

**ADDENDUM TO  
ENVIRONMENTAL ASSESSMENT NO.  
C-15-165/TPM-2015-09  
Pursuant to Section 15073.5 of CEQA guidelines  
Dated March 20, 2019**

Appendix G within Environmental Assessment No. C-15-165/TPM-2015-09 dated November 26, 2018, was previously prepared and contains mitigation measures that the project applicant shall abide by. This addendum to said Appendix G merely clarifies, amplifies, or makes insignificant modifications to said environmental assessment as allowed pursuant to Section 15073.5 of CEQA guidelines.

Appendix G is being revised to reflect the applicable previous zoning designation that was in effect at the time of application submittal. The current planned land use and zoning designations for the subject property described in the initial study are correct. However, the subject applications (Conditional Use Permit Application No. C-15-165 and Vesting Tentative Parcel Map No. 2015-09) were submitted and accepted prior to the adoption of the new Development Code and the new Zoning Map. Therefore, the proposed project is subject to applicable property development standards per the previous R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zoning designation. Pursuant to the Fresno General Plan Land Use and Zoning Consistency Crosswalk Table 1 (Exhibit L), the R-2 zone district is consistent with the Medium High Density Residential planned land use designation for the subject site.

This revision/correction to Appendix G is not considered substantial pursuant to Section 15073.5(b) (1 & 2) of CEQA guidelines nor does not affect staff's analysis. Therefore, recirculation of the mitigated negative declaration prepared for the project is not required.

7.	<b>Zoning:</b> <u>Existing:</u> RM-1/UGM ( <i>Residential Multi-Family, Medium High Density/Urban Growth Management</i> ); and, CMX ( <i>Corridor-Center Mixed Use/Urban Growth Management</i> ) <u>Applicable Zoning:</u> R-2/UGM ( <i>Low Density Multiple Family Residential/Urban Growth Management</i> ) <u>Proposed:</u> No Change
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<p><b>CITY OF FRESNO</b></p> <p><b>MITIGATED NEGATIVE DECLARATION</b></p>		<p>Notice of Intent was filed with:</p> <p><b>FRESNO COUNTY CLERK</b>  2221 Kern Street  Fresno, California 93721</p> <p>on</p> <p><b>November 26, 2018</b></p> <p><b>Doc No. E201810000301</b></p>
<p>The full Initial Study and the Fresno General Plan Master Environmental Impact Report are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor  2600 Fresno Street  Fresno, California 93721  (559) 621-8277</p>	<p>ENVIRONMENTAL ASSESSMENT NUMBER:</p> <p><b><u>EA No. C-15-165/TPM-2015-09</u></b></p>	
<p>APPLICANT:</p> <p>Ken Motschiedler  Barken Development and Construction  5493 East Olive Avenue  Fresno, CA 93727</p>	<p>PROJECT LOCATION:</p> <p>6685, 6785, and 6825 West Barstow Avenue</p> <p>Located on the south side of the West Barstow Avenue Alignment between North Grantland Avenue and North Veterans Boulevard in the City and County of Fresno, California</p> <p>Site Latitude: 36°48'52.08" N  Site Longitude: 119°54'43.02" W  Mount Diablo Base &amp; Meridian, Township 19E, Section 12</p> <p>Assessor's Parcel Number(s): 505-060-08</p>	
<p>PROJECT DESCRIPTION:</p> <p>Ken Motschiedler of Barken Development and Construction, on behalf of Adamas, LLC, has filed Conditional Use Permit Application No. C-15-165 and Vesting Tentative Parcel Map No. 2015-09 pertaining to ±42.15 acres of property located on the south side of the West Barstow Avenue Alignment between North Grantland Avenue and the North Veterans Boulevard Alignment.</p> <p>Conditional Use Permit Application No. C-15-165 proposes the development of a 172 unit gated multiple family residential complex consisting of one, two, and three bedroom units in two and three story buildings on a ±12.43 acre portion of the subject property. The project will be constructed in two phases. Phase I will consist of 96 units. Phase II will consist of 76 units. The proposed complex will include 86 detached garages, 172 covered carports, and 87 uncovered open parking stalls (345 total parking spaces); a 4,445 square-foot recreation/office building; and community amenities such as a swimming pool, a dog park, and common activity areas.</p> <p>Related Vesting Tentative Parcel Map No. 2015-09 has been filed to subdivide the entire ±42.15 acres of property into four parcels, two outlots to be dedicated for trail and canal purposes, and one outlot for future development. No development has been proposed for the outlot dedicated for future development at this time. The entire parcel is split zoned CMX+RM-1/UGM (<i>Corridor-Center Mixed Use + Residential Multi-Family, Medium High Density/Urban Growth Management</i>).</p> <p>The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed</p>		

development of the subject property.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from the Master Environmental Impact Report (SCH # 2012111015) prepared for the Fresno General Plan ("MEIR"). A copy of the MEIR may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report ("MEIR) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), 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.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist.

The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, 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. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which

fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.

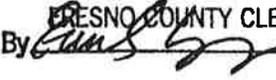
The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

<b>PREPARED BY:</b> Phillip Siegrist, Planner III	<b>SUBMITTED BY:</b> 
<b>DATE:</b> November 26, 2018	Ralph Kachadourian, Supervising Planner DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT
<b>Attachments:</b>	-Notice of Intent -Initial Study Impact Checklist and Initial Study (Appendix G) -City of Fresno General Plan and Development Code Update Mitigation and Monitoring Reporting Program dated November 26, 2018 - Project Specific Mitigation Monitoring Checklist dated November 26, 2018

## CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION

Filed with:

FRESNO COUNTY CLERK  
2220 Tulare Street  
Fresno, CA 93721EA No. C-15-165/TPM-2015-09Conditional Use Permit Application No. C-15-165  
Vesting Tentative Parcel Map No. 2015-09APPLICANT:Ken Motschiedler  
Barken Development and Construction  
5493 East Olive Avenue  
Fresno, CA 93727FILED  
NOV 26 2018  
TIME  
4:13 PMFRESNO COUNTY CLERK  
By  DEPUTYPROJECT LOCATION:6685, 6785, and 6825 West Barstow Avenue; Located  
on the south side of the West Barstow Avenue  
Alignment between North Grantland Avenue and the  
North Veterans Boulevard Alignment in the City and  
County of Fresno, California

APNs: 505-060-08

Site Latitude: 36°48'52.08" N & Site Longitude:  
119°54'43.02" WMount Diablo Base & Meridian, Township 13S, Range  
19E, Section 12PROJECT DESCRIPTION:

Ken Motschiedler of Barken Development and Construction, on behalf of Adamas, LLC, has filed Conditional Use Permit Application No. C-15-165 pertaining to ± 42.15 acres of property located on the south side of the West Barstow Avenue Alignment between North Grantland Avenue and the North Veterans Boulevard Alignment.

The entire parcel is split zoned CMX+RM-1/UGM (*Corridor-Center Mixed Use + Residential Multi-Family, Medium High Density/Urban Growth Management*). Conditional Use Permit Application No. C-15-165 proposes the development of a 172 unit multiple family residential complex consisting of one, two, and three bedroom units in two story buildings on a ±12.43 acre portion of the subject property. The project will be constructed in two phases. Phase I will consist of 96 units. Phase II will consist of 76 units. The proposed complex will include 86 detached garages, 172 covered carports, and 87 uncovered open parking stalls (345 total parking spaces); a 4,445 square-foot recreation/office building; and community amenities such as a swimming pool, a dog park, and common activity areas. The ±12.42 acre portion of land proposed for development under this application (C-15-165) is zoned RM-1/UGM (*Residential Multi-Family, Medium High Density/Urban*

*Growth Management).*

Related Vesting Tentative Parcel Map No. 2015-09 has been filed to subdivide the 42.15 acres of property into four parcels, two outlots to be dedicated for trail and canal purposes, and one outlot for future development. No development has been proposed for the remaining CMX/UGM (*Corridor-Center Mixed Use/Urban Growth Management*) zoned property at this time.

