will be gated and will feature keyless entry gates located at both Bullard Avenue and Figarden Drive. A pedestrian entry will be provided at the main entry to the proposed development on Bullard Avenue with additional pedestrian access gates and vehicle access on Figarden Drive.

Entitlements:

The project would require approval of a General Plan Amendment from Community Commercial to Residential – Urban Neighborhood. The project would also require a rezone from CC/UGM (Commercial - Community) (±11.8 acres) to RM-2/UGM (Residential Urban Neighborhood/Urban Growth Management) (±11.8 acres).

The project would also require approval of a variance to allow for an increased block wall height to a maximum of eight feet (8'-0") to be located at west property line, between the existing carwash structure and this proposed multi-family development.

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Public Facility - Church	**PI/UGM (City)** *(Public and Institutional/ Urban Growth Management)*	Gas Station, Church, Partially Vacant Land, and Supermarket
East	Residential - Medium Density Residential	**RS-5/UGM (City)** *(Residential Medium Density/ Urban Growth Management)*	Medium High Density Residential Apartments, Single Family Residential Neighborhood
South	Residential - Medium High Density Residential	**RS-1/UGM (City)** *(Residential Medium High Density/ Urban Growth Management)* and **RS-5/UGM (City)** *(Residential Medium Density/ Urban Growth Management)*	Single Family Residential Neighborhood, Retirement Community
West	Commercial - Community	**CC / UGM (City)** *(Commercial - Community/ Urban Growth Management)*	Medium High Density Residential Apartments, Community Commercial and Vacant Land

10.	**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** Planning and Development Department, Building & Safety Services Division; Department of Public Works; Department of Public Utilities; County of Fresno, Department of Community Health; County of Fresno, Department of Public Works and Planning; City of Fresno Fire Department; Fresno Metropolitan Flood Control District; and San Joaquin Valley Air Pollution Control District.
11.	**Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?** The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias such as Table Mountain Rancheria, Millerton Rancheria, Big Sandy Rancheria, Cold Springs Rancheria, and Squaw Valley Rancheria. These Rancherias are not located within the city limits. Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality. Pursuant to Assembly Bill 52 (AB 52), the Table Mountain Rancheria of California and Dumna Wo Wah Tribal Government were invited to consult under AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on June 28, 2019 which included the required 30-day time period for tribes to request consultation. To date, neither tribal group has responded to the City's notices for this project.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

_____

KELSEY GEORGE, Planner Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR):

1. For purposes of this Initial Study, the following answers have the corresponding meanings:

    a. “No Impact” means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.

    b. “Less Than Significant Impact” means there is an impact related to the threshold under consideration that was not previously examined in the MEIR, but that impact is less than significant;

    c. “Less Than Significant with Mitigation Incorporation” means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.

    d. “Potentially Significant Impact” means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR.

2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from

"Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

6. Earlier analyses may be used where, pursuant to the tiering, program EIR or MEIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

10. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and

    b. The mitigation measure identified, if any, to reduce the impact to less than significance.

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

The site is located within an area undergoing continued growth in development. Areas to the east, south and west have been developed and continue to be developed with residential and commercial uses, while the subject property is vacant. The property to the north includes a church facility and the property northwest includes existing a gas station. Properties to the east, south and west contain single-family residential subdivisions and multi-family apartment developments. The existing topography of the subject property is nearly flat, with elevations ranging from 309 to 313 feet above mean sea level.

A scenic vista is a viewpoint that provides a distant view of highly valued natural or

man-made landscape features for the benefit of the general public. Typical scenic vistas are locations where views of rivers, hillsides, and open space areas can be obtained as well as locations where valued urban landscape features can be viewed in the distance.

The Fresno General Plan MEIR provides and recognizes that the City has not identified or designated scenic vistas within its General Plan. Although no scenic vista has been designated, it is acknowledged that scenic vistas within the Planning Area could provide distant views of natural landscape features such as the San Joaquin River along the northern boundary of the Planning Area and the foothills of the Sierra Nevada Mountain Range. The River bluffs provide distant views of the San Joaquin River as well as areas north of the River. However, the majority of these views are from private property. There are limited views of the San Joaquin River from Weber Avenue, Milburn Avenue, McCampbell Drive, Valentine Avenue, Palm Avenue, State Route 41, Friant Road, and Woodward Park. There are various locations throughout the eastern portion of the Planning Area that provide views of the Sierra Nevada foothills that are located northeast and east of the Planning Area. These distant views of the Sierra Nevada foothills are impeded many days during the year by the poor air quality in the Fresno region. Distant views of man-made landscape features include the Downtown Fresno buildings that provide a unique skyline.

Scenic resources include landscapes and features that are visually or aesthetically pleasing. They contribute positively to a distinct community or region. These resources produce a visual benefit upon communities. The scenic resources within the Planning Area include landscaped open spaces such as parks and golf courses. Additional scenic resources within the Planning Area include areas along the San Joaquin River due to the topographic variation in the relatively flat San Joaquin Valley. The River bluffs provide a unique geological feature in the San Joaquin Valley. Historic structures in Downtown Fresno buildings also represent scenic resources because they provide a unique skyline.

Although superseded by the Fresno General Plan (§15-104-B-4.b of the FMC) the Bullard Community Plan previously depicted six vista points along the bluffs overlooking the San Joaquin River bottom and environs. Two of the vista points within Riverview Estates were recognized as having either been developed or committed to development through tentative map approval, prior to the establishment of the Bullard Community Plan standards. As a result, the two committed sites were considered minimal facilities with potential access and other problems. To avoid such future problems, standards were prepared within the Bullard Community Plan to guide development of the four remaining vista points.

The purpose of the vista points was to provide limited bluff access to non-area residents and to offer panoramic views of the river bluffs and river bottom. Such views were considered best enjoyed as part of a passive recreational experience where one can stop, relax and absorb the natural beauty of the river environment. As such, the vista

points were recommended to be designed to accommodate local residents who walk, non-area residents who bike, and the driving public.

None of the six vista point locations shown on the Bullard Community Plan Map are located in the nearby vicinity of the subject property. As such, impacts related to these vista points would not occur.

Given the site's distance from the San Joaquin River (i.e., approximately 2 miles north of the site), the proposed project will not interfere with public views of the San Joaquin River environs. Furthermore, as there are no designated public or scenic vistas on or adjacent to the subject property, there is no potential for adverse effect on a scenic vista. As such, impacts to scenic vistas would be less than significant.

Furthermore, the Fresno General Plan MEIR recognizes and acknowledges that poor air quality reduces existing views within the City of Fresno sphere of influence as a whole, and therefore finds that a less than significant impact will result to views of highly valued features such as the Sierra Nevada foothills from future development on and in the vicinity of the subject property.

Finally, the project site is not within the vicinity of a State designated scenic highway. Therefore, the project would have no impact associated with substantial damage to scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway.

The project will not damage nor will it degrade the visual character or quality of the subject site and its surroundings, given that the project site is in an area within close proximity to existing industrial development; and, in an area generally planned for and developed with industrial uses at comparable intensities. As such, impacts to the visual character or quality of the site would be less than significant.

Future development of the site will create a new source of substantial light or glare within the area. However, given that the project site is within an area which has been previously developed or is currently being developed with urban, commercial, and residential uses, which already affect day and night time views in the project area to a degree equal or greater than the proposed project, no significant impact will occur. The project would be subject to the applicable mitigation measures pertaining to light and glare included in in MEIR SCH No. 2012111015. Furthermore, through the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties in accordance with the mitigation measures of the MEIR. With implementation of the applicable mitigation measures pertaining to light and glare included in in MEIR SCH No. 2012111015, this impact would be less than significant.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any additional impacts related to aesthetics beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the aesthetics related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 2019.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Based upon the upon the State of California Department of Conservation California Important Farmland Finder, the project site and all surrounding parcels are designated "Urban and Built Up." As such, the project will not result in conversion of Important Farmland.

The subject property is vacant and not currently utilized for agricultural purposes.

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

To reduce potential project-specific and cumulative impacts on agricultural uses, the

General Plan incorporates objectives and policies, which include but are not limited to the following:

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

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

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

- Make it difficult or infeasible to implement the general plan; or,

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

RC-9-c. Policy: In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside City limits, this program would require that the developer of such a project mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall provide several mitigation options that may include, but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, Land Use Regulation, or any other mitigation method that is in compliance with the requirements of CEQA. The Farmland Preservation Program may be modeled after some or all of the programs described by the California Council of Land Trusts.

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

In 2014, through passage of Council Resolution No. 2014-225, the City of Fresno adopted Findings of Fact related to Significant and Unavoidable Effects as well as

Statements of Overriding Considerations in order to certify MEIR SCH No. 2012111015 for purposes of adoption of the Fresno General Plan. Section 15093 of the California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The adopted Statements of Overriding Considerations for the MEIR addressed Findings of Significant Unavoidable Impacts within the categories/areas of Agricultural Resources; citing specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers as project goals, each and all of which were deemed and considered by the Fresno City Council to be benefits, which outweighed the unavoidable adverse environmental effects attributed to development occurring within the City of Fresno Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan.

The project site is and continues to be further encompassed with urban development. The project site is a logical expansion for purposes of orderly development. Given these circumstances, the proposed project is consistent with the goals, objective and policies of the Fresno General Plan as referenced herein above; and, will not result in the premature conversion of agricultural lands or constitute a detriment to the management of agricultural resources and/or facilities important to the metropolitan area.

The subject property is not subject to a Williamson Act agricultural land conservation contract. Therefore, the proposed project on the subject site will not affect existing agriculturally zoned or Williamson Act contract parcels. Therefore, the proposed project will not have an impact on Williamson Act contracts or forestland.

The project site is not forest land timberland. Therefore, the proposed project will not conflict with any forest land or Timberland Production or result in any loss of forest land.

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

In conclusion, the proposed project will not result in any agricultural and forestry resources impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

Setting

The subject site is located in the City of Fresno and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors

from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter. Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB.

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

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

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

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an “Inland Mediterranean” climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95ºF. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45ºF.

The vertical dispersion of air pollutants in the Valley is limited by the presence of

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

Regulations

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

To aid in evaluating potentially significant construction and/or operational impacts of a project, SJVAPCD has prepared an advisory document, the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which contains standard procedures for addressing air quality in CEQA documents. GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level. For low rise residential apartment uses, the threshold is 220 units. Given that the project related applications have been filed to facilitate the creation and development of 192 apartment units, the proposed project is considered to have less than significant impacts pertaining to air emissions and is excluded from quantifying criteria pollutant emissions for CEQA purposes. Nevertheless, the criteria pollutant emissions are disclosed further below.

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

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

quality plans, the cumulative emissions would not be a significant contribution to a cumulative impact.

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

Project Criteria Pollutants

As noted above, the SJVAPCD SPAL is first used to screen the project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level. For low rise apartment uses, the threshold is 220 units. Given that the project related applications have been filed to facilitate the creation and development of 192 single family units, the proposed project is considered to have less than significant impacts pertaining to air emissions and is excluded from quantifying criteria pollutant emissions for CEQA purposes. Nevertheless, the criteria pollutant emissions are disclosed further below.

The following discussion is based on the air quality modeling that was completed for the project by Mitchell Air Quality Consulting (April 2019) as part of the Air Impact Assessment Application.

Construction Emissions

Construction-generated emissions are temporary and short term but have the potential to represent a significant air quality impact. The construction and development of the proposed project would result in the temporary generation of emissions. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities.

The SJVAPCD has adopted guidelines for determining potential adverse impacts to air quality in the region. The SJVAPCD guidelines state that construction activities are considered a potentially significant adverse impact if: the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented; if the project generates emissions of reactive organic gases (ROG) or oxides of nitrogen (NO_X) that exceeds 10 tons per year; or if the project generates emissions of respirable particulate matter (PM_{10}) or fine particulate matter ($PM_{2.5}$) that exceeds 15 tons per year.

Construction Activities/Schedule: CalEEMod default values were used for the construction schedule and off-road equipment. Construction activities will consist of multiple phases over approximately 2 years (2019-2021). These construction activities can be described as site improvements (site preparation, grading, underground infrastructure, and topside improvements) and vertical construction (building construction and architectural coatings). For purposes of this analysis, it is assumed that the entire project is built-out from 2019 through 2021. This construction schedule is considered a worst-case scenario.

Site Improvements: The exact construction schedule of the entire project is largely dependent on market demands. For purposes of this analysis it is assumed that site improvements are installed in one phase. This approach will present a more conservative and worst-case scenario.

The site improvement phase of construction will begin with site preparation. Site preparation will include the use of dozers, backhoes, and loaders to strip (clear and grub) all organic materials and the upper half-inch to inch of soil from the project site. This task will include vehicle trips from construction workers. This step would take approximately 10 days.

After the site is striped of organic materials grading will begin. This activity will involve the use of excavators, graders, dozers, scrappers, loaders, and backhoes to move soil around the project site to create specific engineered grade elevations and soil compaction levels. Grading the project site would take approximately 30 days and will include vehicle trips from construction workers. *(Note: It would be possible to grade the site under a more compacted schedule with extra equipment operating or under a longer timeframe with less equipment.).*

The last task is to install the topside improvements, which includes pouring concrete curbs, gutters, sidewalks, and access aprons and then paving of all streets and parking lots. This task will involve the use of pavers, paving equipment, and rollers and will take approximately 20 days and will include vehicle trips from construction workers. *(Note: It would be possible to install the topside improvements under a more compacted schedule with extra equipment operating or under a longer timeframe with less equipment).*

Building Construction/Architectural Coatings: Building construction involves the vertical construction of structures and landscaping around the structures. This task will involve the use of cranes, forklifts, generator sets, welders, and tractors/loaders/backhoes. The exact construction schedule of the entire project is largely dependent on market demands. For purposes of this analysis it is assumed that the buildings constructed over an approximately one year period. The actual building construction phase may be much shorter or much longer. Architectural coatings involve the interior and exterior painting associated with the structures. This task will generally begin after construction

begins on the structure and will generally be completed with the completion of the individual buildings.

Construction Emissions: The proposed project is within the in scope and size then the SJVAPCD's Small Project Analysis Level (SPAL); therefore, the project is not excluded from quantification of the emissions. Table 1 presents the estimated construction phase schedule, which shows the duration of each construction phase. Table 2 shows the off-road construction equipment used during construction for each phase. Table 3 shows the construction emissions for the construction years 2019 through 2021. Following these tables are a list of default factors that were used in the model.

Table 1: Construction Phase

Phase Number	Phase Name	Start Date	End Date	# Days/Week	# Days
1	Site Preparation	10/1/2019	10/14/2019	5	10
2	Grading	10/15/2019	11/25/2019	5	30
3	Building Construction	11/26/2019	1/18/2021	5	300
4	Paving	1/19/2021	2/15/2021	5	20
5	Architectural Coating	2/16/2021	3/15/2021	5	20

SOURCE: CALEEMOD (V. 2016.3.2) PREPARED BY MITCHELL AIR QUALITY CONSULTING.

Table 2: Off-Road Equipment

Equipment Type	Unit Amount	Hours/Day	Horsepower	Load Factor
Site Preparation				
Rubber Tired Dozers	3	8.00	247	0.40
Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading				
Excavators	2	8.00	158	0.38
Graders	1	8.00	187	0.41
Rubber Tired Dozers	1	8.00	247	0.40
Scrapers	2	8.00	367	0.48
Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction				
Cranes	1	7.00	231	0.29
Forklifts	3	8.00	89	0.20
Generator Sets	1	8.00	84	0.74
Tractors/Loaders/Backhoes	3	7.00	97	0.37
Welders	1	8.00	46	0.45
Paving				
Pavers	2	8.00	130	0.42
Paving Equipment	2	8.00	131	0.36
Rollers	2	8.00	80	0.38
Architectural Coatings				
Air Compressors	1	6.00	78	0.48

SOURCE: CALEEMOD (V. 2016.3.2). PREPARED BY MITCHELL AIR QUALITY CONSULTING.

