

<p style="text-align: center;"><b>CITY OF FRESNO</b></p> <p style="text-align: center;"><b>NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION</b></p>	<p>Filed with:</p> <p>FRESNO COUNTY CLERK 2220 Tulare Street, Fresno, CA 93721</p>
<p style="text-align: center;"><b>PROJECT ENVIRONMENTAL ASSESSMENT NO's. P18-00826 / P18-02232</b></p>	
<p><b>Applicant:</b> Gorgio Russo, Ginder Development 759 West Alluvial Avenue, Suite 102 Fresno, CA 93711</p> <p><b>Property Owner:</b> Russ Nakata, Sequoia II, LLC and Sequoia-Fresno Joint Venture 4747 North First Street, #128 Fresno, CA</p>	
<p><b>PROJECT LOCATION:</b> 810/816 East Nees Avenue; located northeast from the corner of East Nees Avenue and North Bond Street in the City of Fresno (portion of APN 402-220-66) Site Latitude: 36°51'14.57" N &amp; Site Longitude: 119°46'12.05" W Mount Diablo Base &amp; Meridian, Township 12S, Range 20E, Section 27</p>	
<p><b>PROJECT DESCRIPTION:</b></p> <p><b>Plan Amendment/Rezone Application No. P18-00826 and Development Permit Application No. P18-02232</b> were filed by the applicant, Mr. Giorgio Russo with Ginder Development, on behalf of property owner Russ Nakata, Sequoia-Fresno Joint Venture &amp; Sequoia II, LLC, for a General Plan Amendment and Rezone of an 11.16-acre portion of a 22.81-acre undeveloped parcel located northeast from the corner of East Nees Avenue and North First Street. A Development Permit application was also filed to construct a gated luxury apartment complex on 10.25-acre portion of the subject property. The project site is adjacent to established retail/commercial uses and residential subdivisions.</p> <p><b>Plan Amendment No. P18-00826</b> proposes to amend the Fresno General Plan and the Woodward Park Community Plan to re-designate the land use of the subject 11.16-acres from <i>Commercial-Recreation</i> to <i>Residential Medium High Density (12-16 Dwelling Units/Acre)</i>.</p> <p><b>Rezone No. P18-00826</b> proposes to rezone the subject 11.16-acres from <i>CRC/UGM/cz (Commercial-Recreation/Urban Growth Management/Conditions of Zoning)</i> to <i>RM-1/UGM (Residential Multi-Family, Medium High Density/Urban Growth Management/Conditions of Zoning)</i> consistent with the land use plan amendment.</p> <p><b>Development Permit Application No. P18-02232</b> proposes development of a gated 164-unit multi-family luxury apartment complex in 21 buildings to be established on the 10.25-acre portion of the</p>	

11.16 acres subject to the plan amendment and rezone with a residential density of 16-units to the acre. The project will consist of sixteen (16) two story buildings with four units per building (mix of 1, 2 & 3 bedrooms); a two story clubhouse that includes twenty (20) one bedroom units; four (4) separate single-story buildings (fourplex) with 2 bedroom units with garage space for each unit; and twenty (20) separate single-story garage buildings providing 184 parking spaces. Site improvements include; the roadway extension of North Bond Street (private roadway), landscaping, walkways, decorative masonry walls and iron fencing/gates, patio and pool, and 54 guest parking spaces.

The City of Fresno has conducted an initial study of the above-described project and it has been determined not to have a significant effect on the environment and is prepared in accordance with Sections 15070 to 15075 of the CEQA Guidelines. The project is partially within the scope of MEIR SCH No. 2012111015, therefore, the Development and Resource Management Department propose to adopt a Negative Declaration for this project.

With mitigation imposed under the MEIR, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. The Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. The project is site specific and the proposed project will not impact any site enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR, proposed environmental finding and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721 3604. Please contact Ralph Kachadourian, Supervising Planner, at (559) 621-8172 or via email at [ralph.kachadourian@fresno.gov](mailto:ralph.kachadourian@fresno.gov) for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commenter's name and address; (2) the commenter's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on February 12, 2019. Please direct comments to Ralph Kachadourian, Supervising Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to [ralph.kachadourian@fresno.gov](mailto:ralph.kachadourian@fresno.gov).