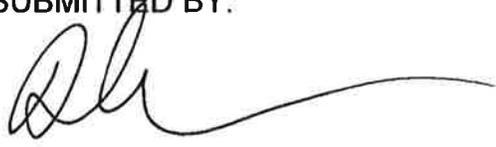
The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan (SCH # 2012111015). Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

With the project specific mitigation imposed, 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. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), 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 not located on a site which is included on any of the lists 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 proposed environmental Finding of Conformity, initial study and all documents and technical studies referenced in the initial study, as well as electronic copies of documents, may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, Third Floor, Room 3043, Fresno, California 93721-3604. Please contact Phillip Siegrist at (559) 621-8061 or via email at [Phillip.Siegrist@fresno.gov](mailto:Phillip.Siegrist@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 commentor's name and address; (2) the commentor'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. Comments may be submitted at any time between the publication date of this notice and close of business on November 19, 2018. Please direct all comments to Phillip Siegrist, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Third Floor, Room 3043, Fresno, California, 93721-3604; or by email, [Phillip.Siegrist@fresno.gov](mailto:Phillip.Siegrist@fresno.gov); or by facsimile, (559) 498-1026. Para información en español, comuníquese con McKencie Contreras al teléfono (559) 621-8066.

<p>INITIAL STUDY PREPARED BY: Phillip Siegrist Planner III</p>	<p>SUBMITTED BY: </p>
<p>DATE: November 26, 2018</p>	<p>Ralph Kachadourian, Supervising Planner CITY OF FRESNO DEVELOPMENT &amp; RESOURCE MANAGEMENT DEPT</p>



**APPENDIX G/INITIAL STUDY FOR A MITIGATED NEGATIVE DECLARATION**

**Environmental Checklist Form for:  
EA No. C-15-165/TPM-2015-09**

1.	<b>Project title:</b> Environmental Assessment Application No. C-15-165/TPM-2015-09  Conditional Use Permit Application No. C-15-165 Vesting Tentative Parcel Map No. 2015-09
2.	<b>Lead agency name and address:</b> City of Fresno Development and Resource Management Department 2600 Fresno Street Fresno, CA 93721
3.	<b>Contact person and phone number:</b> Phillip Siegrist, Planner City of Fresno Development and Resource Management Dept. (559) 621-8061
4.	<b>Project location:</b>  6685, 6785, and 6825 West Barstow Avenue Located on the south side of West Barstow Avenue Alignment between North Grantland Avenue and North Veterans Boulevard in the City and County of Fresno, California Assessor's Parcel Number: 505-060-08 Site Latitude: 36°48'52.08" N Site Longitude: 119°54'43.02" W Mount Diablo Base & Meridian, Township 13S, Range 19E, Section 12
5.	<b>Project sponsor's name and address:</b> Ken Motschieder Barken Development and Construction 5493 East Olive Avenue Fresno, CA 93727
6.	<b>General &amp; Community plan designation:</b>

	<p><u>Existing:</u> Residential, Medium High Density (±15.14 acres); and Corridor/Center Mixed Use (±28.06 acres)</p> <p><u>Proposed:</u> No Change</p>
7.	<p><b>Zoning:</b></p> <p><u>Existing:</u> RM-1/UGM (<i>Residential Multi-Family, Medium High Density/Urban Growth Management</i>); and, CMX (<i>Corridor-Center Mixed Use/Urban Growth Management</i>)</p> <p><u>Proposed:</u> No Change</p>
8.	<p><b>Description of project:</b></p> <p>Ken Motschiedler of Barken Development and Construction, on behalf of Adamas, LLC, has filed Conditional Use Permit Application No. C-15-165 pertaining to ± 42.15 acres of property located on the south side of the West Barstow Avenue Alignment between North Grantland Avenue and the North Veterans Boulevard Alignment.</p> <p>The entire ±42.15 acre parcel is split zoned CMX+RM-1/UGM (<i>Corridor-Center Mixed Use + Residential Multi-Family, Medium High Density/Urban Growth Management</i>). Conditional Use Permit Application No. C-15-165 proposes the development of a 172 unit multiple family residential complex consisting of one, two, and three bedroom units in two and three story buildings on a ±12.43 acre portion of the subject property. The project will be constructed in two phases with the first phase consisting of 96 units and the second phase consisting of 76 units. The proposed complex will include 86 detached garages, 172 covered carports, and 87 uncovered open parking stalls (345 total parking spaces); a 4,445 square-foot recreation/office building; and community amenities such as a swimming pool, a dog park, and common activity areas. The ±12.42 acre portion of land proposed for development under this application (C-15-165) is zoned RM-1/UGM (<i>Residential Multi-Family, Medium High Density/Urban Growth Management</i>).</p> <p>Related Vesting Tentative Parcel Map No. 2015-09 has been filed to subdivide the 42.15 acres of property into four parcels, two outlots to be dedicated for trail and canal purposes, and one outlot for future development. Development of the multiple family residential project will occur on the four proposed parcels. No development has been proposed for the remaining CMX (<i>Corridor-Center Mixed Use</i>) zoned portion of property (outlot for future development) at this time.</p> <p>The project will also require dedications, vacations, and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development</p>

of the subject property.

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

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Community Commercial	<b>CC</b> (Community Commercial)	Vacant Land Single Family Homes Rural Residential
	Medium Low Density Residential	<b>RS-4</b> (Single Family Residential, Medium Low Density)	
	Medium Density Residential	<b>RS-5</b> ( <i>Single Family Residential, Medium Density</i> )	
<b>East</b>	Urban Neighborhood Residential	<b>RM-2</b> ( <i>Multi-Family Residential, Urban Neighborhood</i> )	Vacant Land
<b>South</b>	Regional Mixed Use	<b>RMX</b> ( <i>Regional Mixed Use</i> )	Vacant Agricultural Land
	Open Space - Park	<b>CMX</b> ( <i>Corridor-Center Mixed Use</i> )	
<b>West</b>	Medium Low Density Residential	<b>RS-4</b> (Single Family Residential, Medium Low Density)	Rural Residential Canal Vacant Agricultural Land
	Regional Mixed Use	<b>RMX</b> ( <i>Regional Mixed Use</i> )	
	Medium Density Residential	<b>RS-5</b> ( <i>Single Family Residential, Medium Density</i> )	

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** City of Fresno (COF) Development and Resource Management Department, COF Building & Safety Services Division; COF Department of Public Works; COF Department of Public Utilities; County of Fresno, Department of Community Health; COF Fire Department; Fresno Metropolitan Flood Control District; San Joaquin Valley Air Pollution Control District; and County of Fresno

**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 Tribe and the Dumna Wo Wah were invited to consult under AB 52. Under invitations to consult both under SB 18 and AB 52, no tribes elected to consult on the proposed 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.

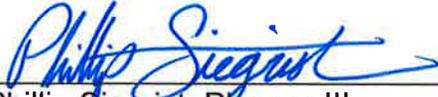
	Aesthetics		Agriculture and Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Geology /Soils

	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:

<u>—</u>	I find that the proposed project could not have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.
<u>—</u>	I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional 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 FINDING OF CONFORMITY will be prepared.
<u>X</u>	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.
<u>—</u>	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).

  
Phillip Siegrist, Planner III

11/26/18  
Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE 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. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR.
6. "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).
7. 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.
8. 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.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. 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.
11. 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>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
I. AESTHETICS -- 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 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 site is located within an area which is planned for urban residential and commercial uses and which is undergoing growth in development. Immediate properties to the north have been developed with a combination of rural residential and conventional single family residential subdivision. Properties to the east, south, and southwest are characterized by agricultural and vacant agricultural uses. Properties further to the north, east, and west have predominantly been developed with single family residential neighborhoods.

No identified or designated public or scenic vistas will be obstructed by the proposed project and no scenic resources will be damaged or removed. Due to the relatively flat topography of the subject and adjacent properties, and the poor air quality that reduce existing views within the project area as a whole, 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.

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 areas developed with single family residential neighborhoods as well as areas planned for mixed uses and residential uses at comparable densities.

The development and future development of the site will 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 the project will only have lights consistent with other residential locations in the area. The proposed construction would not significantly impact the visual character of the site as the proposed new construction type and appearance will provide an enhanced street frontage and landscaping to a vacant site. As a result, the project will have a less than significant impact on aesthetics

Therefore the proposed project will not have an impact on aesthetics. In conclusion, with MEIR mitigation measures incorporated, the project will not result in any aesthetic resource impacts beyond those analyzed in MEIR SCH No. 2012111015. Therefore, there will be no impacts related to aesthetics.

In conclusion, with MEIR mitigation measures included, the project will not result in any aesthetic impacts beyond those analyzed in MEIR SCH No. 2012111015 prepared for the Fresno General Plan.

<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>
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
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	

Based upon the upon the 2014 Rural Land Mapping Edition: Fresno County Important Farmland Map of the State of California Department of Conservation, the subject property is designated as “Farmland of Local Importance.”