Table 3: Construction Emissions (Unmitigated)

Thresholds	***ROG***	***NO_X***	***PM_{10}***	***$PM_{2.5}$***
	≤ 10 tons/year	***≤ 10 tons/year***	***≤ 15 tons/year***	***≤ 15 tons/year***
2019	0.1235	1.3197	0.2849	0.1632
2020	0.2777	2.5104	0.1463	0.1376
2021	1.8282	0.2491	0.0135	0.0126
Maximum	**1.8282**	**2.5134**	**0.2849**	**0.1632**
Threshold Exceeded in Any Year?	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO AND SO_2.
SOURCE: CALEEMOD (V. 2016.3.2). PREPARED BY MITCHELL AIR QUALITY CONSULTING.

The SJVAPCD has established construction related emissions thresholds of significance as follows: 10 tons per year of ROG, 10 tons per year of NO_x, or 15 tons per year of PM_{10} or $P_{2.5}$. If the proposed project's emissions will exceed the SJVAPCD's threshold of significance for construction-generated emissions, the proposed project will have a significant impact on air quality and all feasible mitigation are required to be implemented to reduce emissions. As shown in Table 3, annual emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$ will not exceed the SJVAPCD thresholds of significance in any given year during project construction. Because the emissions are well below the SJVAPCD thresholds of significance, no mitigation measures are required.

Operational Emissions

The SJVAPCD is tasked with implementing programs and regulations required by the Federal Clean Air Act and the California Clean Air Act. In that capacity, the SJVAPCD has prepared plans to attain Federal and State ambient air quality standards. To achieve attainment with the standards, the SJVAPCD has established thresholds of significance for criteria pollutant emissions in their *SJVAPCD Guidance for Assessing and Mitigating Air Quality Impacts* (2015). Projects with emissions below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plan".

The proposed project would be a direct and indirect source of air pollution, in that it would generate and attract vehicle trips in the region (mobile source emissions) and it would increase area source emissions and energy consumption. The mobile source emissions would be entirely from vehicles, while the area source emissions would be primarily from the use of natural gas fuel combustion, landscape fuel combustion, consumer products, and architectural coatings.

CalEEMod™ (v.2016.3.2) was used to estimate emissions for buildout of the proposed project. Table 4 shows the emissions, which include mobile, area source, and energy emissions of criteria pollutants that would result from operations of the proposed project. The CalEEMod assumptions and outputs are included in Appendix A.

Table 4: Operational Buildout Generated Emissions

	ROG (tons/year)		***NOx (tons/year)***		***PM_{10} (tons/year)***		***$PM_{2.5}$ (tons/year)***	
Thresholds	***≤ 10 tons/year***		***≤ 10 tons/year***		***≤ 15 tons/year***		***≤ 15 tons/year***	
Category	***UM***	***M***	***UM***	***M***	***UM***	***M***	***UM***	***M***
Area	1.1205	0.8796	0.1240	0.0883	0.3706	0.0137	0.3706	0.0137
Energy	0.0146	0.0146	0.1251	0.1251	0.0101	0.0101	0.0101	0.0101
Mobile	0.4332	0.4150	1.5660	1.4224	1.4057	1.1856	0.3853	0.03251
Total	**1.5684**	**1.3093**	**1.8151**	**1.6358**	**1.7864**	**1.2093**	**0.7660**	**0.3489**
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**	**No**	**No**
Percent Reduction	**16.52**		**9.88**		**32.30**		**54.45**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS IN ATTAINMENT FOR CO, AND SO_2. SOURCE: CALEEMOD (V.2016.3.2). PREPARED BY MITCHELL AIR QUALITY CONSULTING.

The long-term operational emissions estimate for buildout of the proposed project, incorporates the potential area source and vehicle emissions, and emissions associated with utility and water usage, and wastewater and solid waste generation. The modeling included the following inputs for the year 2021:

Traffic

- Project Setting: Urban
- Increase Density: 192 du/11.8ac = 16.27 du/ac
- Increase Diversity: Different types of land uses are near each other
- Increase Destination Accessibility: Distance to Downtown/Job Center is approximately 7.39 miles (from project site to downtown Fresno)
- Improve Pedestrian Network: Project Site and Connecting Off-Site

Area

- Only Natural Gas Hearth (Per SJVAPCD Rule 4901: Wood-Burning Fireplaces and Wood-Burning Heaters, open-hearth fireplaces are not allowed in new construction projects which would result in more than two homes per acre. The proposed project includes more than two homes per acre.)
- Use Low VOC Paint Residential Interior
- Use Low VOC Paint Residential Exterior
- Use Electric Lawnmower
- Use Electric Leafblower
- Use Electric Chainshaw

Water

- Apply Water conservation strategy

Waste

- Institute Recycling and Composting Services

The traffic-related inputs listed above are characteristics of the proposed project development and project location. For example, the proposed project is located in a low density suburban setting approximately 7.4 miles from a job center (downtown Fresno). Further, the proposed project would include development of sidewalks throughout the internal roadway system and connecting to the off-site adjacent (existing and future) developments. Lastly, per SJVAPCD Rule 4901, the proposed residences would not include wood burning fireplaces or wood burning heaters.

The SJVAPCD has established their thresholds of significance by which the project emissions are compared against to determine the level of significance. The SJVAPCD has established operations related emissions thresholds of significance as follows: 10 tons per year of NO_x, 10 tons per year of ROG, 15 tons per year of PM_{10}, and 15 tons per year of $PM_{2.5}$. If the proposed project's emissions will exceed the SJVAPCD's threshold of significance for operational-generated emissions, the proposed project will have a significant impact on air quality and all feasible mitigation are required to be implemented to reduce emissions to the extent feasible. As shown in Table 4 above, annual emissions of ROG, NO_X, $PM_{2.5}$, and PM_{10} would not exceed the SJVAPCD thresholds of significance.

As noted above, design elements and compliance with District rules and regulations may not be sufficient to reduce project related impacts on air quality to a less than significant level. In such situations, the *SJVAPCD Guidance for Assessing and Mitigating Air Quality Impacts* (March 2015) indicates that the project proponents may enter into a Voluntary Emission Reduction Agreement (VERA) with the SJVAPCD. A VERA is a method by which the project proponent provides pound-for-pound mitigation of air emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's Emission Reduction Incentive Program (ERIP). The funds are disbursed by ERIP in the form of grants for projects that achieve emission reductions. Thus, project specific impacts on air quality are offset. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the SJVAPCD verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. The initial agreement is generally based on the projected maximum emissions increases as

calculated by a SJVAPCD approved air quality impact assessment, and contains the corresponding maximum fiscal obligation. However, because the goal is to mitigate actual emissions, the SJVAPCD has designed flexibility into the VERA such that the final mitigation is based on actual emissions related to the project as determined by actual equipment used, hours of operation, etc. After the project is mitigated, the SJVAPCD certifies to the lead agency that the mitigation is completed, providing the lead agency with an enforceable mitigation measure demonstrating that project specific emissions have been mitigated.

By its definition, the VERA is a voluntary program initiated by the SJVAPCD to help reduce project-related emissions. The mitigation measure also requires consideration of the benefits of improved air quality with the costs of implementation in the decision-making process. Because a VERA is a voluntary program that requires the applicant and the SJVAPCD to agree on a negotiated contractual agreement, a VERA is not considered an enforceable mitigation measures as it provides no specific details or measures that can be mandated at this time. The project applicant retains the option to implement a VERA as a way of reducing emissions in addition to Rule 9510.

Although all operational emissions would be below the SJVAPCD threshold, the project site was analyzed Community Commercial development as part of the City's General Plan MEIR process. The rules for tiering are set forth in CEQA Guidelines Section 15152. "'[T]iering is a process by which agencies can adopt programs, plans, policies, or ordinances with EIRs focusing on 'the big picture,' and can then use streamlined CEQA review for individual projects that are consistent with such…[first tier decisions] and are…consistent with local agencies' governing general plans and zoning.'" (*Koster v. County of San Joaquin* (1996) 47 Cal.App.4th 29, 36.) Section 15152 provides that, where a first-tier EIR has "adequately addressed" the subject of cumulative impacts, such impacts need not be revisited in second- and third-tier documents. Furthermore, second- and third-tier documents may limit the examination of impacts to those that "were not examined as significant effects" in the prior EIR or "[a]re susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means." In general, significant environmental effects have been "adequately addressed" if the lead agency determines that:

a) they have been mitigated or avoided as a result of the prior environmental impact report and findings adopted in connection with that prior environmental impact report; or
b) they have been examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.

Because the City's General Plan MEIR addressed the effects of developing the project site with Community Commercial uses, environmental review can also be streamlined

pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

The City's General Plan designates the project area as Community Commercial (approximately 11.8 acres). Community Commercial is intended for commercial development that primarily serves local needs such as convenience shopping and small 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. The analysis included in the City's General Plan MEIR assumed that the site would be developed with up to 514,932 square feet of Community Commercial uses. However, the subject property proposes to rezone the entire project site to RM-2/UGM and amend the General Plan land use designation to Urban Neighborhood. Approval of the rezoning and general plan amendment would ensure that the zoning designation is consistent with the land use designation for the project site. The project would not increase development beyond the level assumed for the site in the City's General Plan MEIR.

The General Plan MEIR concludes that although the existing policies, ordinances, and regulations and the objectives and policies in the General Plan will reduce criteria pollutant emissions, implementation of the General Plan would exceed the SJVAPCD project level thresholds of significance for ROG, NO_X, PM_{10}, and $PM_{2.5}$. Implementation of the General Plan would result in a significant and unavoidable impact related to violation of air quality standards. The City of Fresno certified the General Plan MEIR, adopted a statement of overriding considerations relative to this significant and unavoidable impact, and approved the General Plan. As such, the operational emissions resulting from operation of the proposed project were previously considered by the City as part of the General Plan and General Plan EIR planning efforts.

Project Carbon Monoxide Hotspots

Project traffic would increase concentrations of carbon monoxide along streets providing access to the project site. Carbon monoxide is a local pollutant (i.e., high concentrations are normally only found very near sources). The major source of carbon monoxide, a colorless, odorless, poisonous gas, is automobile traffic. Elevated concentrations (i.e. hotspots), therefore, are usually only found near areas of high traffic volume and congestion.

The proposed use, if approved, will be allowed on the subject site and will not expose sensitive receptors to substantial pollutant concentrations, including carbon monoxide hotspots. The growth projections used for the Fresno General Plan assume that growth in population, vehicle use and other source categories will occur at historically robust rates that are consistent with the rates used to develop the SJVAPCD's attainment plans. Future development on the subject property is required to comply with the SJVAPCD rules and regulations.

Project Toxic Air Contaminants

A toxic air contaminant (TAC) is defined as an air pollutant that may cause or contribute to an increase in mortality or in serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air. However, their high toxicity or health risk may pose a threat to public health even at very low concentrations. In general, for those TACs that may cause cancer, there is no concentration that does not present some risk. This contrasts with the criteria pollutants for which acceptable levels of exposure can be determined and for which the state and federal governments have set ambient air quality standards.

The California Air Resources Board (CARB) published the *Air Quality and Land Use Handbook: A Community Health Perspective* (2007) to provide information to local planners and decision-makers about land use compatibility issues associated with emissions from industrial, commercial and mobile sources of air pollution. The CARB Handbook indicates that mobile sources continue to be the largest overall contributors to the State's air pollution problems, representing the greatest air pollution health risk to most Californians. The most serious pollutants on a statewide basis include diesel exhaust particulate matter (diesel PM), benzene, and 1,3-butadiene, all of which are emitted by motor vehicles. These mobile source air toxics are largely associated with freeways and high traffic roads. Non-mobile source air toxics are largely associated with industrial and commercial uses. Table 5 shows the CARB minimum separation recommendations on siting sensitive land uses.

The project site is not within 500 feet of any highway or interstate (State Route [SR] 99 is located more than 7,673 feet [1.4 miles] southwest of the project site). Therefore, the site lies beyond the CARB-recommended buffer area, and future receptors would not be negatively affected by toxic air contaminants generated on a highway or interstate. In addition, there are no distribution centers, rail yards, ports, refineries, chrome platers, or dry cleaners located in the vicinity of the project site. However, a gasoline dispensing facility is located adjacent to the northwestern corner of the site. The nearest gas pump at this adjacent gas station is approximately 250 feet from the nearest proposed residential building, which is outside of the CARB minimum separation recommendations of 50 feet, presented in Table 5. CARB also recommends avoiding 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).The adjacent fueling facility likely has a throughput below the CARB definition for a large gas station of 3.6 million gallons per year. According to the Retail Fuel Report and Data for California released by the California Energy Commission, the average gasoline sales per station in 2018 was 1.69 million gallons per year. There are also approximately eight other gas stations that are significantly closer to SR 99 than the adjacent station. It can be assumed that highway users will be unlikely to go off the freeway over a mile out of their way if there are other stations closer to the freeway. These eight gas stations are located immediately adjacent to SR 99 and would more likely be used by freeway travelers than the adjacent station. The gas station adjacent to the project site is a neighborhood gas

station. Therefore, the adjacent gas station does not meet the throughput requirement for a large gas station, as defined in Table 5. Nevertheless, the proposed buildings would be 250 feet or further from the nearest pumping facility. There are no major stationary sources of toxic air contaminants identified in the vicinity of the development site that could potentially affect future on-site sensitive receptors. Therefore, development of the proposed project would not cause a substantial increase in exposure of sensitive receptors to localized concentrations of TACs.

Table 5: CARB Minimum Separation Recommendations on Siting Sensitive Land Uses

Source Category	***Advisory Recommendations***
Freeways/High-Traffic Roads	• Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/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 new 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 one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Ports	• Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the 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 Perchloro-ethylene	• 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 3 or more machines, consult with the local air district. • Do not site new sensitive land uses in the same building with perc 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: AIR QUALITY AND LAND USE HANDBOOK: A COMMUNITY HEALTH PERSPECTIVE (CARB 2005).

Odors

The project is not proposing a use which will create objectionable odors more obnoxious than the current surrounding non-residential uses. Examples of facilities that are known producers of odors include: Wastewater Treatment Facilities, Chemical Manufacturing, Sanitary Landfill, Fiberglass Manufacturing, Transfer Station, Painting/Coating Operations (e.g. auto body shops), Food Processing Facility, Petroleum Refinery, Asphalt Batch Plant, and Rendering Plant. The proposed project would develop 192

residential units and is not expected to produce nuisance odors. There are no facilities proximate to the project site that pose an odor nuisance concern.

Conclusion

At full build-out the proposed project would result in development which exceeds 50 residential units, which is an adopted threshold for conducting an Air Impact Assessment (AIA) in accordance with District Rule 9510 (Indirect Source Review). An AIA application was submitted to the SJVAPCD for their review and approval.

District Rule 9510 was adopted to reduce the impact of NOx and provide emission reductions needed by the SJVAPCD to demonstrate attainment of the federal PM10 standard and contributed reductions that assist in attaining federal ozone standards. Rule 9510 also contributes toward attainment of state standards for these pollutants. 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 the 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.

The proposed use, if approved, will be allowed on the subject site and will not expose sensitive receptors to substantial pollutant concentrations. The project is not proposing a use which will create objectionable odors more obnoxious than the current surrounding residential uses. Therefore, there will be no impact related to odors.

The growth projections used for the Fresno General Plan assume that growth in population, vehicle use and other source categories will occur at historically robust rates that are consistent with the rates used to develop the SJVAPCD's attainment plans. In other words, the amount of growth predicted for the General Plan is accommodated by the SJVAPCD's attainment plan and would allow the air basin to attain the 8-hour ozone standard by the 2023 attainment date. Future development on the subject property is required to comply with these rules and regulations providing additional support for the conclusion that it will not interfere or obstruct with the application of the attainment plans.