INITIAL STUDY PREPARED BY:  
Ralph Kachadourian, Supervising Planner  
January 24, 2019

CITY OF FRESNO DEVELOPMENT AND  
RESOURCE MANAGEMENT DEPARTMENT

*Ralph Kachadourian*

## APPENDIX G - INITIAL STUDY FOR A NEGATIVE DECLARATION

### Environmental Assessment Checklist for P18-00826 / P18-02232

1. **Project Title:**  
Plan Amendment / Rezone Application No. P18-00826  
Development Permit Application No. P18-02232
2. **Lead agency name and address:**  
City of Fresno  
Development and Resource Management Department  
2600 Fresno Street  
Fresno, CA 93721
3. **Contact person and phone number:**  
Ralph Kachadourian, Supervising Planner  
City of Fresno, Development Services Division  
Development & Resource Management Department  
(559) 621-8172  
[ralph.kachadourian@fresno.gov](mailto:ralph.kachadourian@fresno.gov)
4. **Project location:**  
810/816 East Nees Avenue; located northeast from the corner of East Nees Avenue and North Bond Street. (subject site is a portion of Assessor Parcel 402-220-66)
5. **Project sponsor's name and address:**  
Gorgio Russo, Ginder Development  
759 West Alluvial Avenue, Suite 102  
Fresno, CA 93711  
  
Russ Nakata, Sequoia II, LLC and Sequoia-Fresno Joint Venture  
4747 North First Street, #128  
Fresno, CA 93726
6. **General Plan Designation:**  
Existing: *Commercial-Recreation*  
Proposed: *Residential Medium High Density*  
  
**Zoning:**  
Existing: *CRC/UGM/cz (Commercial-Recreation/Urban Growth Management/Conditions of Zoning)*  
Proposed: *RM-1 (Residential Medium High Density (12-16 Dwelling Units/Acre/Urban Growth Management))*

8. **Description of Project:**

**Plan Amendment/Rezone Application No. P18-00826 and Development Permit Application No. P18-02232** were filed by the applicant, Mr. Giorgio Russo with Ginder Development, on behalf of property owner Russ Nakata, Sequoia-Fresno Joint Venture & Sequoia II, LLC, for a General Plan Amendment and Rezone of an 11.16-acre portion of a 22.81-acre undeveloped parcel located northeast from the corner of East Nees Avenue and North First Street. A Development Permit application was also filed to construct a gated luxury apartment complex on 10.25-acre portion of the subject property. The project site is adjacent to established retail/commercial uses and residential subdivisions.

**Plan Amendment No. P18-00826** proposes to amend the Fresno General Plan and the Woodward Park Community Plan to re-designate the land use of the subject 11.16-acres from *Commercial-Recreation* to *Residential Medium High Density (12-16 Dwelling Units/Acre)*.

**Rezone No. P18-00826** proposes to rezone the subject 11.16-acres from *CRC/UGM/cz (Commercial-Recreation/Urban Growth Management/Conditions of Zoning)* to *RM-1/UGM (Residential Multi-Family, Medium High Density/Urban Growth Management/Conditions of Zoning)* consistent with the land use plan amendment.

*(For the 11.16 acre portion of the 22.81 acre site, refer to the map exhibits)*

**Development Permit Application No. P18-02232** proposes development of a gated 164-unit multi-family luxury apartment complex in 21 buildings to be established on the 10.25-acre portion of the 11.16 acres subject to the plan amendment and rezone with a residential density of 16-units to the acre. The project will consist of sixteen (16) two story buildings with four units per building (mix of 1, 2 & 3 bedrooms); a two story clubhouse that includes twenty (20) one bedroom units; four (4) separate single-story buildings (fourplex) with 2 bedroom units with garage space for each unit; and twenty (20) separate single-story garage buildings providing 184 parking spaces. Site improvements include; the roadway extension of North Bond Street (private roadway), landscaping, walkways, decorative masonry walls and iron fencing/gates, patio and pool, and 54 guest parking spaces.