Farmland of Local Importance consists of all farmable lands within Fresno County that do not meet the definitions of Prime, Statewide, or Unique. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture and grazing land. Although the map designates a portion of the subject site as Farmland of Local Importance, the planned land use for the subject site is designated by the Fresno General Plan as Medium High Density Residential and Corridor/Center Mixed Use. The subject site is not currently under cultivation and has remained fallow for nearly a decade.

The subject site and properties adjacent to the subject site are not under a Williamson Act contract. Therefore, the proposed project on the subject site will not affect the Williamson Act contract parcels.

The proposed Vesting Tentative Parcel Map and Conditional Use Permit applications do 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 beyond those analyzed in the 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>
<p>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (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:</p>				

<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>
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	
d) Expose sensitive receptors to substantial pollutant concentrations.				X
e) Create objectionable odors affecting a substantial number of people?				X

### Setting

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.

Project:

The SJVAPCD requires Air Impact Assessment (AIA) applications for residential development projects that include 50 or more dwelling units. Therefore, the proposed 172-unit multiple family residential apartment complex is subject to District Rule 9510 (Indirect Source Review) and an AIA application is required. Furthermore, in an email dated August 28, 2018, the SJVAPCD stated that it had reviewed the project and that the project specific annual emissions for criteria pollutants are not expected to exceed significant thresholds of 100 tons/year of CO, 10 tons/year NOX, 10 tons/year ROG, 27 tons/year of SOx, 15 tons/year PM10, or 15 tons/year of PM2.5. Therefore, project specific criteria pollutant emissions would have a less than significant adverse impact on air quality when compared to annual criteria pollutant emissions significance thresholds. The project developer will be required to obtain applicable permits from the SJVAPCD in order to comply with all applicable air quality plans.

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 prior uses of the site and/or current surrounding residential and non-residential uses; therefore there will be no impact.

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.

Therefore, compliance with applicable 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.

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

## 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.

The Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan and Policy RC-4-c of the Fresno General Plan require that computer models used by the SJVAPCD be used to analyze development projects and estimate future air pollutant emissions that can be expected to be generated from operational emissions (vehicular traffic associated with the project), area-wide emissions (sources such as ongoing maintenance activities and use of appliances), and construction activities.

CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations (including vehicle and off-road equipment use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The GHG mitigation measures were developed and adopted by the California Air Pollution Control Officers Association (CAPCOA).

In addition to the above-mentioned factors, the CalEEMod computer model evaluates the following emissions: ozone precursors (Reactive Organic Gases (ROG)) and NOX; CO, SOX, both regulated categories of particulate matter, and the greenhouse gas carbon dioxide (CO<sub>2</sub>). The model incorporates geographically-customized data on local vehicles, weather, and SJVAPCD Rules.

The analysis was conducted using the CalEEMod Model, Version 2016.3.2. For purposes of this analysis the project has been evaluated with consideration to development of the subject property with the land uses permissible by the Fresno Municipal Code at the densities and intensities set forth by the Fresno General Plan in association with the development of a 172 unit multiple family residential complex on a ±12.42 net acre portion of the subject property at a density of ±13.8 dwelling units/acre.

## Construction Emissions – Short Term

It was assumed that the project would be constructed in two phases, over a two-year period. For purposes of the analysis the proposed project was defined as the development of 172 multiple family residential units on an approximately 12.42 net acre portion of the subject property. Construction equipment estimates were based on

CalEEMod default assumptions. In accordance with District guidance, the architectural coatings were assumed to be mitigated in accordance with CalEEMod default assumptions. Total emissions from project construction are below the District's threshold levels. The project will meet all of the SJVAPCD's construction fleet and control requirements.

#### Project Construction Emissions

<i>[all data given in tons/year]</i>	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
<b>2019 Construction</b>	<b>0.26</b>	<b>2.50</b>	<b>1.83</b>	<b>0.0034</b>	<b>0.40</b>	<b>0.23</b>	<b>310.52</b>
<b>2020 Construction</b>	<b>1.91</b>	<b>2.42</b>	<b>2.32</b>	<b>0.0046</b>	<b>0.24</b>	<b>0.15</b>	<b>405.94</b>
<b>Project Total</b>	<b>2.17</b>	<b>4.92</b>	<b>4.1</b>	<b>0.008</b>	<b>0.64</b>	<b>0.38</b>	<b>716.46</b>
<b>District Thresholds</b>	10	10	N/A	N/A	15	15	N/A

The analysis determined that the proposed project will not exceed the threshold of significance limits for regulated air pollutants. Construction activity from the proposed development will cause temporary, short-term emissions of various air pollutants within the Planning Area. ROG and NOx (ozone precursors), PM<sub>10</sub>, and PM<sub>2.5</sub> are emitted by construction equipment during various activities, which may include but are not limited to grading, excavation, building construction, or demolition. Soil disturbance during construction activities emit fugitive dust a fraction of which is comprised of PM<sub>10</sub> and PM<sub>2.5</sub>. During the construction phase of this project grading and trenching on the site may generate particulate matter pollution through fugitive dust emissions.

The SJVAPCD indicates that proposed development is subject to Regulation VIII. SJVAPCD Regulation VIII addresses not only construction and demolition dust control measures, but also regulates ongoing maintenance of open ground areas that may create entrained dust from high winds. Therefore, the developer is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021. If measures included in the Dust Control Plan prove inadequate to control fugitive dust, construction contractors must implement additional controls or cease dust generating construction activities. In addition, projects smaller than the Dust Control Plan size thresholds must still comply with most other Regulation VIII requirements. The developer is also required to provide landscaping on the project site which will contain trees to assist in the absorption of air pollutants, reduce ozone levels, and curtail storm water runoff.

#### Operational Emissions – Long Term

Operational emissions include emissions associated with on-road and off-road motor

vehicles, natural gas combustion, and stationary/area sources (energy use, landscaping, etc.) and vehicle emissions. Emissions from each phase of the project were estimated using the CalEEMod model. The average trips were based on default assumptions in the CalEEMod model, verified by the Traffic Impact Study that was conducted for the project. The Traffic Impact Study for the proposed multiple family residential development prepared by Precision Engineering, Inc. dated June 1, 2016, estimated the traffic threshold rates during a.m. peak hours as 112 trips, during p.m. peak hours as 92 trips, and an average daily rate of 1,197 trips.

#### Project Annual Operational Emissions

<i>[all data given in tons/year]</i>	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
<b>Area</b>	<b>0.87</b>	<b>0.07</b>	<b>1.30</b>	<b>0.00048</b>	<b>0.01</b>	<b>0.01</b>	<b>76.59</b>
<b>Energy</b>	<b>0.01</b>	<b>0.11</b>	<b>0.04</b>	<b>0.00072</b>	<b>0.00906</b>	<b>0.00906</b>	<b>363.80</b>
<b>Mobile</b>	<b>0.43</b>	<b>5.29</b>	<b>4.28</b>	<b>0.02</b>	<b>1.29</b>	<b>0.36</b>	<b>2,057.42</b>
<b>Project Totals</b>	<b>1.32</b>	<b>5.48</b>	<b>5.64</b>	<b>0.023</b>	<b>1.31</b>	<b>0.38</b>	<b>2,542.27</b>
<b>District Thresholds</b>	10	10	N/A	N/A	15	15	N/A

The analysis determined that emissions from the proposed project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. These project emissions as a percentage of the area source, energy use, and vehicle emissions within Fresno County are very small and the project's overall contribution to the overall emissions is negligible. Therefore, project specific criteria pollutant emissions would have no significant adverse impact on air quality.

The MEIR for the Fresno General Plan, MM AIR-2 requires projects that may exceed ambient air quality standards to implement site-specific measures to reduce toxic air contaminants to less than 10 per million, including construction of block walls and installation of vegetative barriers to block emissions from adjacent property. MM-AIR-4 requires preparation of a health risk assessment and adoption of regulatory criteria, if required.

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 all applicable SJVAPCD rules, regulations, and strategies.

At full build-out the proposed project would result in development exceeding 50 residential dwelling units which is the adopted thresholds for conducting an Air Impact Assessment (AIA) in accordance with 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. 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.

Additional rules to which the proposed project will be subject to include:

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

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

Compliance with these rules and regulations is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees.

Therefore, the project developer will be required to obtain applicable permits from the SJVAPCD in order to comply with all applicable air quality plans. With mitigation provided emissions shall be reduced, and 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).