Therefore, compliance with all of the above SJVAPCD Rules, Fresno General Plan policies and MEIR mitigation measures results in a less than significant impact on air quality with respect to air quality plans and standards and cumulative increases in criteria pollutants.

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

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

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

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

The proposed project will not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. Quad Knopf, Inc. (QK) prepared a Biological Analysis Report (BAR) to evaluate the potential for special-status biological resources to be impacted by the construction of the proposed project. The Biological Analysis is included in Appendix B. According to the BAR, the project site is dominated by Annual Grassland, as defined by the California Department of Fish and Wildlife's California Wildlife Habitat Relationships system, with scattered blue gum (Eucalyptus globulus) and ornamental trees. No sensitive natural communities or aquatic resources are present. Three special-status species, burrowing owl (Athene cunicularia), Swainson's hawk (Buteo swainsoni), and San Joaquin kit fox (Vulpes macrotis mutica) were determined to have potential to occur on-site. Direct impacts could include loss of suitable habitat and injury or mortality of individual special-status species, and or young during the breeding season. Nesting birds protected by the California Fish and Game Code and Migratory Bird Treaty Act, as well as roosting bat maternity colonies protected by California Environmental Quality Act, also have the potential to occur on-site. Avoidance and minimization measures are prescribed including pre-activity surveys, bat flyout, and bat and burrowing owl exclusion plan development and implementation. Avoidance and minimization measures are recommended which, when implemented, will reduce project impacts to biological

resources to a less than significant level. These avoidance and minimization measures are included in the attached Project Specific Mitigation Monitoring Checklist dated October 2019.

Riparian habitat or any other sensitive natural community identified by the California Department of Fish and Game or the US Fish and Wildlife Service are not located on the subject property. In addition, no federally protected wetlands are located on the subject site. Therefore, there would be no impacts to riparian species or habitat or other sensitive wetland communities.

The project is not located within an identified wildlife movement corridor and there are no features on site that would lend themselves specifically to wildlife movement. The site is surrounded by residential and commercial developments which are not conducive to wildlife movement.

A reconnaissance site visit and database review were completed by QK biologists to characterize the existing conditions on-site and determine the potential for special-status species and other sensitive biological resources to occur on-site and be impacted by the project. Wildlife activity was low, consistent with urban areas and the time of year that the reconnaissance survey was conducted. Animal species detected included California ground squirrels (Otospermophilus beecheyi), mourning doves (Zenaida macroura), western scrub jays (Aphelocoma californica), pocket gophers (Thomomys bottae), and red fox (Vulpes vulpes).

Mammal species may also occur within intermittent vacant lands and on lands with broken topography similar to the subject property. These mammals could include: deer mice, house mice, pocket gopher and California ground squirrels. These species would occur in fluctuating numbers depending on the available cover in the individual fields. California ground squirrels are sometimes known to burrow complexes at the margins or within areas of some fields where annual disking may not reach. Other small mammals likely to occur from time to time may include black-tailed hares and cottontail rabbits.

The presence of birds and small mammals is an attractant to both foraging raptors, such as hawks and owls, and mammalian predators. Mammalian predators occurring on the site could include raccoons, coyotes, and red foxes, as these species are tolerant of human and other disturbance. Various species of bat may also forage over portions of the subject site for flying insects.

A number of special status species, such as San Joaquin kit fox, Swainson hawk, Western Burrowing Owl, were determined to have a potential to occur on-site.

The federally endangered and California threatened San Joaquin kit fox once occurred throughout much of the San Joaquin Valley, but this species favored areas of alkali sink scrub and alkali grassland throughout the San Joaquin Valley and Tulare Basin, as well

as areas further west. The low foothills of the Sierra Nevada at the eastern edge of the San Joaquin Valley is considered at the margin of their natural range.

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

The Swainson hawk requires a supply of small mammals such as young ground squirrels as prey for nestlings and elevated perches for hunting. Therefore, it favors open and semi-open country over smaller vacant lands in urban settings. The project site is located in the vicinity of primarily developed residential uses, which does not provide suitable foraging habitat for Swainson hawk. Although the on-site foliage could provide cover for prey, the project site provides low quality foraging habitat for this species, and this species is not likely to forage on-site.

Use of ruderal/nonnative grassland habitat by native terrestrial vertebrates is generally considered common in agricultural fields. This includes birds and small mammals which serve as an attractant to both foraging raptors, such as hawks and owls, and mammalian predators; as well as, those terrestrial and/or ground-nesting special status species preferring open prairie and/or grassland habitats.

Mitigation Measure MM BIO-1 of MEIR SCH No. 2012111015 for the Fresno General Plan requires construction of a proposed project to avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.

Furthermore, Mitigation Measure MM BIO-2 of MEIR SCH No. 2012111015 for the Fresno General Plan requires that any direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that may result in the direct or incidental

take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined through agency consultation.

Mitigation Measure MM BIO-4 of MEIR SCH No. 2012111015 for the Fresno General Plan requires projects within the Planning Area to avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor.

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

Wildlife movement corridors are areas where wildlife species regularly and predictably move during foraging, or during dispersal or migration. Movement corridors in California are typically associated with valleys, rivers and creeks supporting riparian vegetation, and ridgelines. Such geographic and topographic features are absent from the project site. Additionally, due to the presence of developed lands and urban uses surrounding the subject property, there is limited potential for project related activities to have an impact on the movement of wildlife species or established wildlife corridors. Compliance with the biological Mitigation Measures of MEIR SCH No. 2012111015 for the Fresno General Plan through preparation of a pre-construction biological survey prior to construction, to determine if the project site supports any special-status species. If a special-status species is determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.

The project is located within an area covered by the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). That HCP only applies to maintenance and operations of PG&E facilities and does not apply to this project. No other habitat conservation plans or natural community conservation plans in the region pertain to natural resources that exist on the subject site or in its immediate vicinity.

The Fresno General Plan and MEIR SCH No. 2012111015 outline several objectives and measures that serve as local policy to protect biological resources. The project is required to comply with these policies, therefore application of the Fresno General Plan, MEIR SCH No. 2012111015, and project specific mitigation will result in no conflict with any adopted policies pertaining to biological resources.

Implementation of all Biological Resource related mitigation measures of MEIR SCH No. 2012111015 for the Fresno General Plan have been applied to the proposed project. Therefore, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat. With the MEIR and Project Specific Mitigation Measures incorporated, the proposed project will not result in any biological resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the biological resources related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 2019.

2. The proposed project shall implement and incorporate the biological resources related mitigation measure as identified in the attached Project Specific Mitigation Monitoring Checklist dated October 2019.

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

A cultural resources technical memorandum was prepared for the project site by Quad Knoff, Inc. in September 2019. The following discussion is based on the memorandum. A cultural resources records search (RS #19-365) was conducted at the Southern San Joaquin Valley Information Center, California State University- Bakersfield. The records search covered an area within one half mile of the project site and included a review of the National Register of Historic Places (NRHP), California Points of Historical Interest, California Registry of Historic Resources (CRHR), California Historical Landmarks, California State Historic Resources Inventory, and a review of cultural resource reports on file. No historic or prehistoric cultural resources have been recorded within the project area.

The records search indicated that the subject property had never been surveyed for cultural resources and it is not known if any exist there. Four cultural resource studies have been conducted within a half mile of the property (Wren 1974; Nelson 2000; Larocque 2002; Billat 2012)). One cultural resource has been recorded within a half mile of the project, a pre-1967 steel-lattice type PG&E transmission tower (P-10-006218).

No other cultural surveys or resources have been recorded within 0.5 miles of the Project. No cultural resources were known or had been recorded within the project area. No Native American sacred sites or cultural landscapes had been identified within or immediately adjacent to the study area.

There are no structures which exist within the project area that are listed in the National or Local Register of Historic Places, and the subject site is not within a designated historic district. There are no known archaeological or paleontological resources that exist within the project area.

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject property. Nevertheless, there is some possibility that a buried site may exist in the area and be obscured by vegetation, fill, or other historic activities, leaving no surface evidence. Furthermore, previously unknown paleontological resources or undiscovered human remains could be disturbed during project construction.

Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a 0.5-mile radius of the proposed project, the potential to encounter subsurface cultural resources is minimal. Although cultural resources aren’t anticipated onsite, like most projects in the state, the possibility exists that these resources could be found during construction; therefore, mitigation would be required to reduce this impact to a less than significant level. Therefore, due to the ground disturbing activities that will occur as a result of the project, the measures within the MEIR SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or

animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

Furthermore, as indicated within Section XVII, Tribal Cultural Resources, of this initial study, tribal consultation has occurred for the proposed project in compliance with AB 52 requirements. The Table Mountain Rancheria of California and Dumna Wo Wah Tribal Government were invited to consult under AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on June 28, 2019 which included the required 30-day time period for tribes to request consultation. To date, neither tribal group has responded to the City's notices for this project.

In conclusion, with implementation of the MEIR Cultural Resource Mitigation measures, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resource related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 2019.

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

Appendix F of the State CEQA Guidelines requires consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to

reduce “wasteful, inefficient and unnecessary” energy usage (Public Resources Code Section 21100, subdivision [b][3]). According to Appendix F of the CEQA Guidelines, the means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed project would be considered “wasteful, inefficient, and unnecessary” if it were to violate state and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The proposed project includes the construction of 192 residential units on the 11.8-acre project site. The project includes a range of apartment types, unit sizes, and yard sizes. The project would include open space areas throughout the project site, for a total of approximately 5.28 acres. The project also includes on-site parking, landscaping, and infrastructure improvements.

The amount of energy used at the project site would directly correlate to the size of the proposed buildings, the energy consumption of associated appliances and technology, and outdoor lighting. Other major sources of proposed project energy consumption include fuel used by vehicle trips generated during project construction and operation, and fuel used by off-road construction vehicles during construction.

The following discussion provides calculated levels of energy use expected for the proposed project, based on commonly used modelling software (i.e. CalEEMod v.2016.3.2 and the California Air Resource Board’s EMFAC2014), prepared by De Novo Planning Group. It should be noted that many of the assumptions provided by CalEEMod are conservative relative to the proposed project. Therefore, this discussion provides a conservative estimate of proposed project emissions.

Electricity and Natural Gas

Electricity and natural gas used by the proposed project would be used primarily to power on-site buildings. Total annual electricity (kWh) and natural gas (kBTU) usage associated with the operation of the proposed project are shown in Table 6, below (as provided by CalEEMod).

Table 6: Project Operational Natural Gas and Electricity Usage

Emissions[(a)]	***Natural Gas (kBTU/year)***	***Electricity (kWh/year)***
Apartments Low Rise	2,714,200	898,084

SOURCE: CALEEMOD (V.2016.3.2).

According to Calico's *Appendix A: Calculation Details for CalEEMod*, CalEEMod uses the California Commercial End Use Survey (CEUS) database to develop energy intensity value for non-residential buildings. The energy use from residential land uses is calculated based on the Residential Appliance Saturation Survey (RASS). Similar to CEUS, this is a comprehensive energy use assessment that includes the end use for various climate zones in California.

As shown in Table 6, the project would use approximately 2,714,200 kBTU of natural gas per year and approximately 898,084 kWh of electricity per year.

On-Road Vehicles (Operation)

The proposed project would generate vehicle trips during its operational phase. The Apartments Low Rise CalEEMod land use and subtype were used for the proposed project. See Appendix C for the CalEEMod assumptions and detailed energy calculations. The Institute of Transportation Engineers (ITE) Trip Generation Manual land use description/code which corresponds to the Apartments Low Rise CalEEMod land use and subtype is "Multifamily Housing (Low Rise)/220". The Traffic Impact Study prepared for the project (Peters Engineering Group, 2019) utilizes the Multifamily Housing ITE trip generation rates to determine how many vehicle trips would result from operation of the proposed residential uses. Using this ITE code and corresponding trip generation rate used in the Traffic Impact Study, the project would generate approximately 1,406 new daily vehicles trips. In order to calculate operational on-road vehicle energy usage and emissions, default trip lengths generated by CalEEMod were used, which are based on the project location and urbanization level parameters selected within CalEEMod (i.e. "SJVAPCD" project location and "Urban" setting, respectively). These values are provided by the individual districts or use a default average for the state, depending on the location of the proposed project (CAPCOA, 2017).

Based on default factors provided by CalEEMod, the average distance per trip was conservatively calculated to be approximately 9.0 miles. Therefore, the proposed project would generate at total of approximately 12,607 average daily vehicle miles travelled (Average Daily VMT). Using fleet mix data provide by CalEEMod (v2016.3.2), and Year 2021 gasoline and diesel MPG (miles per gallon) factors for individual vehicle classes as provided by EMFAC2014, De Novo derived weighted MPG factors for operational on-road vehicles of approximately 26.5 MPG for gasoline and 7.8 MPG for diesel vehicles. With this information, De Novo calculated as a conservative estimate that the unmitigated proposed project would generate vehicle trips that would use a total of approximately 453 gallons of gasoline and 68 gallons of diesel fuel per day, on average, or 163,330 gallons of gasoline and 24,755 annual gallons of diesel fuel per year.

On-Road Vehicles (Construction)

According the SJVAPCD Air Impact Assessment, the proposed project would only generate on-site (off-road) construction trips and VMT and would not contribute to on-road vehicle trips during project construction (from construction workers and vendors).

Off-Road Vehicles (Construction)

Off-road construction vehicles would use diesel fuel during the construction phase of the proposed project. A non-exhaustive list of off-road constructive vehicles expected to be used during the construction phase of the proposed project includes: cranes, forklifts, generator sets, tractors, excavators, and dozers. Based on the total amount of CO_2 emissions expected to be generated by the proposed project (as provided by the

CalEEMod output), and a CO_2 to diesel fuel conversion factor (provided by the U.S. Energy Information Administration), the proposed project would use a total of approximately 30,070.66 gallons of diesel fuel for off-road construction vehicles (during the site preparation and grading phases of the proposed project). Detailed calculations are provided in Appendix C.

Other

Proposed project landscape maintenance activities would generally require the use fossil fuel (i.e. gasoline) energy. For example, lawn mowers require the use of fuel for power. As an approximation, it is estimated that landscape care maintenance would require approximately two individuals one full day (8 hours) per week, or 832 hours per year. Assuming an average of approximately 0.5 gallons of gasoline used per person-hour, the proposed project would require the use of approximately 416 gallons of gasoline per year to power landscape maintenance equipment. The energy used to power landscape maintenance equipment would not differ substantially from the energy required for landscape maintenance for similar project.

Conclusion

The proposed project would use energy resources for the operation of project buildings (electricity and natural gas), for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the proposed project, and from off-road construction activities associated with the proposed project (e.g. diesel fuel). Each of these activities would require the use of energy resources. The proposed project would be responsible for conserving energy, to the extent feasible, and relies heavily on reducing per capita energy consumption to achieve this goal, including through State-wide and local measures.

The proposed project would be in compliance with all applicable Federal, State, and local regulations regulating energy usage. For example, PG&E is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the State-wide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. PG&E is expected to achieve at least a 33% mix of renewable energy resources by 2020, and 50% by 2030. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards (“part 6”), would be applicable to the proposed project. Other State-wide measures, including those intended to improve the energy efficiency of the State-wide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard), would improve vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

As a result, the proposed project would not result in any significant adverse impacts related to project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the project

including construction, operations, maintenance, and/or removal. PG&E, the electricity and natural gas provider to the site, maintains sufficient capacity to serve the proposed project. The proposed project would comply with all existing energy standards, and would not result in significant adverse impacts on energy resources. For these reasons, the proposed project would not be expected to cause an inefficient, wasteful, or unnecessary use of energy resources nor cause a significant impact on any of the threshold as described by Appendix F of the *CEQA Guidelines*.

In conclusion, energy impacts would be considered less than significant.