*(For the 10.25-acre portion to be developed, refer to the site development map exhibit)*

9. **Surrounding Land Uses and Setting:**

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Residential Medium Low Density	<i>RS-4/UGM, (Residential Single-Family, Medium Low Density/Urban Growth Management)</i>	Single Family Residential

<b>East</b>	Residential Medium Low Density	<i>RS-4/UGM, (Residential Single-Family, Medium Low Density/Urban Growth Management)</i>	Single Family Residential
<b>South</b>	Community Commercial	<i>CC/UGM/cz (Community Commercial/Urban Growth Management/Conditions of Zoning)</i>	Undeveloped Land (Proposed Funeral Home)
			Service Station/Convenience Store
<b>West</b>	Employment-Office	<i>O/UGM/cz, (Office/Urban Growth Management/Conditions of Zoning)</i>	Undeveloped Land

10. **Other Public Agencies Whose Approval Is Required:**

The proposed project may require approvals from the agencies and/or departments listed below, and others that may not be listed, as necessary:

- Development and Resource Management Department;
- Building & Safety Services Division;
- Department of Public Works;
- Department of Public Utilities;
- County of Fresno, Department of Public Health;
- City of Fresno Fire Department;
- Fresno Metropolitan Flood Control District;
- San Joaquin Valley Air Pollution Control District; and
- Fresno Irrigation 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?**

On September 11, 2018, pursuant to Senate Bill 18 (SB-18), Native American tribes traditionally and culturally affiliated with the project area were invited to consult regarding the project based on a list of contacts provided by the Native American Heritage Commission (NAHC). In addition, and pursuant to Assembly Bill 52 (AB-52), the Table Mountain Rancheria and the Dumna Wo Wah Tribal Government, were invited to consult under AB-52 in August 21, 2018. Under invitations to consult both under SB-18 and AB-52, no tribes elected to consult on the proposed project.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

Pursuant to PRC Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this Initial Study is to analyze whether the subsequent project was described in the Master Environmental Impact Report (MEIR) State Clearinghouse (SCH) No. 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR SCH No. 2012111015 adopted for the Fresno General Plan.

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		Geology /Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology/Water Quality
	Land Use/Planning		Mineral Resources		Noise
	Population /Housing		Public Services		Recreation
	Transportation/Traffic		Tribal Cultural Resources		Utilities/Service Systems
	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.
- I find that the proposed project is partially within the scope of the MEIR because there are no significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Measure Monitoring Checklist shall be imposed upon the proposed project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project is a subsequent project identified in the MEIR

but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Measure Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

— I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

*Ralph Kachadourian*

January 24, 2019

Ralph Kachadourian, Supervising Planner

#### **EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR:**

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
  - a. “No Impact” means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.
  - 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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS -- Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

The subject property is currently undeveloped and is surrounded by single family residences to the north and east, an undeveloped 2.5-acre portion of the entire 22.17-acre parcel to the south was recently approved for a proposed commercial project. A portion of this 22.17-acre

undeveloped parcel extending west is adjacent to existing and planned retail/commercial developments to the south. The proposed project will not damage any scenic resources nor will it degrade the visual character or quality of the subject site and its surroundings. The proposed project will comply with existing development code regulations, such as height, lot coverage, and design, to ensure compatibility with the character of the surrounding area, and to minimize the potential for visual impacts. Further, the proposed project would enhance the aesthetics of the neighborhood by developing an otherwise vacant piece of land within a mostly developed area of both residential and commercial. As a multi-family residential development, the project provides comparable residential architecture with design enhancements and site features providing similarity to the adjacent residential uses.

Although the project would add additional site lighting, all lighting would be required to comply with lighting standards. As such, any lighting where provided to illuminate the parking areas, drive-aisles and the private street shall be hooded and so arranged and controlled so as not to cause a nuisance to adjacent properties. The amount of light shall be provided according to the standards of the Department of Public Works. Therefore, compliance with City lighting standards site will ensure that the project not create a new source of substantial light or glare which would affect day or night time views in the project area, given that during the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties. Further, Mitigation Measure (MM) AES-1 and MM AES-3 require lighting systems for street and parking areas to be shielded to direct light to surfaces and orient light away from adjacent properties. As a result, the project will have a less than significant impact on aesthetics.

In conclusion, with MEIR mitigation measures, AES-1 and AES-5 incorporated, the proposed project would not result in any aesthetics environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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

The subject site is designated as “Urban and Built-Up Land” on the 2014 Rural Mapping Edition: Fresno County Important Farmland Map. Urban and Built-Up Land is typically occupied by structures and commonly includes residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, and other development. Thus the proposed project has no impact on prime farmland, farmland of statewide importance, or unique farmland.

Because the subject site is infill and surrounded by other urban development, the subject site and property adjacent to the subject site are not under a Williamson Act contract. Therefore, the proposed project on the subject site will not affect any Williamson Act contract parcels.

The proposed project does not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed project does not include any changes which will affect the existing environment.

In conclusion, the proposed project would not result in any agriculture and forestry resource environmental impacts.