With mitigation required, no violations of air quality standards will occur and no net increase of pollutants will occur. 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 use and surrounding uses; therefore there will be no impact. The proposed project will comply with all applicable air quality plans.

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.

Therefore, compliance with all of the above SJVAPCD Rules and permit requirements, 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.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the air quality related mitigation measures as identified in the attached Master Environmental Impact Report No. SCH 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.

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>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>
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
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.

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 natural or permanent bodies of water on the subject site or in the immediate vicinity of the subject site. Therefore, 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.

Portions of the subject property have been utilized historically for irrigated row and field crops. This vegetation community frequently occurs in floodplains or upland areas with high soil quality. Irrigated row and field crops include annual and perennial crops, grown in rows, with open space between the rows. Row and field crops are artificially irrigated and feature a moderate disturbance rate by vehicle and pedestrian encroachment typically associated with farming activities. Species composition changes frequently, both by season and by year.

Since irrigated row and field crops contain active agriculture, and are therefore significantly disturbed with altered substrates, this vegetation community does not provide suitable habitat for any special-status plant species and limited habitat for special-status wildlife species.

Wildlife species that often occur within agricultural fields include gophers, California ground squirrels, mourning dove, mockingbird, whitecrowned sparrows, and ravens. Other wildlife that would be expected to occur within orchards would be similar to those occurring in adjacent ruderal habitats or agricultural fields.

Mammal species may also occur within intermittent fallow agricultural lands of the site and could include: deer mice, house mice, and pocket gopher. 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. Because of the surrounding agricultural land uses, mammalian predators occurring on the site would most likely be limited to raccoons, coyotes, and red foxes, as these species are tolerant of human disturbance. It is also noted however, the expansion of residential and industrial developments in this

area of the City of Fresno may limit the use of the site by these predators as well. Various species of bat may also forage over the fields of the site for flying insects.

A number of special status species, such as San Joaquin kit fox, American Badger, Western burrowing owl, Swainson hawk, tricolored blackbird, California horned lark, pallid bat, hoary bat, and western mastiff bat have some potential as resident seasonal or transient inhabitant of habitats such as those which may be found on the 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 must at best be considered at the margin of their natural range.

The project site would provide only marginal habitat for American badgers in the form of temporary ruderal grasslands. Although this species is known to occur within areas with friable soils which support California ground squirrels, it prefers open habitats (herbaceous growth, shrubs or forest). Furthermore, the loss of linkages to large tracks of open grassland further minimizes the potential presence of this species on the subject property. At best, American badgers would be a transient species on the project site and it is unlikely that development of the project would result in impacts to American badger.

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 provides marginal habitat for this species in the form of temporary ruderal grasslands that support California ground squirrels.

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 agricultural fields which may offer its prey too much cover. However, the Swainson is considered to be generally tolerant of people and attracted to certain agricultural operations which disturb soils and displace prey which burrow or nest in those soils or from farm equipment which turn up insects.

Tricolored blackbirds nest in cattails, bulrushes, Himalaya berry, and agricultural silage, in areas that are flooded or otherwise defended against easy access by predators. Tricolored blackbirds forage away from nesting sites, and large colonies require large foraging areas; the birds eat insects, small fruits, seeds, and small aquatic life. Suitable habitat for foraging includes irrigated pasture, dry rangeland, and dairy operations providing successive harvest and flooding conditions. Orchards, row crops, and

vineyards may occasionally and briefly be used as foraging habitat; however, these areas are not known to sustain breeding colonies. Tricolored blackbirds could occasionally forage over the project site; however, habitat suitable for nesting tricolored blackbirds is not found on the project site.

Horned larks, which feed on seeds and insects, are ground nesting and the frequent disking and soil disturbance on the project site probably precludes the site from use as nesting habitat.

Pallid bat, hoary bat, and western mastiff bat are relatively reclusive and probably do not breed on the project site, but they may forage on or near the site from time to time. Hoary bats and western mastiff bats eat insects, while pallid bats eat insects, other invertebrates, and small vertebrates that they find on the ground or on vegetation. The project site would not constitute uniquely important habitat for these species.

Use of ruderal/nonnative grassland habitat by native terrestrial vertebrates is generally considered common in agricultural fields. However, the regular cultivation and annual disking of this habitat as well as its proximity to a busy road and a construction equipment and materials storage yard operation reduce its value to most native animals. 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 Master Environmental Impact Report 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 a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.

Furthermore, Mitigation Measure MM BIO-2 of Master Environmental Impact Report 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 Master Environmental Impact Report 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. Wildlife movements across the project site and vicinity would be further impeded by major streets and local roads adjacent to and within the general vicinity of the project site boundary.

No 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.

Implementation of all Biological Resource related mitigation measures of Master Environmental Impact Report 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. Therefore, there will be no impacts to Biological Resources.

In conclusion, with the MEIR 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 Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.

<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>
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) 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.

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, the measures within the Master Environmental Impact Report 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, with MEIR mitigation measures incorporated, 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 Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.

<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>
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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

There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography is 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 and the Fresno Metropolitan Flood Control District (FMFCD) Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

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 Development and Resource Management Department as may be applicable to building modification and rehabilitation projects.

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

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. GREENHOUSE GAS EMISSIONS -- 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

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas 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 greenhouse gas emissions through 2020 and per capita emission rates drop substantially. The benefits of adopted regulations become flat in later years and growth starts to exceed the reductions from all regulations and measures. Although it is highly likely that regulations will be updated to provide additional reductions, none are reflected in the analysis since only the effect of adopted regulations is included. See Section III, Air Quality and Global Climate Change, for a full discussion of air quality and greenhouse gas emissions.

In conclusion, the proposed project would not result in any greenhouse gas emission environmental impacts beyond those analyzed in MEIR SCH No. 2012111015 for the Fresno General Plan.

<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>
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ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. 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	
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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

Pursuant to Policy 1-6-a of the Fresno General Plan, hazardous materials will be defined as those that, because of their quantity, concentration, physical or chemical characteristics, pose significant potential hazards to human health, safety, or the environment. Specific federal, state and local definitions and listings of hazardous materials will be used by the City of Fresno

The proposed project will consist of multiple family residential development and future proposed mixed-use development which will not involve the use hazardous materials. However, the proposed project could be constructed over a prolonged period of time. During construction, hazardous substances typically used in construction, including

paints, solvents, and cleaners, would be transported and used onsite. Grading and construction activities would also require the transport, storage, handling, use, and disposal of hazardous materials such as fuels and greases for the fueling and servicing of construction equipment. Additionally, because of the potential long-term nature of the project, substances may be stored in temporary storage tanks or sheds that would be located onsite. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and may create the potential for accidental spills, which could affect workers and possibly future residents. The project would be required to comply with existing local, state, and federal regulations, which reduce the potential impacts associated with the transport, storage, handling, use, and disposal of hazardous materials. Additionally, the project would be constructed and operated with strict adherence to all emergency response plan requirements set forth by the City of Fresno and Fresno County.

Hazardous-materials handling on the project site over the long-term construction of the project may result in soil and groundwater contamination from accidental spills. Due to the large scale of the project, each construction phase of the project would be required to prepare and implement a Storm Water Pollution Prevent Plan (SWPPP) and Monitoring Program. The SWPPP is a state requirement under the National Pollution Discharge Elimination System (NPDES) permit for construction sites over one acre. The SWPPP identifies potential sources of pollution from the project that may affect the quality of stormwater discharge, and requires that best management practices (BMPs) be implemented to prevent contamination at the source. By implementing BMPs during construction activities, accidental spills of hazardous materials would be contained, and soil and groundwater contamination would be minimized or prevented.

While there are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, portions of the project site have been utilized for agricultural purposes, which may have utilized pesticides in association with agricultural operations and cultivation. Therefore, a Phase I Environmental Site Assessment (ES) will be required to be conducted prior to grading or construction occurring in association with the proposed project. If areas of concern are found during the Phase I, and there is suspect of possible subsurface contamination, a Phase II ESA may be required based upon the recommendations of the Phase I report. Should contamination be found to exist, then a Health Risk Assessment (HRA) or remediation will be required in accordance with recommendations of the ESA, HRA, and/or applicable California Department of Toxic Substances Control and/or County Health requirements.

The project itself will not generate or use hazardous materials in a manner outside health department requirements, is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans

The subject site is not located within an airport land use plan and is not within the vicinity of a private airstrip.

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

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hazards and hazardous materials related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.
2. The proposed project shall implement and incorporate the hazards and hazardous materials related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated November 26, 2018.