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

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

There are no geologic hazards or unstable soil conditions known to exist on the site. The existing topography is relatively flat with no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno. A civil engineer or soils engineer registered in this state shall complete a Soils Investigation and Evaluation Report. The investigation will address the detail of the configuration, location, type of loading of the proposed structures and drainage plan. The report shall provide detailed recommendation for foundations, drainage, and other items. The preparation of the Soils Investigation and Evaluation Report is an existing standard.

Fresno has no known active earthquake faults and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas

Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

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

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The project site is relatively flat; therefore, the potential for a landslide in the project site is essentially non-existent.

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

As noted previously, there are no known paleontological resources that exist within the project area. Nevertheless, previously unknown paleontological resources could be disturbed during project construction. Therefore, due to the ground disturbing activities that will occur as a result of the project, the measures within the MEIR SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				

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

Background

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring greenhouse gases include water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, solely a product of industrial activities. Although the direct greenhouse gases CO_2, CH_4, and N_2O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three greenhouse gases have increased globally by 40, 150, and 20 percent, respectively (Intergovernmental Panel on Climate Change [IPCC], 2013).

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs).

The emissions from a single project will not cause global climate change, however, GHG emissions from multiple projects throughout the world could result in a cumulative

impact with respect to global climate change. Therefore, the analysis of GHGs and climate change presented in this section is presented in terms of the proposed project's contribution to cumulative impacts and potential to result in cumulatively considerable impacts related to GHGs and climate change.

Cumulative impacts are the collective impacts of one or more past, present, and future projects that, when combined, result in adverse changes to the environment. In determining the significance of a proposed project's contribution to anticipated adverse future conditions, a lead agency should generally undertake a two-step analysis. The first question is whether the *combined* effects from *both* the proposed project *and* other projects would be cumulatively significant. If the agency answers this inquiry in the affirmative, the second question is whether "the proposed project's *incremental* effects are cumulatively considerable" and thus significant in and of themselves. The cumulative project list for this issue (climate change) comprises anthropogenic (i.e., human-made) GHG emissions sources across the globe and no project alone would reasonably be expected to contribute to a noticeable incremental change to the global climate. However, legislation and executive orders on the subject of climate change in California have established a statewide context and process for developing an enforceable statewide cap on GHG emissions. Given the nature of environmental consequences from GHGs and global climate change, CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be potentially considerable and, therefore, significant.

Significance Thresholds

Governor's Office of Planning and Research's (OPR's) Guidance does not include a quantitative threshold of significance to use for assessing a project's GHG emissions under CEQA. Moreover, the California Air Resources Board (CARB) has not established such a threshold or recommended a method for setting a threshold for project-level analysis. In the absence of a consistent statewide threshold, a threshold of significance for analyzing the project's GHG emissions was developed. The issue of setting a GHG threshold is complex and dynamic, especially in light of the California Supreme Court decision in *Center for Biological Diversity v. California Department of Fish and Wildlife* (referred to as the Newhall Ranch decision hereafter). The California Supreme Court ruling also highlighted the need for the threshold to be tailored to the specific project type, its location, and the surrounding setting. Therefore, the threshold used to analyze the project is specific to the analysis herein and the City retains the ability to develop and/or use different thresholds of significance for other projects in its capacity as lead agency and recognizing the need for the individual threshold to be tailored and specific to individual projects.

The SJVAPCD provides guidance for addressing GHG emissions under CEQA. The SJVAPCD guidance regarding evaluating GHG significance notes that if a project complies with an adopted statewide, regional, or local plan for reduction or mitigation of

GHG emissions, then impacts related to GHGs would be less than significant. The applicable plan for reduction or mitigation of GHG emissions for the proposed project is the Manteca Climate Action Plan. Additionally, the SJVAPCD requires quantification of GHG emissions for all projects which the lead agency has determined that an EIR is required. Although an EIR is not required for the proposed project, the GHG emissions are quantified below, followed by a consistency analysis with the Fresno Council of Governments Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) and the Fresno Greenhouse Gas Reduction Plan.

Responses to Checklist Questions

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. A project's GHG emissions are at a micro-scale relative to global emissions, but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. Implementation of the proposed project would contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of CO_2 and other GHG pollutants, such as CH_4 and N_2O, from mobile sources and utility usage.

The proposed project's short-term construction-related and long-term operational GHG emissions for Buildout of the proposed project, were estimated using CalEEMod™ (v.2016.3.2). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual metric tons of CO_2 equivalent units of measure (i.e., $MTCO_2e$), based on the global warming potential of the individual pollutants.

Short-Term Construction GHG Emissions

Estimated increases in GHG emissions associated with construction of the proposed project are summarized in Table 7.

Table 7: Construction GHG Emissions (Unmitigated Metric Tons Per Year)

Year	***Bio-CO_2***	***NBio-CO_2***	***Total CO_2***	***CH_4***	***N_2O***	***CO_2e***
2019	0.0000	131.1999	131.1999	0.0393	0.0000	132.1820
2020	0.0000	303.4091	303.4091	0.0740	0.0000	305.2596
2021	0.0000	36.4750	36.4750	0.0100	0.0000	36.7250

Year	Bio-CO_2	NBio-CO_2	Total CO_2	CH_4	N_2O	CO_2e
Maximum	**0.0000**	**303.4091**	**303.4091**	**0.0740**	**0.0000**	**305.2596**

SOURCE: CALEEMOD (V.2016.3.2).

As presented in the table, maximum short-term annual construction emissions of GHG associated with development of the project are estimated to be 305.2596 $MTCO_2e$ (2020) with a low of 36.7250 $MTCO_2e$ (2021) emitted. These construction GHG emissions are a one-time release and are comparatively much lower than emissions associated with operational phases of a project. Cumulatively, these construction emissions would not generate a significant contribution to global climate change.

Long-Term Operational GHG Emissions

The long-term operational emissions estimate for buildout of the proposed project, incorporates the potential area source and vehicle emissions, and emissions associated with utility and water usage, and wastewater and solid waste generation. The modeling included the following inputs for the year 2021 (it should be noted that the following listed inputs are considered 'mitigation' in CalEEMod, even though they reflect project characteristics):

Traffic

- Project Setting: Urban
- Increase Density: 192 du/11.8ac = 16.27 du/ac
- Increase Diversity: Different types of land uses are near each other
- Increase Destination Accessibility: Distance to Downtown/Job Center is approximately 7.39 miles (from project site to downtown Fresno)
- Improve Pedestrian Network: Project Site and Connecting Off-Site

Area

- Only Natural Gas Hearth (Per SJVAPCD Rule 4901: Wood-Burning Fireplaces and Wood-Burning Heaters, open-hearth fireplaces are not allowed in new construction projects which would result in more than two homes per acre. The proposed project includes more than two homes per acre.)
- Use Low VOC Paint Residential Interior
- Use Low VOC Paint Residential Exterior
- Use Electric Lawnmower
- Use Electric Leafblower
- Use Electric Chainshaw

Water

- Apply Water conservation strategy

Waste

- Institute Recycling and Composting Services

The traffic-related impacts listed above are characteristics of the proposed project development and project location. For example, the proposed project is located in a urban setting approximately 7.4 miles from a job center (downtown Fresno). Further, the proposed project would include development of sidewalks throughout the internal roadway system and connecting to the off-site adjacent (existing and future) developments. Lastly, per SJVAPCD Rule 4901, the proposed residences would not include wood burning fireplaces or wood burning heaters.

Estimated GHG emissions associated with the buildout of the proposed project is summarized in Table 8. As shown in the following table, the annual GHG emissions associated with buildout of the proposed project would be 1,851.4433 $MTCO_2e$.

Table 8: Operational GHG Emissions 2021 (Metric Tons Per Year)

Category	*Bio-CO_2*	*NBio-CO_2*	*Total CO_2*	*CH_4*	*N_2O*	*CO_2e*
Area	0.0000	85.5046	133.2895	0.2272	1.5200e-003	139.4249
Energy	0.0000	262.9756	262.9756	0.0117	4.6900e-003	264.6674
Mobile	0.0000	1,370.9245	1,370.9245	0.0944	0.0000	1,373.2843
Waste	17.9282	0.0000	17.9282	1.0595	0.0000	44.4163
Water	3.9687	12.5349	16.5036	0.4086	9.8400e-003	29.6506
Total	**69.6819**	**1,731.9395**	**1,801.6214**	**1.8015**	**0.0161**	**1,851.4433**

SOURCE: CALEEMOD (V.2016.3.2).

Fresno Council of Governments RTP/SCS

The Fresno Council of Governments adopted the RTP/SCS in July 2018. The RTP/SCS comprehensively assesses all forms of transportation available in Fresno County as well as travel and goods movement needs through 2042. The RTP/SCS is required by Senate Bill 375. The 2018 RTP reflects the federal directives embodied in both the Fixing America's Surface Transportation Act (FAST Act) and the Clean Air Act Amendments of 1991. These acts require that projects in RTPs be "constrained" to only those that can actually be delivered with reasonably expected funds, and that those projects help attain and maintain air quality standards. The RTP contains four main required elements that are discussed below. However, the Fresno Council of Governments RTP includes additional elements or chapters regarding the regional context of the RTP, public participation, environmental justice analysis and transportation performance management.

Chapter 2 of the RTP/SCS contains goals, objectives, and policies in order to address the transportation needs of the Fresno region and quantify regional needs in the 25-year planning horizon. One of the policies in Table 2-1A of the RTP/SCS aims to provide for efficient, multi-destination trips through the coordination of urban and rural public transportation. Another policy aims to provide a transit system that meets the public transportation needs of the service area. The project site is approximately 1.14 miles from a Fresno Area Express Route 45 but stop (located at Herndon Avenue / Blythe

Avenue). Route 45 has stops in eastern, central, and western Fresno. This route stops at or near the following points of interest: Army Navy Reserve, Manchester Transit Center, Fresno City College, Fresno High School, Gillis Library, and Bullard High School. Therefore, the proposed project would be located in an area that is currently served by Fresno Area Express. Another goal in Table 2-1H of the RTP/SCS aims to achieve a safe transportation system for all motorized and non-motorized users on all public roads in Fresno County. The project would include sidewalks on the internal streets to facilitate non-motorized travel.

As demonstrated above, the proposed project would be generally consistent with the goals and strategies of the RTP/SCS.

Fresno Greenhouse Gas Reduction Plan

The City's General Plan includes a Greenhouse Gas Reduction Plan. The Greenhouse Gas Reduction Plan provides a comprehensive assessment of the benefits of these General Plan and Development Code Update policies along with existing plans, programs, and initiatives that reduce GHG emissions. In addition, the Greenhouse Gas Reduction Plan includes an emission reduction target for demonstrating consistency with State GHG reduction targets.

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

The City's General Plan designates the project area as Community Commercial (approximately 11.8 acres). Community Commercial is intended for commercial development that primarily serves local needs such as convenience shopping and small 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. The analysis included in the City's General Plan MEIR assumed that the site would be developed with up to 514,932 square feet of Community Commercial uses. However, the subject property proposes to rezone the entire project site to RM-2/UGM and amend the General Plan land use designation to Urban Neighborhood. Approval of the rezoning and general plan amendment would ensure that the zoning designation is consistent with the land use designation for the project site. The project would not increase development beyond the level assumed for the site in the City's General Plan MEIR and the associated Greenhouse Gas Reduction Plan. Because the Greenhouse

Gas Reduction Plan analyzed the Fresno General Plan land use capacity, the GHG emissions resulting from the proposed project (i.e., 2,885.5945 $MTCO_2e$ during operation and a maximum of 377.5197 $MTCO_2e$ during construction [2020]) would be less than anticipated in the Greenhouse Gas Reduction Plan.

Conclusion

The maximum short-term annual construction emissions of GHG associated with development of the project are estimated to be 377.5197 $MTCO_2e$ (2020) with a low of 324.9541 $MTCO_2e$ (2021) emitted. As stated previously, short-term construction GHG emissions are a one-time release of GHGs and are not expected to significantly contribute to global climate change over the lifetime of the proposed project. The annual operational GHG emissions associated with buildout of the proposed project would be 2,885.5945 $MTCO_2e$. Additionally, the project would be generally consistent with the goals and policies of the Fresno Council of Governments RTP/SCS and the Fresno Greenhouse Gas Reduction Plan.

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG emissions, either directly or indirectly, or conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

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

ENVIRONMENTAL ISSUES	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
IX. HAZARDS AND HAZARDOUS MATERIAL – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

There are no known existing hazardous material conditions on the property and the property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project itself will not generate or use hazardous materials in a manner outside health department requirements.

The subject property is not located within any wildland fire hazard zones.

The proposed project incorporates three access points, which will be utilized for purposes of emergency vehicle access.

As shown in historical aerial photographs available on Google Earth, the project site has been vacant since at least 1998. Onsite reconnaissance and historical records indicate that there are no known underground storage tanks or pipelines located on the project site that contain hazardous materials. Therefore, the disturbance of such items during construction activities is unlikely.

The proposed project would place residential uses in an area of the City that currently contains residential uses. The proposed residential land uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common hazardous materials such as household cleaners, paint, etc. The operational phase of the proposed project does not pose a significant hazard to the public or the environment.

There are no schools within one-quarter mile of the project area. Teague Elementary School is 0.28-miles to the northeast and Lawless Elementary School is 0.37-miles to the south. Therefore, there is no possibility for the project to emit hazardous emissions of any kind within one-quarter mile of an existing or proposed school.

According to GeoTracker, one site is located in the project vicinity. The Gas Station and Convenience Site (SG #1) is a Permitted Underground Storage Tank (UST). This site is located on the immediately adjacent property northwest of the project site. No other hazardous sites are documented in the immediate project vicinity.

The project area is not located in an FAA-designated Runway Protection Zone, Inner Safety Zone and Sideline Safety Zone according to review of the Sierra Sky Park Airport Maps. Based upon the goals of the proposed project, no potential interference with an adopted emergency response or evacuation plan has been identified.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:			X	
i) Result in a substantial erosion or siltation on- or off-site;		X		
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:		X		

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		X		
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

On January 17, 2014, the Governor of California, proclaimed a State of Emergency in the State of California due to severe drought conditions. On April 25, 2014 and April 1, 2015, the Governor signed Executive Orders directing the State Water Resources Control Board ("State Water Board") to adopt emergency regulations to ensure urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful water practices. California Water Code Section 1058.5 grants the State Water Board the authority to adopt emergency regulations during a period when the Governor has issued a proclamation of emergency based upon drought conditions or in response to drought conditions that exist, or are threatened, in a critically dry year immediately preceded by two or more consecutive below normal, dry, or critically dry years.

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

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

water conservation measures resulting in 23% reduction in the City's water usage in 2015 and 2016.

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

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

On April 26, 2017, the State Water Board rescinded mandatory water conservation standards statewide, but left in effect prohibitions on certain water uses and required certain water conservation activities at all times in the City of Fresno comports with the Governor's Executive Order. In October, 2017, the City of Fresno amended the FMC to update specific prohibitions against wasteful water use practices to comport with state regulations, established a new definition for excessive water use, updated outdoor watering restrictions based on drought stage declarations, and changed the enforcement fine schedule for violations of prohibited water use practices. The City of Fresno adopted further water conservation revisions to the FMC in April, 2019, defining Excessive Water Use for customers in single-family residences or multi-unit housing in which each unit is individually metered or sub-metered, as using potable water in excess of the maximum gallons per hour, depending on the City's current Water Shortage Contingency Plan stage, during days or hours when outdoor irrigation is prohibited, more than one day during the monthly billing period, as recorded by the City. The maximum gallons per hour are: Stage 1 - 400 gallons per hour recommended. Stage 2 - 400 gallons per hour. Stage 3 - 350 gallons per hour. Stage 4 - 300 gallons per hour.