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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

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

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

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

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

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

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

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

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

The subject project proposes a Plan Amendment, Rezone, and Development Permit to allow development of the proposed luxury apartment complex with on-site improvements (i.e. landscape, parking, roadway extension and improvements of North Bond Street (a private street) on land that is planned for commercial development in the Fresno General Plan. Although the multi-family residential project involves a Plan Amendment and Rezone, the amendment and rezone will eliminate a commercial recreation land use designation and zoning to an appropriate residential land use designation and zoning complimentary with the adjacent residential subdivisions to the north and east. Thus, the potential environmental impacts related to air-quality would be similar to those analyzed in the MEIR.

In addition, the SJVAPCD on-line 'CEQA Connected' (January 19, 2018) and prior response provided on December 4, 2018, provided preliminary assessment of the proposed project's potential air quality impacts and applicable District rules and regulations stating that the project would have a less-than-significant impact on air quality when compared to annual criteria emissions significance thresholds, and that the project would be subject to District Rule 9510 which is intended to mitigate a project's impact on air quality through project design elements or by payment of off-site mitigation fees. Prior response provided by the SJVAPCD on December 4, 2018 from the

Further, the project will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations, impacts, or increases of criteria pollutants for which the San Joaquin Valley region is under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

The proposed project will comply with all applicable air quality plans; therefore the project will not conflict with or obstruct an applicable air quality plan. The project must comply with the construction and development requirements of the SJVAPCD, therefore, no violations of air quality standards will occur. Development of the subject property will not expose sensitive receptors to substantial pollutant concentrations. Due to the close proximity of other residential and urban uses surrounding the subject site, the project will not result in a significant impact to sensitive receptors as no net increase of pollutants will occur. Residential development is considered a "sensitive receptor" type use.

The proposed project will be subject to District Rule 9510 (Indirect Source Review). 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. 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.

All development projects that involve soil disturbance are subject to at least one provision of the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of dust and fine particulate matter. The District's Regulation VIII – Fugitive PM10 prohibitions requires controls for sources of particulate matter necessary for attaining the federal PM10 standards and achieving progress toward attaining the state PM10 Standards. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

The proposed project may be subject to the following District rules: Rule 4102 (Nuisance); Rule 4601 (Architectural Coatings); Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations); Rule 8021 (Construction, Demolition, Excavation,

Extraction, and other Earthmoving Activities) and District permit requirements, such as Authority to Construct (ATC). This will be determined by the SJVAPCD.

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

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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. The subject property is an infill site surrounded by existing urban development to the north, east, south, and west. The existing site itself consists of vacant undeveloped land with non-native vegetation with the exception of three trees. There are no water ways, wetlands, riparian habitat, or other habitat features that would support special-status plant and/or animal species. Further, due to the proximity to a major roadway and surrounding development, it is unlikely the site supports any special-status species as a result of the existing urbanized character of the area.

There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the US Fish and Wildlife Service. No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. There are also no bodies of water on the subject site or in the immediate vicinity of the subject site. The proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

There are only three existing mature trees on the entire undeveloped land and 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.

Finally, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat, therefore the project site has no impacts to biological resources.

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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. <b>CULTURAL RESOURCES</b> -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

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

Therefore, due to the ground disturbing activities that will occur as a result of the project, Mitigation Measures (MM) CUL-1, CUL-2, CUL-3, and CUL-4 within MEIR SCH No. 2012111015 for the Fresno General Plan, Mitigation Measure Monitoring Checklist to address

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

The site does not contain any cultural resources on the local, state or national registers of historic places. However some of the site may contain previously undisturbed land, and would be subject to the mitigation measures in the MEIR related to late discovery of cultural resources.

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

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

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.

The highly erodible face of the San Joaquin River bluff, and small areas of expansive clay in the northeastern portion of the city’s Sphere of Influence, are the only unstable soil conditions known to exist in the City. Despite long-term overdrafting of groundwater that has lowered the static groundwater level under Fresno by as much as 100 feet over the past century, surface subsidence has not been noted in the vicinity of the city (this is probably due to the geologic

strata underlying the city, which features layers of clay and hardpan interleaved with alluvial sand and gravel layers).

This project is located in the central northeastern portion of Fresno, within the Woodward Park Community Plan Area. There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography demonstrates no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards.

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

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

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will contribute to global climate change and its associated environmental impacts.

Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of GHG emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities appears to be closely associated with global warming.

State law defines GHGs to include the following: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF<sub>6</sub>) [Health and Safety Code, section 38505(g)]. The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide.

CEQA requires public agencies to identify the potentially significant effects on the environment of projects they intend to carry out or approve, and to mitigate significant effects whenever it is feasible to do so.

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. The General Plan and MEIR rely upon a Greenhouse Gas Reduction Plan that provides a comprehensive assessment of the benefits of city policies and proposed code changes, existing plans, programs, and initiatives that reduce greenhouse gas emissions. The plan demonstrates that even though there is increased growth, the City would still be reducing 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.

In conclusion, the proposed project will not result in any greenhouse gas emission environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIAL</b> -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

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, is not near any wild land fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans.

No pesticides or hazardous materials are known to exist on the site and the proposed project will have no environmental impacts related to potential hazards or hazardous materials as identified above.

The project area is not located in an FAA-designated Runway Protection Zone, Inner Safety Zone and Sideline Safety Zone.

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

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

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

The project site is not located within a 100-year Flood Hazard Boundary or a tsunami hazard area. A seiche is an oscillation of a water body, such as a lake, which may cause local flooding. A seiche could occur in Pine Flat, Millerton Lake or Big Dry Creek Dam due to seismic or atmospheric activity. However, the project site is approximately 40 miles from Pine Flat Lake, 18 miles from Millerton Lake and 10 miles away from Big Creek Dry Dam and would

not be subject to a seiche. No mudslide hazards exist at the project site because the project site is not located in the immediate vicinity of any landslide prone areas.

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

This Negative Declaration (ND) 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.

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

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes the Kings Basin's Integrated Regional Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno UWMP. The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's current UWMP is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing surface water supplies and surface water treatment facilities,

intentional recharge, and conservation, thereby reducing groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned.

Until 2004, groundwater was the sole source of water for the City. In June 2004, a \$32 million Surface Water Treatment Facility ("SWTF") began providing Fresno with water treated to drinking water standards to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan. Surface water is used to replace lost groundwater through Fresno's artificial recharge program at the City-owned Leaky Acres and smaller facilities in Southeast Fresno. Fresno holds entitlements to surface water from Millerton Lake and Pine Flat Reservoir. In 2006, Fresno renewed its contract with the United States Bureau of Reclamation, through the year 2045, which entitles the City to 60,000 acre-feet per year of Class 1 water. This water supply has further increased the reliability of Fresno's water supply.

Also, in 2006, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2050. The plan implements a conjunctive use program, combining groundwater, treated surface water, artificial recharge and an enhanced water conservation program.

In the near future, groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

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.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno UWMP, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes. The recently adopted 2015 UWMP analyzed the Fresno General Plans land use capacity.

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. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The Fresno Metropolitan Flood Control District (FMFCD) has

stated that the FMFCD system can accommodate the proposed request subject to several conditions of approval.

In conclusion, the project will not result in any hydrology and water quality environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

The approximately 11.16 acres of the subject property is proposed to be re-designated from the Commercial Recreation planned land use to Residential Medium High Density (12-16 Dwelling Units/Acre), and be rezoned from CRC/UGM/cz (Commercial-Recreation/Urban Growth Management/Conditions of Zoning) to RM-1/UGM/cz (Residential Multi-Family, Medium High Density/Urban Growth Management/Conditions of Zoning) zone district for consistency with the amended land use designation. The proposed plan amendment and rezone, including the development permit for the luxury apartment project, will not physically divide an established community given that its location is currently surrounded by existing residential and commercial developments to the north, east, south, and west.

The proposed project would actually provide greater connectivity between the apartment complex development and the surrounding commercial and residential areas with the extension of North Bond Street, a private street that will be constructed to public right-of-way standards (curb, gutter, sidewalks and street lighting) up to the limits of the project site, including a pedestrian walkway at the western perimeter of the apartment complex that will

provide a safe and convenient connection from East Niles Avenue south to North Bond Street that will accommodate the residents to the north to the retail/commercial businesses along East Nees Avenue.

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. Therefore, there would be no impacts.

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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. <b>MINERAL RESOURCES</b> -- 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 property is not located in an area designated for mineral resource preservation or recovery, therefore, will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore it will not result in the loss of availability of a locally-important mineral resource.