<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>
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
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	

<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>
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	
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

<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>
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

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, and such water conservation measures are still effective.

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. Therefore the City of Fresno is proposing to define Excessive Use related to water usage and is proposing to establish a method to identify and discourage excessive water use to meet the requirements of SB 814. The City of Fresno is also amending the FMC to prohibit water-wasteful practices year round rather than certain drought periods. The action also includes updating the Water Shortage Contingency Plan which outlines watering days.

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.

The City's groundwater aquifer has been documented by the State Department of Water Resources (Bulletin 118) 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 DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; 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 Master Environmental Impact Report SCH No. 2012111015) prepared for the Fresno General Plan (collectively, the "MEIR"), 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 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 Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm 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 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 2010 UWMP projects that groundwater pumped by the City will decrease from approximately 128,578 AF/year in 2010 to approximately 85,000 AF/year at buildout of the General Plan Update. This would represent a decrease in the groundwater percentage of total water supply from 87 percent to 36 percent. This reduction in groundwater pumping will recharge the aquifer by approximately 15,000 acre-feet per year because the safe yield is approximately 1000,000 acre-feet per year. In order to meet this projection, 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. 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 recently built 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 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 put to the best possible use for 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 subdivision to provide service to each lot 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. 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 permanent drainage facilities will not be available for the subject site. However, the FMFCD system can accommodate the proposed request subject to several conditions of approval which includes the provision of temporary drainage facilities will be required until permanent drainage service is available and construction of Master Plan facilities. In addition, the proposed project shall comply with the FMFCD Flood Plain Policy and the City of Fresno Floodplain Management Ordinance. The subject site is not located within a flood prone area as designated on the latest Flood Insurance Rate Maps available to the FMFCD.

As a condition of approval, any pre-existing septic systems and on-site domestic or agricultural water wells that may be on the site shall be properly abandoned, in order to prevent the spread of contaminants from the ground surface or from shallow groundwater layers into deeper and cleaner levels of the aquifer.

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.

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.

In conclusion, with implementation of the project specific mitigation measures identified below, the project will not result in any hydrology or water quality impacts beyond those analyzed in MEIR SCH No. 2012111015.

### Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hydrology and water quality related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.
2. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Project Specific

Mitigation Monitoring Checklist dated November 26, 2018.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - 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

Ken Motschieder of Barken Development and Construction, on behalf of Adamas, LLC, has filed Conditional Use Permit Application No. C-15-165 pertaining to ± 42.15 acres of property located on the south side of the West Barstow Avenue Alignment between North Grantland Avenue and the North Veterans Boulevard Alignment.

The subject property is currently designated by the Fresno General Plan and West Area Community Plan for both Residential, Medium High Density and Corridor/Center Mixed Use planned land uses. The site is currently mixed zoned CMX+RM-1/UGM (*Corridor-Center Mixed Use + Residential Multi-Family, Medium High Density/Urban Growth Management*) which is consistent with the planned land use designations.

Conditional Use Permit Application No. C-15-165 proposes the development of a 172 unit multiple family residential apartment complex on a ±12.43 acre portion of the subject property. The ±12.42 acre portion of land proposed for development under this application (C-15-165) is zoned RM-1/UGM (*Residential Multi-Family, Medium High Density/Urban Growth Management*). Based upon the residentially planned land use density and acreage allocations (12-16 units/acre) currently designated by the Fresno

General Plan, the subject property is expected to yield approximately 149 - 198 dwelling units. These figures demonstrate that development in accordance with Conditional Use Permit Application No. C-15-165 will not, in fact, result in an intensification of residential units on the subject property beyond that previously conceived by the Fresno General Plan or MEIR.

Related Vesting Tentative Parcel Map No. 2015-09 has been filed to subdivide the 42.15 acres of property into four parcels, two outlots to be dedicated for trail and canal purposes, and one outlot for future development. No development has been proposed for the remaining CMX (*Corridor-Center Mixed Use*) zoned portion property at this time.

The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The proposed project would not physically divide an established community. The proposed project is consistent with the Residential, Medium High Density planned land use designation of the Fresno General Plan and the West Area Community Plan. The proposed project will facilitate development of the site with a multi-family residential project, which is the intent of the Fresno General Plan for this property. Objectives and policies within the Fresno General Plan support economic development, efficient and equitable use of resources, and multi-family residential infill development. Some of those objectives and policies are outlined below:

- Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.
  - Policy UF-1-a: **Diverse Neighborhoods.** Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.
  - Policy UF-1-d: **Range of Housing Types.** Provide for diversity and variation of building types, densities, and scales of development in order to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.
  - Policy UF-1-e: **Unique Neighborhoods.** Promote and protect unique neighborhoods and mixed use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnoans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.

- Policy UF-1-f: **Complete Neighborhoods, Densities, and Development Standards.** Use Complete Neighborhood design concepts and development standards to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan.
- Objective UF-12: Locate roughly one-half of future residential development in infill areas—defined as being within the City on December 31, 2012—including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.
- Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.
  - Policy LU-1-a: **Promote Development within the Existing City Limits as of December 31, 2012.** Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.
- Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.
  - Policy LU-2-a: **Infill Development and Redevelopment.** Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.
- Objective LU-5: Plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.

The proposed project would allow development on existing properties within the City of Fresno. The project promotes multi-family residential development and reinvestment within the City and preserves and protects resources within the City by expanding opportunities for development on infill properties. Infill development conserves resources and takes advantage of existing infrastructure. Furthermore, the proposed multi-family development will enhance the overall character of the neighborhood by creating a more complete neighborhood.

The proposed project will be required to pay its fair and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms as included within the project conditions of approval and applicable mitigation measures. These conditions and mitigation measures which are applied to

the proposed project will assure the project remains revenue neutral and will cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of ED-5-b. Therefore, (1) No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project; (2) The development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development; (3) The development project will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts; and, (4) The development will fully fund ongoing public facility and infrastructure maintenance and public service cost.

Therefore it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan and West Area Community Plan; (2) To be suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

The proposed project will not physically divide an established community. The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

The project site is located outside of the Airport Influence Area depicted on Figure 4.5 of the Fresno-Yosemite International Airport Land Use Compatibility Plan.

In conclusion, the project will not result in any Land Use and/or Planning 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>
XI. 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>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>
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, 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>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XII. NOISE -- 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	

<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>
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 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 from West Barstow Avenue; future West Keats and North La Paz Avenues along the respective frontages of the subject site; North Grantland Avenue further to the west; future North Veterans Boulevard to the east; and stationary noise sources which could potentially emanate from activities associated with future development of the remaining CMX (Corridor-Center Mixed Use) zoned portion property located North La Paz Avenue to the east.

The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 65dB DNL for exterior noise levels in outdoor activity 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. 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.

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 new 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 9 (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 site is located within an area which is planned for urban residential and commercial uses and which is undergoing growth in development. Immediate properties to the north have been developed with a combination of rural residential and conventional single family residential subdivisions. Properties to the east, south, and southwest are characterized by agricultural and vacant agricultural uses. Properties further to the

north, east, and west have predominantly been developed with single family residential neighborhoods. 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.

Pursuant to Policy H-1-b of the Fresno General Plan, for purposes of City analyses of noise impacts, and for determining appropriate noise mitigation, a significant increase in ambient noise levels is assumed if the project causes ambient noise levels to exceed the following: (1) The ambient noise level is less than 60 db Ldn and the project increase noise levels by 5 dB or more; (2) The ambient noise level is 60-65 dB Ldn and the project increases noise levels by 3 dB or more; or, (3) The ambient noise level is greater than 65 dB Ldn and the project increases noise levels by 1.5 dB or more.

### Short Term Noise 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.

### Long Term Noise Impacts

The proposed project includes a multi-family residential development. The FMC's Noise Ordinance states residential zoned properties shall not exceed 50 dB from 10:00 p.m. to 7:00 a.m., 55 dB from 7:00 p.m. to 10:00 p.m. and 60 dB from 7:a.m. to 7 p.m. The immediate vicinity consists of existing single family and rural residential uses which will produce noise levels similar to noise levels produced by the proposed project. In addition, the immediate vicinity consists of property planned for future mixed-use development which will produce noise levels which will either exceed or be similar to noise levels produced by the proposed project. Although the project will create

additional activity in the area, the project will be required to comply with all noise policies from the Fresno General Plan and noise ordinance from the FMC.

The proposed project is not located within an airport land use plan or within the vicinity of a private airstrip.