Fresno is one of the largest cities in the United States that still maintains a significant reliance on groundwater as part of its public water supply portfolio. Surface water treatment and distribution has been implemented in the northeastern part of the City since 2004 and in the southeastern part of the City in 2018, but the City is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300-feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (currently 205 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

The City's groundwater aquifer has been documented by the State Department of Water Resources (Bulletin 118 - Interim Update 2016) to be critically over-drafted, and has been designated a high-priority basin for corrective action through the Sustainable Groundwater Management Act (SGMA).

Adverse groundwater conditions of limited supply and compromised quality have been well documented by planning, environmental impact report and technical studies over the past 20 years including the Master Environmental Impact Report No. 2012111015 for the Fresno General Plan, the MEIR 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117 and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to contamination from 1,2-dibromo-3-chloropropane (DBCP), ethylene-dibromide (EDB), trichloroethylene (TCE), 1,2,3-trichloropropane (TCP), tetrachloroethylene (PCE), 1,1-dichloroethane (DCE), nitrate, and from naturally occurring arsenic, iron, manganese, and radon concentrations; low water well yields in some parts of the City; limited aquifer storage capacity from over-utilization; limited recharge activities; and, intensive urban or semi-urban development occurring up-gradient from the Fresno Metropolitan Area.

This mitigated negative declaration prepared for the proposed project is tiered from MEIR SCH No. 2012111015 prepared for the Fresno General Plan, which contains measures to mitigate projects' individual and cumulative impacts to groundwater resources and to reverse the groundwater basin's overdraft conditions.

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

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes regional water resource planning efforts, such as, the Kings Basin's Integrated Regional Water Management Plan, the Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2010 UWMP. The purpose of these management plans is to provide safe, adequate, and dependable water supplies on order to adequately meet existing and future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical

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

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

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins;

- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Surface Water Treatment Facility (NESWTF) and construct a new Southeast Surface Water Treatment Facility (SESWTF); and

- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's Metropolitan Water Resources Management Plan, 2010 & 2015 UWMPs is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing utilization of surface water supplies through expansion of surface water treatment facilities, intentional recharge, and conservation, thereby reducing groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned.

Until 2004, groundwater was the sole source of water for the City. In June 2004, the 30 Million Gallon Per Day (MGD) Northeast Surface Water Treatment Facility ("NESWTF") began providing Fresno with water treated to drinking water standards and in May 2018, the 54 MGD Southeast Surface Water Treatment Facility ("SESWTF") became operational. In order to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan further construction of surface water treatments facilities and recycled water facilities will be required. Surface water is used to replace lost

groundwater through Fresno's intentional recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and smaller facilities in Southeast Fresno. Fresno holds contracts to surface water supplies from Millerton Lake and contractual rights to surface water from Pine Flat Reservoir. In 2010, Fresno renewed its contract with the United States Bureau of Reclamation, which entitles the City to 60,000 acre-feet per year of Class 1 water into the extended future. This water supply has further increased the reliability of Fresno's water supply.

Also, during the period 2005 to 2014, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2025. The plan implements a conjunctive use program, combining groundwater, treated surface water, intentional recharge and an enhanced water conservation program.

The use of groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The 2015 UWMP shows that groundwater pumped by the City has decreased from approximately 148,006 AF/year in 2008 to approximately 83,360 AF/year in 2015. With the 54-MGD SESWTF (expandable to 80-MGD) coming online in 2018 it is anticipated further groundwater pumping reductions will be realized. The projected total estimated groundwater yield for the 2040 is approximately 148,900 AF/year, inclusive of intentional recharge (Table 6-3, 2015 UWMP). In order to meet future demand projections, the City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

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

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

The City also has implemented an extensive water conservation program which is detailed in Fresno's current UWMP and additional conservation is anticipated as more of the City's residential customers become metered. The City implemented a residential water meter program; installing and metering water service for all single-family

residential customers in the City by 2013. In terms of water conservation efforts, the recent completion of the residential meter installation project realized the single largest reduction of water use. Prior to initializing the meter installation project water use in the City was at a high of 168,122 AF/year in 2008 (Table 4-1, 2015 UWMP). At completion of the meter installation project water use dropped to 135,595 AF/year. Although implementation of this project occurred during the economic downturn, water use has remained at or below this value, except in 2013 when there was a noticeable jump in use. The implementation of the metering project yielded a water savings of approximately 30,000 AF/year.

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

In accordance with the provisions of the Fresno General Plan and Master EIR No. 2012111015 mitigation measures, project specific water supply and distribution requirements must assure that an adequate source of water is available to serve the project. SGMA compliance requirements are incorporated into the water supply conditions of approval for the project.

In order for the City to develop an SGMA compliance plan for this proposed development project, a Water Demand Analysis has been calculated which yielded the following:

In accordance with Fresno Municipal Code (FMC) Section 6-501, the estimated peak hour water demands for the proposed project shall be based on 1.51 Gallons per Minute (GPM) for multi family residential units. In addition, the Fire Protection Water Demand shall be added to the overall project water demand at 1,500 gpm. The sum of the Peak Hour and Fire Protection Water Demands shall establish the total instantaneous water supply flow required for the project, inclusive of fire protection.

The proposed storm drainage plan includes an engineered network of storm drain lines and landscaped bioswales. The average homes developed within the proposed project will have wash basins, showers, low flow toilets, hose connections, a clothes washer, and a dishwasher. The proposed project would result in the construction of residential housing that would generate an estimated 614 people. According to the 2015 UWMP, the actual water use in 2015 was 190 gallons per capita per day (gpcd). Therefore, the proposed project would result in an estimated water demand of 116,660 gallons per day (or 131.4 acre-feet per year).

The City's General Plan designates the project area as Commercial - Community. Community Commercial is intended for commercial development that primarily serves local needs such as convenience shopping and small 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. The analysis included in the City's General Plan MEIR assumed that the site would be developed with Commercial Community uses, not Residential – Urban Neighborhood as proposed. However, approval of the rezone and general plan amendment would ensure that the zoning designation is consistent with the land use designation for the project site. Because the recently adopted 2015 UWMP analyzed the Fresno General Plan land use capacity, the water demand resulting from the proposed project (i.e.,62.60 acre-feet per year) would be less than anticipated in the UWMP. The project would not increase development beyond the level assumed for the site in the City's General Plan MEIR.

The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

Project construction would add additional impervious surfaces to the project site; however, various areas of the project site would remain largely pervious, which would allow infiltration to underlying groundwater. For example, the project would include open space areas throughout the project site, for a total of approximately 5.28 acres. Additionally, the project includes ample landscaping areas that would remain pervious. The areas would continue to contribute to groundwater recharge following construction of the project. Furthermore, the project is not anticipated to significantly affect groundwater quality because sufficient stormwater infrastructure would be constructed as part of project to detain and filter stormwater runoff and prevent long-term water quality degradation. Therefore, project construction and operation would not substantially deplete or interfere with groundwater supply or quality.

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

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

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

The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and associated water demand analysis and has determined that water service will be available to the proposed project subject to water mains being extended within the proposed lot to provide service to each unit created; and, subject to payment of applicable water charges. These charges include payment of the adopted Water Capacity Fee charge, which is based upon the number and size of service connections and water meters required to serve the property as necessary in order to contribute a project's share towards funding installation of new water service capacity, recharge, and savings initiatives to achieve water balance.

The applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the project's water impacts to less than significant.

The developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

Portions of the subject property may be adequately served with permanent drainage service through existing Master Plan facilities or required Master Plan facilities to be developed in conjunction with the proposed project. However, in areas where permanent drainage service will not be available, the District recommends temporary ponding facilities until permanent service is available through future Master Plan Facilities.

The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inch height) be used the same criteria shall apply whereby flow remains below the top of curb.

If surface water runoff or event flows exceed volumes for which the Master Plan drainage system is designed to accommodate and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed land use to avoid flooding, then the developer will be required to mitigate the impacts of the increased runoff from the proposed use to a rate that would be expected if developed in accordance with the Master Plan. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility,

such a system would be required to reduce runoff accordingly. Implementation of the mitigation measures may be deferred until time of development.

Implementation of proposed project would not violate any water quality or waste discharge requirements. Construction activities including grading could temporarily increase soil erosion rates during and shortly after project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. The Regional Water Quality Control Board requires a project specific Storm Water Pollution Prevention Plan (SWPPP) to be prepared for each project that disturbs an area one acre or larger. The SWPPP is required to include project specific best management measures that are designed to control drainage and erosion. Furthermore, the proposed project has been designed to control storm water runoff and erosion, both during and after construction. The SWPPP and the project specific drainage improvements would reduce the potential for the proposed project to violate water quality standards during construction.

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

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the subject site is not located within a flood prone or hazard area, necessitating appropriate floodplain management action. The project site is mostly flat and the project would not substantially alter the existing drainage pattern of the site or area. The project site does not have a stream or river and is not near another body of water. The project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The storm drainage plan will be supported by engineering calculations to ensure that the project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of previously approved environmental review documents, as well as those mitigation measures included herein, will address the issues of providing an adequate, reliable, and sustainable water supply for the project’s urban domestic and public safety consumptive purposes. City of Fresno, Water Division has reviewed the project for compliance with water quality and groundwater management. Further, the MEIR has mitigation measures that equate to policies and initiatives to ensure the City promotes

water conservation. Therefore, the project will not conflict with the implementation of a water quality control plan or sustainable groundwater management.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any additional impacts related to hydrology or water quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

- The proposed project shall implement and incorporate, as applicable, the hydrology related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 2019.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

The project site is located within the city limits and is adjacent primarily to residential uses, commercial uses, and vacant land. The proposed multi-family residential project is consistent with the developed surrounding uses to the north, south, east, and west (existing and planned) and would not physically divide an established community. This is a less than significant impact.

The City's General Plan designates the project area as Community Commercial (approximately 11.8 acres). The current Commercial - Community zoning is consistent with the General Plan land use for the site. However, the subject property proposes to rezone the entire project site to RM-2/UGM and amend the General Plan land use designation to Urban Neighborhood. Approval of the rezoning and general plan amendment would ensure that the zoning designation is consistent with the land use

designation for the project site. Upon approval of the requested entitlements, the proposed project would not conflict with any land use plan, policy or regulation.

The proposed Residential – Urban Neighborhood land use designation allows for densities between 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 parkland and commercial services; it also supports efficient, frequent transit service. The Residential – Urban Neighborhood designation is designated for targeted areas with complementary land uses adjacently located. The proposed project would include 192 units on 11.8 acres, for a density of 16.3 units per acre. Within the project vicinity, there are single family residential developments located to east and southwest and multi-family apartments located to the southeast and west, adjacent to the proposed project. The proposed residential use is allowed within this land use designation, and the project does not exceed the maximum density.

Fresno General Plan Goals, Objectives and Policies

As proposed, the project will be consistent with the following Fresno General Plan goals:

- Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the city.

- Make full use of existing infrastructure, and investment in improvements to increase competitiveness and promote economic growth.

- Promote orderly land use development in pace with public facilities and services needed to serve development.

- Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

These goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

Objective LU-5 aims to plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities. The project includes a

range of apartment types, unit sizes, and yard sizes. The General Plan includes Policy LU-5-a, which promotes low density residential uses only where there are established neighborhoods. Existing, planned, and/or future low density residential uses surround the proposed project site. Likewise, Policy LU-5-g allows new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes. The proposed project site is located adjacent to existing residential subdivisions and multifamily apartment complexes to the east, south and southwest. The proposed density is similar to these adjacent uses. The project includes development of pedestrian and vehicular routes that connect to the existing roadway system.

This project supports the above-mentioned goals and policies in that the density of the proposed development conforms to the requested land use designation (Residential - Urban Neighborhood) of the Fresno General Plan.

The project will not conflict with any conservation plans since it is not located within any conservation plan areas. No habitat conservation plans or natural community conservation plans in the region pertain to the natural resources that exist on the subject site or in its immediate vicinity.

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

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

The subject site is not located in an area designated for mineral resource preservation or recovery, therefore, the project will not result in the loss of availability of a known

mineral resource that would be of value to the region and the residents of the state. The subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore, it will not result in the loss of availability of a locally-important mineral resource. This is a less than significant impact.
In conclusion, the proposed project would not result in any mineral resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

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

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

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

Potential noise sources at the project site would occur primarily from roadway noise on the project area roadways.

The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 60 dB DNL for exterior noise levels in outdoor areas of noise-sensitive land uses. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. The proposed residential uses are considered sensitive land uses. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep. Project Specific Mitigation Measure NOI-1 requires an analysis to determine the appropriate noise attenuation features (sounds walls) to ensure acceptable levels of noise along the perimeter of the site.

Existing sensitive receptors, including single-family homes, are located approximately adjacent east, south and southwest of the project site. In order to ensure that the exterior and interior noise levels at this residence do not exceed the City's noise standards, a project-specific noise analysis is required as a standard in the City. The noise analysis will include noise modeling for anticipated stationary and mobile noise sources under the Existing Plus Project and Cumulative Plus Project conditions. If required, the noise analysis will include noise mitigation measures in order to reduce the resulting noise at the single-family home to a level at or below the City's noise standards. Typical mitigation measures may include sound walls, combination sound walls and berms, changes to site setbacks, changes to site layout, or other strategies. As noted above, a noise analysis is required by Project Specific Mitigation Measure NOI-1.

For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level (L_{eq}) and maximum sound level

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

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

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

The City of Fresno Noise Element of the General Plan sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (Ldn). Implementing Policy NS-1-a of the noise element establishes a land use compatibility criterion as 65 dB Ldn for exterior noise exposure within outdoor activity areas of residential land uses. Outdoor activity areas generally include backyards of single-family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multi-family developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

Additionally, Implementing Policy NS-1-h of the noise element requires that interior noise levels attributable to exterior transportation noise sources not exceed 45 dB Ldn. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

Short-term Noise and Vibration Impacts

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

> Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or

other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the general plan or noise ordinance or applicable standards of other agencies would be less than significant.

Furthermore, the primary vibration-generating activities associated with the proposed project would happen during construction when activities such as grading, utilities placement, and road construction occur. Sensitive receptors which could be impacted by construction related vibrations, especially vibratory compactors/rollers, are located approximately 25 to 50 feet or further from the project site. At this distance, construction vibrations are not predicted to exceed acceptable levels. Additionally, construction activities would be temporary in nature and would likely occur during normal daytime working hours. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of construction would be less than significant.

Long Term Noise Impacts

An Acoustical Analysis was completed for the proposed project by WJV Acoustics, Inc. (September 2019). The following discussion summarizes the results of the Acoustical Analysis. The full report is included as Appendix D of this document.

The proposed project includes future residential uses. The immediate vicinity consists of existing and planned residential uses, which produce noise levels which are likely similar to noise levels produced by the proposed project. Additionally, there is an existing automated car wash, gas station and convenience store located at the southeast corner of West Figarden Drive and West Bullard Avenue, northwest of the project site. The automated car wash (the closest of the features to the proposed multi-family residential development) represents the loudest potential source of noise affecting the project site

As part of the Acoustical Analysis, noise exposure from traffic on West Bullard Avenue and West Figarden Drive was calculated for existing and future (2035) conditions. The calculated noise exposures for existing and future (2035) traffic conditions for the closest proposed setbacks to West Bullard Avenue were approximately 53 dB Ldn and 56.9 dB Ldn, respectively. The calculated noise exposures for existing and future (2035) traffic conditions for the closest proposed setbacks to West Figarden Drive were approximately 66.5 dB Ldn and 66.9 dB Ldn, respectively. Noise exposure levels for future (2035) traffic conditions on West Figarden Drive are above the applicable City of Fresno exterior noise level standard of 65 dB Ldn, and further mitigation is required.

Exterior Noise Exposure and Mitigation

Traffic noise exposure levels associated with vehicle traffic along West Bullard Avenue would not exceed the City's 65 dB Ldn exterior noise level standard at any of the closest proposed residential units to West Bullard Avenue. Traffic noise level exposures associ ated with vehicle traffic along West Figarden Drive would be expected to be approximat ely 67 dB Ldn at the closest proposed residential units to West Figarden Drive, which sli ghtly exceed the City's 65 dB Ldn exterior noise level standard.