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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. <b>NOISE</b> -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are all transportation-related and consist of local streets and regional highways; airport operations at the Fresno Yosemite International, Fresno-Chandler, and the Sierra Sky Park airports; and railroad operations along the BNSF Railway and the Union Pacific Railroad lines. Potential noise sources at the subject property would be roadway noise from the major street (East Nees Avenue) nearest to the subject property. Further, most activity will be from

residents of the apartment complex and occasional guests during daytime and early evening hours.

The physical development of the project will provide single story garage buildings along the northern and eastern perimeters of the property adjacent to the residential subdivision, including a solid masonry wall and landscaping which will further buffer any potential for noise. The site is designed to help minimize potential noise by placing the two story apartment buildings over 100-feet away from the adjacent single family residential homes. Therefore, the masonry wall, garage buildings, setback of the apartment buildings and landscaping, will ensure minimal noise impacts to the existing environment.

Although there may be some temporary increases in ambient noise levels resulting from the construction of the site, such increases in ambient noise would be temporary in nature. Construction noise would be typical of a construction site, such as tractors, hammering, and other construction related equipment, however, construction activities would only occur during times consistent with the Fresno Municipal Code, typically during daytime hours during the week, and possibly on some weekends. The project would not likely require any type of equipment, such as pile-driving; therefore, vibration impacts would be minimal.

The immediate vicinity consists primarily of residential users to the north, and east; and retail and commercial uses both existing and proposed to the south, which have similar noise level requirements during the day. Although the project will create additional activity in the area, the project will be required to comply with applicable goals and policies of the Fresno General Plan related to noise, as well as the performance standards for noise under Chapter 15, Article 25 of the FMC.

In conclusion, the proposed project would not result in any noise environmental impacts beyond those addressed by the Fresno General Plan and the FMC.

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

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

The proposed plan amendment and rezone will allow the proposed 164-unit residential apartment project to be developed on a portion of the subject property, which has remained undeveloped for a number of years and is located adjacent to developed retail/commercial uses and residential subdivisions. The General Plan goals and policies support infill development of vacant, underdeveloped, and re-developable land that includes a range of residential housing types to meet the needs of both current and future residents. The plan amendment and rezone will meet General Plan goals and policies for the proposed project. Therefore, the impact to population growth will be less than significant.

Implementation of the proposed project would not result in the displacement of any persons or housing or necessitate the construction of replacement housing. Therefore, no impacts would occur. The proposed apartment project will occur at an intensity and scale that is permitted by the proposed plan amendment and rezone. Thus, the project will not facilitate an additional intensification of uses beyond that which would be allowed.

The subject site is currently vacant, and does not include existing housing or other habitable structures therefore; no impacts will result from the proposed project.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. PUBLIC SERVICES --</b>				

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

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project. The MEIR has provided mitigation measures that the proposed project must implement and comply with to mitigate drainage in the area. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD. Various departments and agencies have submitted conditions that will be required as conditions of approval for the proposed project. All conditions of approval must be complied with prior to occupancy.

Residential development as a result of the proposed project will not have an impact on the Clovis Unified School District's student housing capacity. CUSD anticipates continued growth within the District with plans for the construction of new school facilities to accommodate planned and future growth, having other school sites available for new students to attend, providing bus transportation to students, and leveeing appropriate school fees for residential developments at the time of building permits.

City police and fire protection services are also available to serve the proposed project. Fire Station No. 13 is located just south of the project site on the southeast corner of East Nees

Avenue and North Bond Street. Therefore, the project site would be adequately served by safety services due to its proximity to an existing fire station.

The project does not include a housing component, therefore, would not directly contribute to population impacts to schools. Further, the project would not increase the usage or otherwise impact existing parks or recreational facilities, therefore impacts to existing parks as a result of the project would not occur to the extent that it would create a significant impact.

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

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

The project has three parks within approximately a one-mile radius: Woodward Park to the northwest, Keith Tice Park to the northeast, and Kaiser Park to the southwest. The demand for these parks will not be increased by approval of the project. The proposed project will not result in the physical deterioration of existing parks or recreational facilities. Thus, the project will not result in the type of impacts that would require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the MEIR No. SCH No. 2012111015 for the Fresno General Plan.