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.

In conclusion, the proposed project would not result in any noise 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>
XIII. POPULATION AND HOUSING -- 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) 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 subject property is currently designated for both Residential, Medium High Density (±15.14 acres) and Corridor/Center Mixed Use (±28.06 acres) planned land uses by the Fresno General Plan and West Area Community Plan. Furthermore, the site is currently split zoned RM-1+CMX/UGM (*Residential Multi-Family, Medium High Density/Corridor-*

*Center Mixed Use/Urban Growth Management*) which is consistent with the planned land use designations.

Conditional Use Permit Application No. C-15-165 proposes the development of a 172 unit multiple family residential apartment complex on a ±12.43 acre portion of the subject property. The ±12.42 acre portion of land proposed for development under this application (C-15-165) is zoned RM-1/UGM (*Residential Multi-Family, Medium High Density/Urban Growth Management*). Based upon the residentially planned land use density and acreage allocations (12-16 units/acre) currently designated by the Fresno General Plan, the subject property is expected to yield approximately 149 - 198 dwelling units. These figures demonstrate that development in accordance with Conditional Use Permit Application No. C-15-165 will not, in fact, result in an intensification of residential units on the subject property beyond that previously conceived by the Fresno General Plan or MEIR.

Properties immediately north of the subject property are planned for Low and Medium Low Density Residential and have been developed with a combination of rural residential and conventional single family residential subdivisions. Properties to the east, south, and southwest are characterized by agricultural and vacant agricultural uses. Properties further to the north, east, and west have predominantly been developed with single family residential neighborhoods. There are no existing residences on the subject property. Therefore the proposed project does not have the potential to displace substantial numbers of existing housing or residents and will not either directly or indirectly induce substantial population growth in the area.

In conclusion, no population and housing impacts will result from the proposed project beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan.

<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>
XIV. PUBLIC SERVICES --				

<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>
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 (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to compliance with the conditions submitted by the DPU for this project and implementation of the Fresno General Plan policies and the mitigation measures of the related Master Environmental Impact Report; and, the construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies which will include sewer and water main extensions within West Barstow, West Keats, and North La Paz Avenues.

For sanitary sewer service these infrastructure improvements and facilities include typical requirements for construction and extension of sanitary sewer mains and branches. 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 Master Environmental Impact Report, along with the implementation of the Water Resources Management Plan and the identified project related conditions of approval. Installation of these services with meters 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.

The City of Fresno Fire Department reviewed the proposed project and has determined that adequate Fire service will be available subject to future requirements for development which will include installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards, with two sources water; installation of fire sprinklers within future commercial buildings; and the provision of two means of emergency access during all phases of construction. Review for compliance with fire and life safety requirements for the interior of proposed buildings and the intended use are reviewed by both the Fire Department and the Building and Safety Services Section of the Development and Resource Management Department when a submittal for building plan review is made as required by the California Building Code.

The City of Fresno Fire Department also reviewed the project to determine if it can be adequately served by Fire Personnel and Facilities consistent with NFPA 1710 Objectives. 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 operates its facilities under the guidance set by NFPA 1710 and has established department objectives set forth in NFPA 1710 to ensure the public health, safety, and welfare.

This project is currently within the service area for Fire Station 18. Based upon the current level of calls for service, the anticipated annual increase of calls for service of 11.28%, and the location of the temporary Fire Station 18 at a site that is not centrally located within the service area, the Fire Chief has determined that this project cannot be adequately served by existing Fire Facilities and Personnel, consistent with NFPA 1710 Objectives. Specifically, a 4 minute response time to fire calls in the Fire Station 18 service area is met only 39.96% of the time. In addition, truck response time in the service area does not meet the 8 minute standard. Instead, truck response time averages 11 minutes and 6 seconds. Finally, 20.7% of service incidents within the Fire Station 18 Service Area are responded to by Personnel from Fire Station 16, thus increasing the burden on facilities and personnel to the adjacent area.

In order to ensure public health and safety are maintained the Fresno Fire Department, in the memoranda dated January 18, 2019, issued conditions of project approval specifically related the funding and construction of Permanent Fire Station 18 which includes but is not limited to withholding issuance of Certificates of Occupancy for any building within the project footprint until after full funding for construction is secured but prior to commencement of construction or until after construction of Permanent Fire Station 18 has commenced.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area as designated on the latest Flood Insurance Rate Maps available to the District. However, the subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. Therefore, development of the site must not interfere with the ability to operate and maintain the canal or pipeline and the existing capacity must be preserved.

The developer shall also construct Master Plan Facilities in West Barstow Avenue from North La Paz Avenue to West Keats Avenue. Furthermore, construction of future Master Plan Facilities in Barstow Avenue from North La Paz Avenue to Veterans Boulevard, as shown on Exhibit No. 1 of the FMFCD memorandum dated October 24, 2018, shall be deferred until street improvements for this section are required.

The District has stated that construction of facilities in Drainage Area "EM", as identified on Exhibit No. 1 of the aforementioned FMFCD memorandum, will provide permanent drainage service for the area west of Veterans Boulevard (portion of Outlot C for future development). However, the District has stated that permanent service will not be available for the area east of Veterans Boulevard (portion of Outlot C for future development). Therefore, the District recommends temporary facilities be required until permanent drainage service is available. In addition, the proposed project shall comply with the FMFCD Flood Plain Policy and the City of Fresno Floodplain Management Ordinance.

The proposed project will include common activity areas in the form of a dog park, open play area, multi-sport courts, and a pool and recreation building which will be located within the project and constructed with development. 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 or receive credits for construction as may be memorialized within a subdivision or development agreement.

Any future development occurring as a result of the proposed project may have an effect on the Central Unified School District's student housing capacity. The District, through local funding, is in a position to mitigate its shortage of classrooms to accommodate planned population growth for the foreseeable future. However, the District recognizes that the legislature, as a matter of law, has deemed under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50 Level 1, 2 and 3 developer fee legislative provisions. The developer will pay appropriate impact fees at time of building permits.

No significant adverse impacts are expected to occur as a result of the construction of any such facilities or improvements beyond those evaluated within MEIR No. 2012111015 or those analyzed within the respective sections of this initial study; as included herein.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the Public Service related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.
2. The proposed project shall implement and incorporate the public services related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated November 26, 2018.

<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>
XV. RECREATION --				
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 proposed project will not result in the physical deterioration of existing parks or recreational facilities; and, will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the MEIR for the Fresno General Plan. The applicant, however, will provide recreational facilities (dog park, open play area, multi-sport courts, pool, and recreation building) within the project area as well as multiple access points to sidewalks on the north and southeast sides of the project.

The 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 or receive credits for construction as may be memorialized within a subdivision or development agreement. Maintenance will be afforded through annexation into a Community Facilities District (CFD).

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
XVI. TRANSPORTATION/TRAFFIC -- 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

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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 generally located on the south side of the West Barstow Avenue Alignment between North Grantland Avenue and North Veterans Boulevard. The Fresno General Plan Circulation Element designates West Barstow Avenue as a Local street; North Grantland Avenue as an Arterial street; and North Veterans Boulevard as a Super Arterial street. The project also proposes the development of two new streets; North La Paz Avenue (parallel to an existing Epstein canal) as a Local Collector and West Keats Avenue (parallel to the Herndon Canal) as a Collector.

There will be a main entry points to the project off of North La Paz Avenue and a secondary entry point off of West Barstow Avenue. The project will also be required to construct all necessary street frontage improvements to City Standards. In addition, future phased development of the proposed project will be required to dedicate and construct improvements along all major street frontages and on any future proposed interior local streets within respective phases in accordance with City of Fresno standards, specifications and requirements.

The proposed project will also provide and facilitate additional pedestrian connectivity through the development of a planned trail along the West Keats Avenue/Herndon Canal alignment.

The proposed project is located within Traffic Impact Zone III pursuant to Figure MT-4 of the Fresno General Plan, which generally represents areas near or outside the City Limits but within the Sphere of Influence (SOI) as of December 31, 2012.

In accordance with Policy MT-2-i of the Fresno General Plan, when a development project is projected to generate 100 or more peak hour new vehicle trips, a Transportation Impact Study (TIS) is required in order to assess the impacts of new development projects on existing and planned streets.