Specifically, exterior noise levels within individual unit patios and balconies would be expected to be approximately 67 dB Ldn (exceeding the City's standard by 2 dB) at only 16 of the 192 proposed multi-family residential units. These units represent those closest to Figarden Drive. The proposed project is required to provide fifteen percent of the lot area for open space. This requirement may be met through a combination of private open space, common open space, or public plazas. Fifty percent of the proposed units shall have "private" open space such as balconies, porches, and patios. As proposed, the project provides 44.6% on-site open space, including a private patio, porch, or balcony for each unit. Pursuant to Fresno Municipal Code Table 15-2506-B, 65 dB is the maximum exterior noise level for balconies if they are included in the on-site open space calculations. With the omission of the 16 units' balconies in the open

space calculation, the proposed project would meet all open space requirements and be below the maximum exterior noise levels and would not require mitigation. The 16 balconies exceed the permissible levels by 2dB, considered to be a minimal amount and would not be discernable by the human ear even with mitigation. Exterior noise levels at the remaining 176 proposed multi-family residential units would not exceed the 65 dB Ldn exterior noise level standard.

The exterior noise level standard also applies to all outdoor common use areas within the proposed multi-family residential development. This includes the swimming pool area and adjacent common use outdoor picnic area. Noise levels at these common use areas would be well below the City's 65 dB Ldn exterior noise level standard.

In addition to traffic noise exposure, several units are proposed in the vicinity of the car wash facility adjacent to the project area. Noise levels associated with the car wash, if operational, could be as high as 64 dB Leq at the closest units, during the period of a 6 to 7-minute wash cycle. The City's exterior noise level standard for non-transportation noise sources is an hourly Leq of 50 dB during daytime (7:00 a.m. to 10:00 p.m.). However, existing ambient noise levels in the vicinity of the car wash and closest proposed residential units already exceed the 50 dB Leq noise level standard (measured to be approximately 57 dB Leq) and would therefore warrant an adjustment to the applicable noise level standard.

The applicant has proposed the construction of an 8-foot CMU wall along the property line boundary between the adjacent commercial property and the project site. The proposed 8-foot CMU wall would be expected to provide approximately 8 dB of noise level reduction at first floor receiver locations from noise levels occurring on the adjacent commercial property. The 8-foot wall would provide sufficient acoustical shielding from current commercial noise levels, and would provide acoustic shielding if the car wash was to commence operation.

A Project Specific Mitigation Measure is included in the attached Project Specific Mitigation Monitoring Checklist dated September 2019 to address exterior noise levels.

The closest airport or airstrip is the Sierra Sky Park Airport, located approximately 1.4 miles north of the project site. However, the proposed project is outside noise level contours of the Sierra Sky Park Land Use Policy Plan. The proposed project would, therefore, not expose people residing or working in the project area to excessive noise levels associated with such airport facilities.

Interior Noise Exposure and Mitigation

The City of Fresno interior noise level standard is 45 dB Ldn. The worst-case future noise exposure within the proposed residential development would be approximately 67 dB Ldn. Therefore, the proposed residential construction must be capable of providing a minimum outdoor-to-indoor noise level reduction of approximately 22 dB.

It would be reasonable to assume that residential construction methods complying with current building code requirements will reduce exterior noise levels by approximately 25 dB if windows and doors are closed. This will be sufficient for compliance with the City's 45 dB Ldn interior standard at all proposed lots. A requirement that it be possible for windows and doors to remain closed for sound insulation means that air conditioning or mechanical ventilation will be required.

A Project Specific Mitigation Measure is included in the attached Project Specific Mitigation Monitoring Checklist dated October 2019 to address interior noise levels.

Conclusion

Although the project will create additional activity in the area, the project will be required to comply with all noise policies and mitigation measures identified within the Fresno General Plan and MEIR as well as the noise ordinance of the Fresno Municipal Code. Through compliance with the policies and mitigation measures, the interior and exterior noise levels would comply with the City's noise standards.

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

Mitigation Measures

1. The proposed project shall implement and incorporate the noise related mitigation measure as identified in the attached Project Specific Mitigation Monitoring Checklist dated October 2019.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

According to the 2019 US Department of Finance population estimates, the population in Fresno is 536,683 people, and the average persons per household is 3.20. The proposed project would result in the construction of residential housing that would generate an estimated 614 people. This is an estimated 0.001 percent growth in Fresno. An estimated 0.001 percent growth in Fresno is not considered substantial growth in Fresno or the region and it is consistent with the assumed growth in the General Plan. The 614 people may come from Fresno or surrounding communities. The proposed project would not include upsizing of offsite infrastructure or roadways. The installation of new infrastructure would be limited to the internal multi-family residences. The sizing of the infrastructure would be specific to the number of units proposed within the project site. Implementation of the proposed project would not induce substantial population growth in an area, either directly or indirectly. This is a less than significant impact.

The surrounding area is mostly developed or will be developed with residential uses. The General Plan designates the project site as Community Commercial (11.8 acres). However, the project site proposes to rezone the zone district of the project site and amend the General Plan land use designation. The proposed Residential – Urban Neighborhood designation covers densities from 16 to 30 units per acre. This would result in a total of up to 192 units. The analysis included in the City's General Plan MEIR assumed that the site would be developed with Commercial Community uses, not Residential – Urban Neighborhood as proposed. Approval of the rezone and general plan amendment would ensure that the zoning designation is consistent with the land use designation for the project site.

The proposed project will not displace any existing housing. The project will not result in displacement of any persons as there are no residential units on the subject property. As such, no impact associated with displacement of housing or people would occur.

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

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

The subject property is located approximately 1.24 air miles (or 1.50 road miles) southeast from Fire Station 14.

The City of Fresno Fire Department operates its facilities under the guidance set by the National Fire Protection Association in NFPA 1710, the Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Career Fire Departments. NFPA 1710 sets standards for turnout time, travel time, and total response time for fire and emergency medical incidents, as well as other standards for operation and fire service. The Fire Department has established the objectives set forth in NFPA 1710 as department objectives to ensure the public health, safety, and welfare.

Demand for fire service generated by the project is within planned services levels of the Fire Department and the applicant will pay any required impact fees at the time building permits are obtained.

According to the Fresno General Plan MEIR, development impact fees are currently collected for the provision of capital facilities for fire facilities that will provide for future facilities as the City's population increases. Recognizing that there would be an increased demand for fire and emergency medical response, the General Plan Update includes several policies to support the activities of the Fresno Fire Department. The policies and objectives from the General Plan will ensure that the proposed project does not significantly affect fire protection.

Additional fire service requirements for development of the proposed project will include installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards. Review for compliance with fire and life safety requirements for proposed residences are reviewed by both the Fire Department and the Building and Safety Services Section of the Planning and Development Department when a submittal for building plan review is made as required by the California Building Code.

City police protection services are also available to serve the proposed project with no new facilities required for police protection.

Development of the property requires compliance with grading and drainage standards of the City of Fresno.

The proposed project does include uses that would increase the use of park and recreation facilities in the area. The project would include open space areas throughout the project site, for a total of approximately 5.28 acres. The centrally-located open space area could function as a recreational amenity for the proposed residences. The City of Fresno maintains a park goal to provide five acres of city park space per 1,000 residents. To meet this park goal, the project would require up to 3.07 acres of park uses for the 614 residents. Because the project does not meet this goal, the applicant would be required to pay the required park impact fees.

Demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are obtained.

Similarly, the proposed residential uses result in generation of students, which would impact the District's student classroom capacity. The developer will pay appropriate school fees at time of building permits. The proposed project does not result in the construction of new school facilities.

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of

the Fresno General Plan policies, the mitigation measures of the related MEIR, and the construction and installation of public facilities and infrastructure in accordance with DPU standards, specifications and policies.

For sanitary sewer service these infrastructure improvements and facilities include typical requirements for construction and extension of sanitary sewer mains and branches within the interior of the future proposed residential development. The proposed project will also be required to provide payment of sewer connection charges.

Implementation of the Fresno General Plan policies and the mitigation measures of the associated MEIR, along with the implementation of the Water Resources Management Plan, would ensure drainage impacts are less than significant. Installation of these services with meters to the proposed buildings and payment of applicable Water Capacity Charges will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

According to the FEMA FIRM, the subject site is not located within a flood prone or hazard area, necessitating appropriate floodplain management action. The project site is mostly flat and the project would not substantially alter the existing drainage pattern of the site or area. The project site does not have a stream or river. The project would not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The storm drainage plan will be supported by engineering calculations to ensure that the project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

In conclusion, with implementation of the MEIR Public Service Mitigation measures, the project will not result in any public service impacts beyond those analyzed in MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the Public Service related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 2019.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION - Would the project:				

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

Although the proposed project does include uses that would increase the use of park and recreation facilities in the area, the proposed project will not result in the physical deterioration of existing parks or recreational facilities. As noted previously, the project would include open space areas throughout the project site, for a total of approximately 5.28 acres. The centrally-located open space area could function as a recreational amenity for the proposed residences.

Demand for parks generated by the project would be minimal and is within planned services levels of the City of Fresno Parks and Community Services Department. The applicant will pay any required impact fees at the time building permits are obtained or receive credits for construction as may be memorialized within a development agreement.

In conclusion, the proposed project would not result in any recreation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015. Impacts related to recreation would be less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – Would the project:				

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

The proposed project is located within Traffic Impact Zone III. Traffic Impact Zone III represents areas near or outside the City Limits but within the SOI as of December 31, 2012. Within this Zone, the City aims to maintain a peak hour Level of Service (LOS) standard of D or better for all intersections and roadway segments. A Traffic Impact Study (TIS) will be required for all development in this Zone projected to generate 100 or more peak hour new vehicle trips.

The proposed project would generate 100 or more peak hour new vehicle trips. The ITE Trip Generation Manual land use description/code which corresponds to the proposed project is “Multifamily Housing (Low-Rise)/220”. Using this ITE code and corresponding trip generation rate, the project would generate approximately 1,406 new daily vehicles trips, 89 new AM peak hour trips, and 108 PM peak hour trips. Therefore, a Traffic Impact Analysis is required for the proposed project.

A Traffic Impact Study was prepared for the proposed project (Peters Engineering, 2019). The study locations were determined based on consultation with City of Fresno staff considering the anticipated project trip distribution, the size of the project, and the existing conditions in the vicinity of the project site. This report includes analysis of the following intersections:

1. Bullard Avenue / Dante Avenue

2. Bullard Avenue / Figarden Drive

The study time periods include the weekday a.m. and p.m. peak hours determined between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m. The peak hours are analyzed for the following conditions:

- Existing Conditions;
- Existing-Plus-Project Conditions;
- Near-Term With-Project Conditions (includes pending projects); and
- Cumulative (Year 2040) Conditions With Project.

Appendix E contains a description of the methodology used in the Traffic Impact Study.

On-site circulation was analyzed as part of the Traffic Impact Study. Additionally, the intersections were analyzed for Existing (2019), Existing (2019) Plus Project, Near-term with Project, Cumulative (2040), and Cumulative Mitigated (2040). Detailed results are included in Appendix E.

On-Site Circulation and Emergency Access

The design of the proposed development has been evaluated and determined to be consistent with respect to compliance with City of Fresno standards, specification and policies. The site plan appears to provide adequate circulation throughout the site. The throat between the Figarden Drive and the proposed gate should be long enough to allow vehicles to queue without backing up into the street and sidewalk. The project would not increase hazards due to a geometric design feature or incompatible use. This is a less than significant impact.

The project is not located near an airport; therefore, it will not change air traffic levels. The proposed streets will not create hazards or conflict with emergency access. The project includes three access points: two along Bullard Avenue and one along Figarden Drive. These three accesses would be available in case of an emergency. Therefore, the project would result in a less than significant impact associated with emergency access.

Conclusions and Recommendations

As shown the Traffic Impact Study, the following locations, by scenario, are projected to operate below the appropriate adopted LOS standard:

Existing (2019) (Without the Project)

- Bullard at Dante – AM peak hour
- Bullard at Dante – PM peak hour
- Bullard at Figarden – AM peak hour

- Bullard at Figarden – PM peak hour

Existing (2019) Plus Project (With the Project)

- Bullard at Dante – AM peak hour
- Bullard at Dante – PM peak hour
- Bullard at Figarden – AM peak hour
- Bullard at Figarden – PM peak hour

Near-Term (2019) With Project Conditions (With the Project)

- Bullard at Dante – AM peak hour
- Bullard at Dante – PM peak hour
- Bullard at Figarden – AM peak hour
- Bullard at Figarden – PM peak hour

Cumulative (2040) Project (With the Project)

- Bullard at Figarden – AM peak hour

Cumulative Mitigated (2040) Project (With the Project)

- Bullard at Dante – AM peak hour
- Bullard at Dante – PM peak hour
- Bullard at Figarden – AM peak hour
- Bullard at Figarden – PM peak hour

As shown in the previous sections, the following locations, by scenario, are projected to have queue storage length exceedances:

Existing (2019) (Without the Project)

- Figarden at Bullard
  - EB right – AM peak hour
  - NB left – PM peak hour

Existing (2019) Plus Project (With the Project)

- Figarden at Bullard
  - EB right – AM peak hour
  - NB left – PM peak hour

Near-Term (2019) With Project Conditions (With the Project)

- Figarden at Bullard
  - EB right – AM peak hour
  - NB left – AM peak hour
  - NB left – PM peak hour

Cumulative (2040) Project (With the Project)

- Bullard at Dante
  - EB right – AM peak hour
  - EB right – PM peak hour
  - WB right – PM peak hour

- Figarden at Bullard
  - EB left – AM peak hour
  - EB left – PM peak hour
  - NB left – AM peak hour
  - NB left – PM peak hour
  - SB left – PM peak hour
  - SB right – PM peak hour

Cumulative Mitigated (2040) Project (With the Project)

- Bullard at Dante
  - WB left – AM peak hour
  - NB left – PM peak hour

- Figarden at Bullard
  - EB left – AM peak hour
  - EB left – PM peak hour
  - NB left – PM peak hour
  - SB left – PM peak hour
  - SB right – PM peak hour

The Traffic Impact Study found that the existing study intersections are operating at acceptable LOS and are expected to continue to operate at acceptable levels of service after construction of the project and other near-term projects. The project will not cause significant impacts to the existing road network. In the near-term condition, development of other projects located west of Figarden Drive is expected to result in longer queues in the left-turn lane on the northbound approach to the intersection of Bullard Avenue and Figarden Drive. The year 2040 With-Project conditions analysis indicates that both of the study intersections are expected to operate at LOS F by the year 2040 with substantial queues. The intersection of Bullard and Dante Avenues will require signalization in the cumulative condition to achieve an acceptable LOS. The intersection of Bullard Avenue and Figarden Drive will require the installation of a second left-turn lane on the northbound approach.

Mitigation Impact Fees

Assuming the site develops consistent with the Traffic Impact Study, the project would pay the following Traffic Signal Mitigation Impact Fee (TSMI), New Growth Area Street Fee (FMSI), and Regional Transportation Mitigation Fee (RTMF):

TMSI = 192 dwelling units X $332 (fee rate per latest City of Fresno fee schedule)
= $63,744

FMSI = 11.8 acres X $28,585 (fee rate per latest City of Fresno fee schedule)
= $337,303

RTMF = 192 dwelling units X $1,150 (fee rate per latest Fresno COG fee schedule)
= $220,800

The TSMI fee would at a minimum include the following signals:

1. Bullard Avenue / Dante Avenue (eight-phase signals at an amount of $323,000);
2. Bullard Avenue / Figarden Drive (widening to add eastbound and northbound dual left-turns at an amount of $821,000). It is noted that two left-turn lanes already exist on the eastbound approach.