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

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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The subject property is located on the northeast corner of North Bond Street on the East Nees Avenue in the City of Fresno. In the Fresno General Plan Circulation Element, East Nees Avenue is designated as an arterial street, with the purpose of moving traffic within and between neighborhoods and to and from freeways and expressways. Arterials typically have four to six lanes with median island separation. North Bond Street is designated as a local street (private), which will be designed and constructed according to standards to provide direct access to the proposed apartment complex and to other future development on the remaining 22.81-acres, while discouraging excessive speeds and volumes of motor vehicle travel incompatible with neighborhoods being served through the implementation of multiple, well connected routes and traffic calming measures. The proposed project will be required to construct North Bond Street along the entire frontage of the apartment complex development including all necessary full street improvements to City Standards, which will include pavement, striping, curb, gutter, sidewalks, and street lighting.

The subject site is located within Traffic Impact Zone III (TIZ-III). TIZ-III represents areas near or outside the city limits but within the sphere of influence as of December 21, 2012. A Traffic Impact Study (TIS), dated August 24, 2018 was prepared by Peters Engineering Group and was submitted and reviewed by the Public Works Traffic Engineer.

The Public Works Traffic Operations and Planning staff reviewed the TIS and determined that the study intersections are currently operating above the TIZ III level of service (LOS) standard of "D." The study intersections will continue to operate above the TIZ III LOS of "D" in Existing Plus Project conditions and Near Term with Project conditions. The intersection of First Street at Nees Avenue is projected to operate at LOS "F" in the 2040 with Project conditions with the existing intersection configuration. Future plans include adding dual left-turn lanes on all approaches. With these planned intersection improvements, the study intersection will operate at or above the TIZ III LOS of "D" in 2040 with Project conditions.

Applying the factors outlined in the Institute of Traffic Engineers Trip Generation Manual 10<sup>th</sup> Edition, the proposed multi-family project would generate 1,035 average daily trips (ADT's), 64 weekday vehicle trips during the morning peak hour travel period and 86 weekday vehicle trips during the evening peak hour travel period. Therefore, intersection and roadway traffic will operate at LOS "D" with applicable project conditions that will address and mitigate traffic

impacts to less-than-significant.

The project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The project will not conflict with an applicable congestion management program; the project will be required to pay applicable traffic impact fees, including Traffic Signal Mitigation Impact fee (TSMI), Fresno Major Street Impact fee; Regional Transportation Mitigation Fee (RTMF), and a traffic study review fee. The project is not located near an airport and therefore, it will not change air traffic levels. Adequate emergency access will be provided and the project will not conflict with adopted policies or plans regarding public transit, bicycle or pedestrian facilities because said features will be incorporated into the conditions of approval for the project, as applicable.

In conclusion, the proposed project would not result in any additional transportation or traffic 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
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	

On September 11, 2018, pursuant to Senate Bill 18 (SB-18), Native American tribes traditionally and culturally affiliated with the project area were invited to consult regarding the project based on a list of contacts provided by the Native American Heritage Commission (NAHC). During the required 90-day limit for tribes to request consultation, no tribes elected to consult regarding the proposed project. In addition, and pursuant to Assembly Bill 52 (AB-52), the Table Mountain Rancheria and the Dumna Wo Wah Tribal Government, were invited to consult under AB-52 in August 21, 2018. Under invitations to consult both under SB-18 and AB-52, no tribes elected to consult on the proposed project.

As described under the Cultural Resources section, the site is in an area surrounded by extensive urban development. Although the site itself is vacant, there is no evidence to suggest the presence of TCR's. Further, given that both tribes declined consultation, it would suggest the site is not believed to have the TCR's present. Nevertheless, if any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws and regulations would require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resources professional.

Overall, because the Native American Tribes declined SB-18 and AB-52 consultations and because existing cultural resources protection laws exist that would require construction activities to cease if artifacts are discovered, a less-than-significant would occur.

In conclusion, with MEIR mitigation measures (CUL-1, CUL-2, CUL-3, and CUL-4) incorporated, the project will not result in any cultural resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

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

See Hydrology and Water Quality Section above for discussion about water utilities.

Utilities and service systems will be required prior to development of the subject property. The proposed project expected to result in the construction of new storm water drainage facilities or expansion of existing facilities.

The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project subject to the payment of any applicable connection charges and/or fees; and, compliance with the Department of Public Utilities standards, specifications, and policies. Sanitary sewer and water service delivery is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City-wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage.

The project site will be serviced by the City of Fresno solid waste division and will have water and sewer facilities available subject to the conditions stipulated for the proposed project.

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

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

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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE --</b>				

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 not to be 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 proposed project will have no potential to eliminate important examples of major periods in history.

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