Conditional Use Permit Application No. C-15-165 proposes the development of a 172 unit multiple family residential complex consisting of one, two, and three bedroom units in two story buildings on a ±12.43 acre portion of the subject property. Related Vesting Tentative Parcel Map No. 2015-09 proposes to subdivide the entire ±42.15 acres of property into four parcels, two outlots to be dedicated for trail and canal purposes, and one outlot for future development.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the proposed 172 unit multiple family residential project on a ±12.43 acre portion of property within the ±42.15 tentative map boundary would generate 1,197 Average Daily Trips (ADT), with 92 vehicle trips occurring during the morning peak hour travel period (7 to 9 a.m.) and 112 vehicle trips occurring during the evening peak hour travel period (4 to 6 p.m.).

A Traffic Impact Study (TIS) for the proposed multi-family development, dated June 1, 2016, prepared by Precision Engineering, Inc. evaluated the impacts of the project by analyzing three intersections in the vicinity of the project during the morning and evening peak hours. Vehicle trips projected to be generated by the project were calculated using the Institute of Traffic Engineers (ITE) Trip Generation Manual.

The Public Works Department/Traffic Engineering Division staff has reviewed the proposed traffic yield from the proposed project and the expected traffic generation will not adversely impact the existing and projected circulation system as analyzed in MEIR.

The analysis of traffic operations within the MEIR was conducted based on roadway segments representative of the City overall transportation network. Traffic volumes on the selected roadway segment analysis are based on traffic counts taken at single location or link, which was intended to be representative of the entire segment. A link connects two intersections; a segment is a series of links. Traffic operations on the study roadway segments were measured using a qualitative measure called Level of Service (LOS). LOS is a general measure of traffic operating conditions whereby a letter grade, from "A" (the best) to "F" (the worst), is assigned. These grades represent

the perspective of drivers and are an indication of the comfort and convenience associated with driving, as well as speed, travel time, traffic interruptions, and freedom to maneuver.

The threshold established by the Fresno General Plan in TIZ III is Level of Service “D” representing a high-density, but stable flow. Users experience severe restriction in speed and freedom to maneuver, with poor levels of comfort and convenience.

The project Traffic Impact Study (TIS) was prepared to assess the impacts of the new development on existing and planned streets combined with future projects for cumulative considerations. This assessment evaluated the impacts of the project by analyzing the following 3 study intersections in the vicinity of the project during the AM and PM peak hours for the four traffic analysis scenarios required by the City of Fresno as well as one additional scenario based on the phasing of the proposed project. These scenarios include: (1) Existing Conditions; (2) Existing plus Project Conditions; (3) Near Term (with approved and pending projects) Conditions; (4) Near Term (with approved and pending projects) Plus Project Conditions; (5) Cumulative (Year 2035) Conditions; and, (6) Cumulative (Year 2035) plus Project Conditions.

#### Study Intersections:

1. West Barstow Avenue & North Grantland Avenue
2. West Barstow Avenue & North Veterans Boulevard
3. West Keats Avenue & North Veterans Boulevard

#### Study (Caltrans) Intersections:

4. West Herndon Avenue & SR 99
5. West Shaw Avenue & SR 99

The intersection of West Barstow and North Grantland Avenues is currently operating at LOS C in both the AM and PM peak hours, which is below the TIZ III standard at LOS D. The intersection of West Barstow and North Grantland Avenues is projected to continue to operate at LOS C in both the AM and PM peak hours with the addition of the project. The intersection of West Barstow Avenue & North Veterans Boulevard is currently operating at LOS A in both the AM and PM peak hours, which is below the TIZ III standard at LOS D. The intersection of West Barstow and North Grantland Avenues is projected to continue to operate at LOS A in both the AM and PM peak hours with the addition of the project. Therefore, these intersections are currently operating above the TIZ III LOS standard and will continue to operate above the standard with the addition of the proposed project. The intersection of West Keats Avenue and Veterans Boulevard is currently non-existent and is not expected to come online until 2035.

The analysis included in the TIS shows the following locations, by scenario and time period, are projected to operate at the City of Fresno TIZ III LOS D standard:

#### Near Term Plus Project:

- West Barstow Avenue at North Grantland Avenue
  - LOS D – AM peak hour
- West Barstow Avenue at North Veterans Boulevard
  - LOS A – AM peak hour
- West Keats Avenue at North Veterans Boulevard
  - Non-existent intersection (Comes online by Cumulative 2035)

#### Cumulative Year 2035 No Project:

- West Barstow Avenue at North Grantland Avenue
  - LOS C – AM peak hours
  - LOS D – PM peak hours
- West Barstow Avenue at North Veterans Boulevard
  - LOS E – AM and PM peak hours
- West Keats Avenue at North Veterans Boulevard
  - LOS B – AM & PM peak hours

#### Cumulative Year 2035 Plus Project:

- West Barstow Avenue at North Grantland Avenue
  - LOS C – AM peak hours
  - LOS B – PM peak hours
- West Barstow Avenue at North Veterans Boulevard
  - LOS E – AM and PM peak hours
- West Keats Avenue at North Veterans Boulevard
  - LOS C – AM peak hours
  - LOS B – PM peak hours

In summary, based on the analyses included in the TIS, all intersections would operate at an acceptable Level of Service (D or better) under Existing, Existing plus Project, Near-Term (2018), and Near-Term plus Project scenarios. Under Cumulative (2035) and Cumulative (2035) plus Project Conditions, Barstow and Veterans intersection is anticipated to operate at a level of service E for both AM and PM. The project is anticipated to add 4.1 seconds in delay to the PM peak hour at Barstow and Veterans intersection 2035.

The Public Works Department, Traffic Engineering Division has reviewed the potential traffic related impacts for the proposed project and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the standard city requirements for street improvements and subject to the project specific mitigation measures determined applicable by the City of Fresno Traffic Engineer. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Major and local street dedications; (3) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (4) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF) Fee. These requirements are outlined within the memorandum from the City Traffic Engineer dated August 11, 2016.

In addition, the proposed project shall install a traffic signal pole with a 150-watt safety and an oversize street sign to Public Works Standards at the southeast corner of Keats and Grantland Avenues.

Based upon the findings contained within the project TIS and the Fresno General Plan MEIR, with implementation of the Fresno General Plan goals, objectives and policies, including the project specific mitigation measures identified herein below impacts to roadways within TIZ III would be less than significant.

Therefore, the Public Works Department/Traffic Engineering Division has determined that, based upon the proposed traffic yield from and the expected traffic generation of the proposed project for the subject property, the proposed project will not adversely impact the existing and projected circulation system based upon implementation of the mitigation measures included within the MEIR and based upon compliance with the project specific mitigation measures referenced herein below.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system; no substantial increase in transportation or traffic is expected to result.

### Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the Transportation/Traffic related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.

2. The proposed project shall implement and incorporate the Transportation/Traffic related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated November 26, 2018.

<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>
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
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 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.

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 Assembly Bill 52 (AB 52), the Table Mountain Rancheria Tribe and the Dumna Wo Wah were invited to consult under AB 52. Under invitations to consult both under SB 18 and AB 52, no tribes elected to consult on the proposed project. Assembly Bill 52 (AB 52), which became law January 1, 2015, requires that, as part of the CEQA review process, public agencies provide early notice of a project to California Native American Tribes to allow for consultation between the tribe and the public agency. The purpose of AB 52 is to provide the opportunity for public agencies and tribes to consult and consider potential impacts to Tribal Cultural Resources (TCR's), as defined by the Public Resources Code (PRC) Section 2107(a). Under AB 52, public agencies shall reach out to California Native American Tribes who have requested to be notified of projects in areas within or which may have been affiliated with their tribal geographic range.

Additionally, the City of Fresno Development and Resource Management Department extended an invitation to consult on the CEQA review for the proposed project to the Dumna Wo Wah Tribal Government and the Table Mountain Rancheria Tribe, respectively. Both tribes declined consultation under AB 52. As described under the Aesthetics section, the site is within an area which is planned for urban residential and commercial uses and which is undergoing growth in development. Immediate properties to the north have been developed with a combination of rural residential and conventional single family residential subdivision. Properties to the east, south, and southwest are characterized by agricultural and vacant agricultural uses. Properties

further to the north, east, and west have predominantly been developed with single family residential neighborhoods. The site itself is currently fallow agricultural land and 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 all tribes, to which invitations for consultation were extended, declined AB 52 consultation 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.

<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>
XVIII. UTILITIES AND SERVICE SYSTEMS -- 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		

<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>
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

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 extension of services in a manner which is compliant with the Department of Public Utilities standards, specifications, and policies; and, compliance with the conditions listed in their memorandums dated August 21, 2018 and August 22, 2018.