In addition, the New Growth Area FMSI fee would at a minimum include the following improvements:

- Travel lanes
- Medians and median landscaping
- Parking lanes
- Bike lanes
- Curb and gutter
- Bus bays
- Irrigation pipes and canals
- Railroad crossings
- Soft costs (engineering, plan check, and inspection costs)

The project site is located within the new growth area with respect to the FMSI fee program.

Finally, the Regional RTMF fee is intended to ensure that future development contributes to its fair share towards the cost of infrastructure to mitigate the cumulative, indirect regional transportation impacts of new growth in a manner consistent with the provisions of the State of California Mitigation Fee Act. The fees will help fund improvements needed to maintain the target LOS in the face of higher traffic volumes brought on by new developments.

Therefore, any improvements that the project makes to any of these facilities should be credited towards their impact fees.

Transit Services

Fresno Area Express (FAX) provides bus service to the Fresno area. FAX Routes 9, 12, and 20, which all pass through the intersection of San Jose and Brawley Avenues, are the nearest to the project site at a distance of approximately 2/3 to 3/4 of a mile. The project is not expected to disrupt or impede existing transit facilities.

Bicycle and Pedestrian Facilities

Bicycle Facilities

The City of Fresno Active Transportation Plan (ATP) dated December 2016 refers to the Caltrans Highway Design Manual for classification of bicycle facilities as follows:

- Class I Bikeway (Bike Path): Off-street facilities that provide exclusive use for nonmotorized travel, including bicyclists and pedestrians.

- Class II Bikeway (Bike Lane): On-street facilities that use striping, stencils, and signage to denote preferential or exclusive use by bicyclists.

- Class III Bikeway (Bike Route): On-street pavement markings or signage that connect the bicycle roadway network along corridors that do not provide enough space for dedicated lanes on low-speed and low-volume streets.

- Class IV Bikeway (Separated Bikeways): Physically separated bicycle facilities that are distinct from the sidewalk and designed for exclusive use by bicyclists. Commonly known as “cycle tracks,” they are located within the street right-of-way, but provide similar comfort when compared to Class I Bikeways.

Figure 48 of the ATP identifies a proposed bikeway system with Class II bike lanes on all of the streets in the study area, some of which are already existing.

The TIS for the proposed project did not identify any potential impacts to the bicycle facilities in the project area.

Pedestrian

Pedestrian connectivity is well established in the developed areas in the vicinity of the project site. Undeveloped properties near the project site typically have curb and gutter already constructed but no sidewalks. The project would be required to construct sidewalks along its frontage and would eliminate gaps in sidewalk along both Figarden

Drive and along Bullard Avenue. The project is not expected to disrupt or impede existing or planned pedestrian facilities.

Conclusion

Payment of the applicable impact fees (including, but not limited to, the TMSI Fee, FMSI Fee, and RTMF) would be required.

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

Mitigation Measures

1. The proposed project shall implement and incorporate the transportation related mitigation measure as identified in the attached Project Specific Mitigation Monitoring Checklist dated October 2019.

ENVIRONMENTAL ISSUES	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
XVII. TRIBAL CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:		X		
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,		X		

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

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

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

Pursuant to AB 52, the Table Mountain Rancheria of California and Dumna Wo Wah Tribal Government were invited to consult under AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on June 28, 2019 which included the required 30-day time period for tribes to request consultation. To date, neither tribal group has responded to the City's notices for this project.

The site is currently vacant. If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations as well as the mitigation measures of the Fresno General Plan MEIR will require construction activities

to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resources professional.

In conclusion, with implementation of the MEIR Cultural Resource Mitigation measures, impacts related to tribal cultural resources would be less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resources related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 2019.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

The proposed project will require construction of new infrastructure to connect to the existing utility infrastructure. This will include water, wastewater, and storm water drainage connections. Additionally, the project will include connections for electric power, natural gas, and telecommunications facilities. The installation of this infrastructure will not require any major upsizing or other offsite construction activities that would cause a significant impact. The new infrastructure would be connected to existing infrastructure that is adjacent to the project site.

The City of Fresno Department of Public Utilities, Water Division reviewed the proposed project. As discussed under the Hydrology and Water Quality section of this Initial Study, the City has determined that adequate water supply exists to serve the proposed project. The applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities to reduce the project's water impacts to less than significant.

The City of Fresno acts as the Regional Sewering Agency and is responsible for operating the Fresno/Clovis Regional Wastewater Reclamation Facility and the North Fresno Wastewater Reclamation Facility (NFWRF). The Regional Facility provides wastewater treatment for a service area that includes most of the Cities of Fresno and Clovis, and some unincorporated areas of Fresno County. According to the City's General Plan MEIR, the Regional Facility received and treated approximately 72,302 acre-feet (AF) of wastewater during 2011, representing an annual average daily flow of approximately 64.5 million gallons per day (MGD). The quantity of wastewater received and treated by the Regional Facility has been declining since 2006, when it peaked at a total of approximately 80,801 AF, representing an annual average daily flow of approximately 72.1 MGD. The permitted wastewater treatment capacity of the Regional Facility is currently 80.0 MGD as an annual monthly average flow, and 88.0 MGD as a

maximum monthly average flow. The City is currently evaluating upgrades and modifications to the existing Regional Facility that may result in a capacity rating increase of 15.0 MGD. The City of Clovis owns 9.3 MGD of wastewater treatment capacity at the Regional Facility, and the City of Fresno owns the remaining capacity.

The NFWRF was constructed in late 2006 to provide wastewater treatment service for residential and commercial development in the surrounding area of north Fresno. The permitted capacity of the NFWRF is 0.71 MGD, as an average monthly flow, and 1.07 MGD, as a maximum daily flow. The City's master plan for the NFWRF calls for ultimate expansion to an average monthly flow capacity of 1.07 MGD upon full development of the NFWRF service area.

The General Plan MEIR concludes that impacts associated with wastewater treatment facilities and capacity resulting from buildout of the General Plan, including the proposed project site, would be less than significant with implementation of Mitigation Measures USS-1 (which requires development and implementation of a wastewater master plan update), USS-2 (which requires evaluation of the wastewater system and construction of expansions at the Regional Facility and NFWRF), and USS-3 (which requires evaluation of the wastewater system and construction of a wastewater treatment facility within the Southeast Development Area). The project site is not within the Southeast Development Area.

The City of Fresno Department of Public Utilities has reviewed the project and determined that sanitary sewer facilities are available to provide service to the site, subject to the required conditions of approval. The conditions of approval include payment of the applicable sanitary sewer fees, which would eventually be used to provide funding for the improvements at the Regional Facility and NFWRF in order to expand capacity (as required by Mitigation Measure USS-2 of the MEIR). The proposed project will not result in a determination by the waste water treatment provider that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments. It is further noted that the project would result in fewer units than were anticipated for the project site by the City’s General Plan MEIR. As such, the project would generate less wastewater than was anticipated for the site by the MEIR.

Impacts to storm drainage facilities have been previously discussed under the Hydrology and Water Quality section included within this analysis herein above. While the proposed project will result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction such facilities will not cause significant environmental effects.

The proposed project would be subject to the payment of any applicable connection charges and/or fees and extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies.

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

The City of Fresno Department of Public Utilities, Solid Waste Division has reviewed the project for compliance with any federal, state, and local management and reduction statutes and regulations related to solid waste. According to the City's General Plan MEIR, garbage disposed of in the City of Fresno is taken to Cedar Avenue Recycling and Transfer Station. Once trash has been off-loaded at the transfer station, it is sorted and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill located approximately six miles southwest of Kerman. American Avenue Landfill is owned and operated by Fresno County and began operations in 1992 for both public and commercial solid waste haulers. The American Avenue Landfill is a sanitary landfill, meaning that it is a disposal site for non-hazardous solid waste spread in layers, compacted to the smallest practical volume, and covered by material applied at the end of each operating day.

The American Avenue Landfill (i.e. American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of 29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day. Other landfills within the County of Fresno include the Clovis Landfill with a maximum remaining permitted capacity of 7,740,000 cubic yards, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of 2047. There is also the Coalinga Landfill with a maximum remaining capacity of 1,930,062 cubic yards, a maximum permitted throughput of 200 tons per day, and an estimated closure date of 2029.

Using the solid waste generation rates included in the City's General Plan MEIR, the proposed 192 units would generate 1,920 pounds of waste per day (or 350 tons per year). The project site will be serviced by the solid waste division, and the solid waste generated by the project would be sent to the American Avenue Landfill. As noted above, the estimated closure date of the American Avenue Landfill is 2031. Additional capacity also exists at the Clovis Landfill and Coalinga Landfill. The 350 tons per year would not result in exceedance of the local capacity infrastructure. Therefore, the project will comply with any statutes and regulations related to solid waste.

In conclusion, with MEIR mitigation measures incorporated, the proposed project would not result in any utility and service system environmental impacts beyond those analyzed in the MEIR SCH No. 2012111015.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the utilities related mitigation measures as identified in the attached MEIR SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated October 2019.

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

There are no State Responsibility Areas (SRAs) within the vicinity of the project site. The project site is not categorized as a "Very High" Fire Hazard Severity Zone (FHSZ)

by CalFire. Although this CEQA topic only applies to areas within an SRA or Very High FHSZ, out of an abundance of caution, these checklist questions are analyzed below.

The project site will connect to an existing network of City streets. The proposed circulation improvements include six access points, all of which would be available during an emergency. The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. The project site is located in an area that is predominately urban, which is not considered at a significant risk of wildlife.

The project includes development of infrastructure (water, sewer, and storm drainage) required to support the proposed residential uses. The project site is surrounded by existing and future urban development. The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk.

The proposed project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the project site and does not result in downstream flooding or major drainage changes. The proposed storm drainage plan includes an engineered network of storm drain lines and landscaped bioswales. The storm drainage plan was designed and engineered to ensure proper construction of storm drainage infrastructure to control runoff and prevent flooding, erosion, and sedimentation.

Runoff from the project site currently flows to the existing City storm drains located in W. Bullard Avenue and N. Figarden Dr. Upon development of the site, stormwater would flow to the on-site landscaped bioswales and/or the existing storm drains in the adjacent roadways. Additionally, the project site is located within FEMA Zone X (un-shaded), indicating that the site is located outside of the 100-year flood hazard zone. Further, because the site is essentially flat and located in an existing urbanized area of the City, downstream landslides would not occur.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The project site is relatively flat; therefore, the potential for a landslide in the project site is essentially non-existent.

In conclusion, the wildfire environmental impacts would be less than significant, and no mitigation is required.

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

The proposed project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in

habitat, populations, or examples of local history (through either individual or cumulative impacts).

The proposed project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the project has no potential to eliminate important examples of major periods in history.

The project is consistent with applicable environmental policies and mitigation measures are required in several impact areas to reduce any potential significant impacts to less than significant. Additionally, due to the extensive buildout of the area and existing and future land constraints, it is not anticipated that future substantial development will occur in the immediate area above those levels planned by the City's General Plan and analyzed in the General Plan EIR. For the reasons stated here and in the Initial Study, it has been determined that this project does not have cumulatively considerable impacts.

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

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

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

MEIR Mitigation Measure Monitoring Checklist for EA No. P19-02033

October 2019

INCORPORATING MEASURES FROM THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) CERTIFIED FOR THE CITY OF FRESNO GENERAL PLAN UPDATE (SCH No. 2012111015)

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). It was certified as part of the Fresno City Council's approval of the MEIR for the Fresno General Plan update (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

Letter designations to the right of each MEIR mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

A - Incorporated into Project
B - Mitigated
C - Mitigation in Progress
D - Responsible Agency Contacted
E - Part of City-wide Program
F - Not Applicable

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics:								
AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. **Verification comments:**	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	**X**				**X**	
Aesthetics *(continued)*:								

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. **Verification comments:**	Prior to issuance of building permits	DARM	**X**				**X**	
AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. **Verification comments:**	Prior to issuance of building permits	DARM	**X**				**X**	
AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater. **Verification comments:**	Prior to issuance of building permits	DARM						**X**

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics *(continued)*:								
AES-5: Materials used on building facades shall be non-reflective. **Verification comments:**	Prior to development project approval	DARM	**X**					
Air Quality:								
AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less. **Verification comments:**	Prior to development project approval	DARM						**X**

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. *(continued on next page)*	Prior to development project approval	DARM						**X**

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
AIR-2 *(continued from previous page)* • For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel • Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. **Verification comments:**	*[see previous page]*	*[see previous page]*						
AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook. **Verification comments:**	Prior to development project approval	DARM					**X**	

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality *(continued)*:								
AIR-4: Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). **Verification comments:**	Prior to development project approval	DARM					X	
AIR-5: Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant. **Verification comments:**	Prior to development project approval	DARM				X	X	

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources:								
BIO-1: Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. **Verification comments:**	Prior to development project approval	DARM	**X**				**X**	
BIO-2: Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that *(continued on next page)*	Prior to development project approval	DARM	**X**				**X**	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-2 *(continued from previous page)* may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation. **Verification comments:**	*[see previous page]*	*[see previous page]*						
BIO-3: Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant *(continued on next page)*	Prior to development project approval	DARM	**X**				**X**	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-3 *(continued from previous page)*: level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis. **Verification comments:**	*[see previous page]*	*[see previous page]*						
BIO-4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities *(continued on next page)*	Prior to development project approval and during construction activities	DARM	**X**				**X**	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-4 *(continued from previous page)*: may continue in the vicinity of the nest only at the discretion of the biological monitor. **Verification comments:**	*[see previous page]*	*[see previous page]*						
BIO-5: If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (*i.e.*, CDFW or USFWS) on a case-by-case basis. **Verification comments:**	Prior to development project approval	DARM						**X**

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented. **Verification comments:**	Prior to development project approval	DARM						X
BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS. **Verification comments:**	Prior to development project approval	DARM						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)*:								
BIO-8: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to U.S. Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland. **Verification comments:**	Prior to development project approval	DARM						**X**
BIO-9: In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and *(continued on next page)*	Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy	DARM	**X**			**X**		

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources *(continued)***:**								
BIO-9 *(continued from previous page)***:** incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Cultural Resources:								
CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	**X**				**X**	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Cultural Resources *(continued)***:**

CUL-1 *(continued from previous page)* recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study. **Verification comments:**	*[see previous page]*	*[see previous page]*						
CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed. If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	**X**					

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Cultural Resources *(continued)***:**

CUL-2 *(continued from previous page)* archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Cultural Resources *(continued)***:**

CUL-2 *(further continued from previous two pages)* to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during *(continued on next page)*	*[see Page 14]*	*[see Page 14]*	

Cultural Resources *(continued)*:

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
CUL-2 *(further continued from previous three pages)* excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. **Verification comments:**	*[see Page 14]*	*[see Page 14]*						
CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	**X**					

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
CUL-3 *(continued from previous page)* 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 *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources *(continued)*:								
CUL-3 *(further continued from previous two pages)* 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. **Verification comments:**	*[see Page 17]*	*[see Page 17]*						
CUL-4: In the event that ns are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most *(continued on next page)*	Prior to commencement of, and during, construction activities	DARM	**X**				**X**	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Cultural Resources *(continued)***:**

CUL-4 *(continued from previous page)* likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. **Verification comments:**	*[see previous page]*	*[see previous page]*	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hazards and Hazardous Materials								
HAZ-1: Re-designate the existing vacant land proposed for low density residential located northwest of the intersection of East Garland Avenue and North Dearing Avenue and located within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. **Verification comments:**	Prior to development approvals	DARM						**X**
HAZ-2: Limit the proposed low density residential (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less. **Verification comments:**	Prior to development approvals	DARM						**X**
HAZ-3: Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space. **Verification comments:**	Prior to development approvals	DARM						**X**

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B - Mitigated
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D - Responsible Agency Contacted
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hazards and Hazardous Materials *(continued)*:								
HAZ-4: Re-designate the current vacant lots at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space. **Verification comments:**	Prior to development approvals	DARM						**X**
HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection. **Verification comments:**	Prior to development approvals	DARM						**X**
HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked. **Verification comments:**	Prior to redevelopment of the current Emergency Operations Center	Fresno Fire Department and Mayor/ City Manager's Office						**X**

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E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality								
HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. **Verification comments:**	Prior to water demand exceeding water supply	Department of Public Utilities (DPU)					**X**	
HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. **Verification comments:**	Ongoing	DPU					**X**	
HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant. • Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. *(continued on next page)*	Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW	**X**			**X**	**X**	

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B - Mitigated
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
HYD-5.1 *(continued from previous page)* • Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. • Implement the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)***:**								
HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant: Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include: • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. **Verification comments:**	Prior to exceedance of capacity of existing retention basin facilities	FMFCD, DARM, and PW				X	X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant. Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include: • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. **Verification comments:**	Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities	FMFCD, DARM, and PW					X	

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B - Mitigated
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Hydrology and Water Quality *(continued)***:**

HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant. • Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP. **Verification comments:**	Prior to exceedance of capacity of existing pump disposal systems	FMFCD, DARM, and PW					**X**	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality *(continued)*:								
HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. **Verification comments:**	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW					X	
Public Services:								
PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: • *Noise:* Barriers and setbacks on the fire department sites. • *Traffic:* Traffic devices for circulation and a "keep clear zone" during emergency responses. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the fire department sites. **Verification comments:**	During the planning process for future fire department facilities	DARM					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
PS-2: As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes: • *Noise:* Barriers and setbacks on the police department sites. • *Traffic:* Traffic devices for circulation. • *Lighting:* Provision of hoods and deflectors on lighting fixtures on the police department sites. **Verification comments:**	During the planning process for future Police Department facilities	DARM					**X**	
PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes: *(continued on next page)*	During the planning process for future school facilities	DARM, local school districts, and the Division of the State Architect					**X**	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)*:								
PS-3 *(continued from previous page)* • *Noise*: Barriers and setbacks placed on school sites. • *Traffic*: Traffic devices for circulation. • *Lighting*: Provision of hoods and deflectors on lighting fixtures for stadium lights. **Verification comments:**	*[see previous page]*	*[see previous page]*						
PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from park and recreational facilities includes: • *Noise*: Barriers and setbacks placed on school sites. • *Traffic*: Traffic devices for circulation. • *Lighting*: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. **Verification comments:**	During the planning process for future park and recreation facilities	DARM					**X**	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services *(continued)***:**								
PS-5: As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes: • *Noise:* Barriers and setbacks placed on school sites. • *Traffic:* Traffic devices for circulation. • *Lighting:* Provision of hoods and deflectors on outdoor lighting fixtures. **Verification comments:**	During the planning process for future detention, court, library, and hospital facilities	DARM, to the extent that agencies constructing these facilities are subject to City of Fresno regulation					**X**	
Utilities and Service Systems								
USS-1: The City shall develop and implement a wastewater master plan update. **Verification comments:**	Prior to wastewater conveyance and treatment demand exceeding capacity	DPU					**X**	

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-2: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements: • Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. • Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. **Verification comments:**	Prior to exceeding existing wastewater treatment capacity	DPU					X	
USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After *(continued on next page)*	Prior to exceeding existing wastewater treatment capacity	DPU						X

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B - Mitigated
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D - Responsible Agency Contacted
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-3 *(continued from previous page)* approximately the year 2025, the City shall construct the following improvements: • Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased. • Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. **Verification comments:**	*[see previous page]*	*[see previous page]*						
USS-4: A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify access and parking restrictions, pavement markings and signage, and hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools. **Verification comments:**	Prior to construction of water and sewer facilities	PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated area roadways are involved					X	

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B - Mitigated
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. • Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. • Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. *(continued on next page)*	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU					**X**	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-5 *(continued from previous page)* • North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. • Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided. **Verification comments:**	Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR	DPU					X	
USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. • Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. *(continued on next page)*	Prior to exceeding existing water supply capacity	DPU					X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Utilities and Service Systems *(continued)***:**

USS-7 *(continued from previous page)* • Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						
USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025. • Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	Prior to exceeding capacity within the existing water conveyance facilities	DPU					X	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-8 *(continued from previous page)* • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. *(continued on next page)*	*[see previous page]*	*[see previous page]*						

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-8 *(continued from previous two pages)* • Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. **Verification comments:**	*[see Page 37]*	*[see Page 37]*						
USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. *(continued on next page)*	Prior to exceeding capacity within the existing water conveyance facilities	DPU					**X**	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems *(continued)*:								
USS-9 *(continued from previous page)* • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. • Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems - *Hydrology and Water Quality*								
USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge. **Verification comments:**	During the dry season	Fresno Irrigation District (FID)				X		

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources:*								
USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas: (a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required. (b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. As part of FMFCD's Memorandum of Understanding with CDFG, Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and from the *(continued on next page)*	Prior to development approvals outside of highly urbanized areas	California Regional Water Quality Control Board (RWQCB), and USACE				**X**		

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Utilities and Service Systems - *Biological Resources* *(continued)**:***

USS-11 *(continued from previous page)* Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet "no net loss policy," the permits shall require replacement of wetland habitat at a 1**:**1 ratio. (c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements: i. Specific location, size, and existing hydrology and soils within the wetland creation area. ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Utilities and Service Systems - *Biological Resources* *(continued)**:***

USS-11 *(continued from previous two pages)* hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan. iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation. (d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. *(continued on next page)*	*[see Page 41]*	*[see Page 41]*	

A - Incorporated into Project
B - Mitigated
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)**:***								
USS-11 *(continued from previous three pages)* If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above. Or (e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank. **Verification comments:**	*[see Page 41]*	*[see Page 41]*						
USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further *(continued on next page)*	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)				X		

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B - Mitigated
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Utilities and Service Systems - *Biological Resources* *(continued)**:***

USS-12 *(continued from previous page)* action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable. (b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following: • The status of the species in question (*e.g.*, officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-12 *(continued from previous two pages)* • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFG and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. **Verification comments:**	*[see Page 44]*	*[see Page 44]*						
USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans. *(continued on next page)*	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	CDFW and USFWS				**X**		

A - Incorporated into Project
B - Mitigated
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-13 *(continued from previous page)* (b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp. (c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank. **Verification comments:**	*[see previous page]*	*[see previous page]*						

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B - Mitigated
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur: (a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat. (b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible. (c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs. **Verification comments:**	During facility design and prior to initiation of construction activities	CDFW and USFWS				**X**		

A - Incorporated into Project
B - Mitigated
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - *Biological Resources* *(continued)***:**								
USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary. **Verification comments:**	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS				X		
USS-16: When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat: (a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted. *(continued on next page)*	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS				X		

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Utilities and Service Systems - *Biological Resources* *(continued)***:**

USS-16 *(continued from previous page)* (b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing. Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. *(continued on next page)*	*[see previous page]*	*[see previous page]*	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

Utilities and Service Systems - *Biological Resources* *(continued)***:**

USS-16 *(continued from previous two pages)* For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby. **Verification comments:**	*[see Page 49]*	*[see Page 49]*						
USS-17: When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor: (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River. (b) Riparian vegetation shading the main–channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within *(continued on next page)*	During instream activities conducted between October 15 and April 15	National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)				**X**		

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D - Responsible Agency Contacted
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems / *Biological Resources* *(continued)***:**								
USS-17 *(continued from previous page)* FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Recreation / Trails*:								
USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: *(continued on next page)*	Prior to final design approval of all elements of the District Services Plan	DARM, PW, City of Clovis, and County of Fresno				X		

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B - Mitigated
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D - Responsible Agency Contacted
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Recreation / Trails* *(continued)*:								
USS-18 *(continued from previous page)* (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Air Quality*:								
USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. *(continued on next page)*	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD				X		

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Air Quality* *(continued)*:								
USS-19 *(continued from previous page)* (b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site. (c) Off-road trucks should be equipped with on-road engines if possible. (d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard. **Verification comments:**	*[see previous page]*	*[see previous page]*						
Utilities and Service Systems – *Adequacy of Storm Water Drainage Facilities*:								
USS-20: Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided. **Verification comments:**	Prior to exceeding capacity within the existing storm water drainage facilities	FMFCD, PW, and DARM				X	X	

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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – *Adequacy of Water Supply Capacity*:								
USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update. Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025. **Verification comments:**	Prior to exceeding existing water supply capacity	DPU and DARM				X	X	
Utilities and Service Systems – *Adequacy of Landfill Capacity*:								
USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided. **Verification comments:**	Prior to exceeding landfill capacity	DPU and DARM					X	

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. P19-02033

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	Mitigation Measure	Implemented By	When Implemented	Verified By
	BIO-1. The project proponent shall implement the following measure to avoid or minimize impacts on other protected species that may occur on the site: • Within 14 days of the start of Project activities in any specific area, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of these species. The surveys shall cover the Project site plus a 500-foot buffer and shall be phased with construction of the Project. Pedestrian surveys achieving 100% visual coverage shall be conducted. Where access to adjacent parcels is not granted, visual inspections from the Project site and public accessways shall be conducted. If no evidence of these species is detected, no further action is required.		Prior to development project approval and during construction activities	Development & Resource Management Dept. (DARM)
	BIO-2. The project proponent shall implement the following measure to avoid or minimize impacts on other protected species that may occur on the site: • If dens/burrows that could support any of these species are discovered during the pre-activity surveys conducted under BIO-1, the no-work Environmentally Sensitive Area (ESA) avoidance buffers outlined below shall be established in consultation with a qualitied biologist. No work would occur within these buffers unless the biologist approves and monitors the activity. • San Joaquin Kit Fox • Potential Den – 50 feet • Atypical Den – 50 feet (includes pipes and other man-made structures) • Known Den – 100 Feet • Natal/Pupping Den – 500 feet • Burrowing Owl (active burrows) • April 1 – October 15 – 500 feet • October 16 – March 31 – 100 feet • The ESA buffer shall remain in place until the species has left on its own. Once the species has left, the burrow may be monitored using		During pre-activity surveys, Prior to development project approval and during construction activities	California Department of Fish & Wildlife (CDFW)

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	trail cameras or tracking medium such as diatomaceous earth. If no species are detected for a minimum of three consecutive days/nights, the burrow may be hand excavated under the direct supervision of the biologist. All burrow tunnels must be hand excavated to their terminus before backfilling to ensure no burrowing owls, kit foxes, or other animals are hiding inside. • Alternatively, burrowing owls can be passively excluded from a non-nest burrow through the use of one-way doors. Prior to engaging in passive exclusion activities, an Exclusion Plan shall be prepared following the guidance outlined in the CDFW's Staff Repo rt on Burrowing Owl Mitigation (2012). The Exclusion Plan shall be submitted to the CDFW for review and approval prior to implementation. Once approved, one-way doors may be installed at non-nest burrows. The doors shall be monitored for a minimum of three days to ensure burrowing owls have left the burrow. The burrow may then be excavated as described above. If at any time during excavation a burrowing owl is detected within the burrow, excavation activities shall immediately cease, and the one-way door reinstalled and monitored until the owl has left the burrow. Hand excavation may then resume. Exclusion efforts shall be documented.			
	BIO-3. The project proponent shall implement the following measure to avoid or minimize impacts on other protected species that may occur on the site: • Project-related vehicles shall observe a daytime speed limit of 20-mph throughout the site in all Project areas, except on county roads and State and federal highways. Night-time construction speed limits shall be 10mph. • Off-road traffic outside of designated Project areas shall be prohibited. • All Project activities shall occur during daylight hours. • To prevent inadvertent entrapment of kit foxes or other animals		During construction activities	Development & Resource Management Dept. (DARM), California Department of Fish & Wildlife (CDFW), United States Fish & Wildlife Service (USFWS)

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	during construction of the project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. • Before holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW shall be contacted before proceeding with the work. • In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for guidance. • All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes and burrowing owls before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox or burrowing owl is discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox or owl has escaped. • All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or Project site. • No firearms shall be allowed on the Project site, except those carried by authorized law enforcement personnel. • No pets, such as dogs or cats, shall be permitted on the Project site. • Use of rodenticides and herbicides in Project areas shall be restricted. • A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or burrowing owl or who finds a			

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	dead, injured or entrapped kit fox or burrowing owl. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the Service. • An employee education program shall be developed and presented to Project personnel. The program shall consist of a brief presentation by persons knowledgeable in kit fox and burrowing owl, biology, and the legislative protections in place. The program shall include the following: a description of each species natural history and habitat needs; a report of the occurrence of each species in the Project area; an explanation of the status of each species and its protections under federal and State laws; and a list of measures being taken to reduce impacts to each species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the previously referenced people and anyone else who may enter the project site. • Upon completion of the Project, all areas subject to temporary ground disturbances (including storage and staging areas, temporary roads, pipeline corridors, etc.) shall be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the Project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. • Any Project personnel who are responsible for inadvertently killing or injuring one of these species shall immediately report the incident to their representative. This representative shall contact the CDFW and USFWS immediately in the case of a dead, injured or entrapped listed animal. • The Sacramento Fish and Wildlife Office and Region 4 office of the California Department of Fish and Wildlife shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must			

	Mitigation Measure	Implemented By	When Implemented	Verified By
	include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. • New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the USFWS and CDFW.			
	BIO-4. The project proponent shall implement the following measure to avoid or minimize impacts on other protected species that may occur on the site: • If Project activities must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys shall be conducted within seven (7) days prior to the start of construction at the construction site plus a 250-foot buffer. 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 construction of the Project, an avoidance buffer ranging from 100 feet to 250 feet may 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 biologist shall have the ability to stop construction if nesting adults show sign of distress. Survey and monitoring efforts shall be documented. • If there is determined to be a roosting maternity colony, relocation of bats may not be performed during the breeding season (March 1 to September 15).		During pre-activity survey or during construction activities during nesting season (Feburary through August)	CDFW and USFWS
	NOI-1. The following improvements shall be incorporated into the project design:		Prior to development project approval	DARM

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	1. A sound wall with a minimum height of 6.0 feet shall be constructed along the lot property lines adjacent to West Figarden Drive. The wall shall be turned inward (eastward) along the lots adjacent to roadway access points. Suitable construction materials which shall be used to construct the wall include concrete blocks, masonry, or stucco on both sides of a wood or steel stud wall. 2. A sound wall with a minimum height of 6.0 feet shall be constructed along the lot property lines adjacent to the northwest commercial lots (APN: 509-290-02 and APN: 509-290-03). Suitable construction materials which shall be used to construct the wall include concrete blocks, masonry, or stucco on both sides of a wood or steel stud wall. These improvements and design requirements shall be included on the project Improvement Plans, subject to review and approval by the City Engineer.			
	NOI-2. The following improvements shall be incorporated into the project design: 1. Mechanical ventilation or air conditioning shall be provided for all homes so that windows and doors can remain closed for sound insulation purposes. 2. Acoustic baffles shall be installed on the interior side of gable vents that face, or are perpendicular to, West Bullard Avenue and North Figarden Drive. An example of a suitable attic vent baffle is shown by Appendix C of the Acoustical Analysis (Appendix B of the Initial Study). These improvements shall be included on the project Improvement Plans, subject to review and approval by the City Engineer.		Prior to development project approval	DARM and the Engineer of the City of Fresno

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	Mitigation Measure	Implemented By	When Implemented	Verified By
	CIRC-1. Prior to issuance of a building permit, the project proponent shall pay the applicable traffic impact fees (including, but not limited to, the new Growth Area Street [FMSI] Fee, Traffic Signal Mitigation Impact Fee [TSMI] and the Regional Transportation Mitigation Fee [RTMF]).		Prior to issuance of a building permit	Public Works Department (PW) and DARM