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 Solid Waste Division and will have water and sewer facilities available subject to the conditions stipulated for the proposed project.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Impacts to storm drainage facilities have been previously discussed under the Water and Hydrology and Public Service sections 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 Fresno Metropolitan Flood Control District, in a memo dated October 24, 2018, indicated that permanent drainage service will not be available for the area east of Veterans Boulevard (portion of Outlot C for future development). Therefore, temporary facilities be required until permanent drainage service is available. Furthermore, conditions of approval for the project will require the developer to construct Master Plan Facilities as shown on Exhibit No. 1 of the FMFCD memo.

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

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the utilities and service system impact related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated November 26, 2018.
2. The proposed project shall implement and incorporate the utilities and service system related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated November 26, 2018.

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

<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 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.

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.

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.

**EXHIBIT C**

**City of Fresno General Plan and Development Code Update Mitigation and Monitoring Reporting Program (MMRP) for Environmental Assessment No.**

**C-15-165/TPM-2015-09**

**Conducted for Conditional Use Permit Application No. C-15-165 and Vesting Tentative Parcel Map No. 2015-09 dated November 26, 2018**

**PURSUANT TO CERTIFIED MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) 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).

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

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:

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Section 5.1 - Aesthetics:**

<p><b>MM AES-1.</b> 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.</p> <p><b>Verification comments:</b> Review of specific lighting systems and locations to occur with special permit application/entitlement review prior to development on any</p>	<p>Prior to issuance of building permits</p>	<p>Public Works Department (PW) and Development &amp; Resource Management Dept. (DARM)</p>	<p><b>X</b></p>					
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
lot created from recordation of a tract map for any portion of the subject property.								

**Aesthetics** (continued):

<p><b>MM AES-2:</b> 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.</p> <p><b>Verification comments: Review of specific lighting systems and locations for any future proposed public facilities to occur with special permit application/entitlement review prior to development on any parcel created from recordation of a Parcel Map for any portion of the subject property.</b></p>	Prior to issuance of building permits	DARM.	X					
<p><b>MM AES-3:</b> 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.</p>	Prior to issuance of building permits	DARM						X
<p><b>MM AES-4:</b> Lighting systems for freestanding signs shall not</p>	Prior to issuance	DARM	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
<p>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.</p> <p><b>Verification comments: Review of specific lighting systems and locations to occur with sign review applications prior to issuance of signage permits for any portion of the subject property.</b></p>	of building permits							

**Aesthetics (continued):**

<p><b>MM AES-5:</b> Materials used on building facades shall be non-reflective.</p> <p><b>Verification comments: Review of specific building elevations and locations to occur with special permit application/entitlement review prior to development on any portion of the subject property.</b></p>	Prior to development project approval	DARM	X					

**Section 5.3 - Air Quality:**

<p><b>MM AIR-1:</b> 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</p>	Analysis to be completed prior to-development project approval;	DARM	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
<p>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:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less.</li> </ul>	posting of signs to be completed prior to use of truck unloading/loading areas							

**Air Quality (continued):**

<p><b>MM AIR-2:</b> 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:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less</li> <li>• Construct block walls to reduce the flow of emissions toward</li> </ul>	Control measures to be incorporated into project design prior to development project approval	DARM						<b>X</b>
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**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
sensitive receptors <ul style="list-style-type: none"> <li>• Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions</li> <li>• 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.</li> <li>• Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>								

**Air Quality** *(continued):*

<b>MM AIR-2</b> <i>(continued from previous page):</i> <ul style="list-style-type: none"> <li>• 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</li> <li>• Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved.</li> </ul>	<i>[see previous page]</i>	<i>[see previous page]</i>						
<b>MM AIR-3:</b> Require developers proposing projects on ARB's	Prior to	DARM				<b>X</b>		<b>X</b>

**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
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 or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD).	development project approval							

**Air Quality** (continued):

<p><b>MM AIR-4:</b> 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 regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD).</p>	Prior to development project approval	DARM				X		X
<p><b>MM AIR-5:</b> 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.</p>	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
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**Biological Resources:**

<p><b>MM BIO-1:</b> Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.</p>	<p>Prior to development project approval and during the construction phase of the project</p>	<p>DARM</p>	<p>X</p>					
<p><b>MM BIO-2:</b> 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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>					

**Biological Resources (continued):**

**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
<p><b>MM BIO-2</b> (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.</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p><b>MM BIO-3:</b> 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)</p>	<p>Prior to development project approval</p>	<p>DARM</p>						X

**Biological Resources** (continued):

**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
<p><b>MM BIO-3</b> (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.</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p><b>MM BIO-4:</b> 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  <i>(continued on next page)</i></p>	<p>Prior to development project approval and during construction activities</p>	<p>DARM</p>	X					

**Biological Resources** (continued):

**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
<p><b>BIO-4</b> (continued from previous page): may continue in the vicinity of the nest only at the discretion of the biological monitor.</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p><b>MM BIO-5:</b> 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 and/or USFWS) on a case-by-case basis.</p>	<p>Prior to development project approval</p>	<p>DARM</p>						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
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**Biological Resources** *(continued)*:

<p><b>MM BIO-6:</b> 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 consultation with the U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB), determination of mitigation strategy, and regulatory permitting to reduce impacts, shall be implemented as required for projects that remove riparian habitat and/or alter a streambed or waterway.</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
<p><b>MM BIO-7:</b> 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.</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>

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**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
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**Biological Resources** *(continued)*:

<p><b>MM BIO-8:</b> 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. .</p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
<p><b>MM BIO-9:</b> 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 <i>(continued on next page)</i></p>	<p>Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy</p>	<p>DARM</p>						<p>X</p>

**A** - Incorporated into Project  
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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
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**Biological Resources** *(continued):*

<p><b>MM BIO-9</b> <i>(continued from previous page):</i>                  incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Section 5.5 - Cultural Resources:**

<p><b>MM CUL-1:</b> 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.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>					
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**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
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**Cultural Resources** *(continued):*

<p><b>MM CUL-1</b> <i>(continued from previous page)</i></p> <p>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.</p> <p>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-term preservation to allow future scientific study.</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>MM CUL-2:</b> 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.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>					

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

**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
<p><b>MM CUL-2</b> <i>(continued from previous page)</i></p> <p>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.</p> <p>If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources (continued):

<p><b>MM CUL-2</b> (further continued from previous two pages)</p> <p>providing long-term preservation to allow future scientific study.</p> <p>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.</p> <p>In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						
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Cultural Resources (continued):

**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

**E** - Part of City-Wide Program  
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>MM CUL-2</b> (further continued from previous three pages) identified above for the discovery of unknown resources shall be followed. .</p> <p><b>Verification comments:</b></p>	[see Page 14]	[see Page 14]						
<p><b>MM CUL-3:</b> 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:</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	Prior to commencement of, and during, construction activities	DARM	X					

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

<p><b>MM CUL-3</b> <i>(continued from previous page)</i></p> <p>measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**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
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**Cultural Resources** *(continued):*

<p><b>MM CUL-3</b> <i>(further continued from previous two pages)</i></p> <p>excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p>	<p><i>[see Page 16]</i></p>	<p><i>[see Page 16]</i></p>						
<p><b>MM CUL-4:</b> In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	X					

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**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Cultural Resources** *(continued):*

<p><b>MM CUL-4</b> <i>(continued from previous page)</i></p> <p>likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.</p> <p>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.</p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**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
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**Section 5.8 - Hazards and Hazardous Materials**

<p><b>MM HAZ-1:</b> Re-designate the existing vacant land proposed for low density residential use, located northwest of the intersection of East Garland Avenue and North Dearing Avenue and within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space.</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p><b>MM HAZ-2:</b> Limit the proposed low density residential at (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.</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p><b>MM HAZ-3:</b> Re-designate the current area located within Fresno Yosemite International Airport Zone 5-Sideline northeast of the airport to Public Facilities-Airport or Open Space.</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>

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**B** - Mitigated

**C** - Mitigation in Process  
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**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Hazards and Hazardous Materials** *(continued)*:

<p><b>MM HAZ-4:</b> Re-designate the current vacant lots located at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space.</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p><b>MM HAZ-5:</b> Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection.</p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p><b>MM HAZ-6:</b> Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked.</p>	<p>Prior to redevelopment of the current Emergency Operations Center</p>	<p>Fresno Fire Department and Mayor/ City Manager's Office</p>					<p>X</p>	<p>X</p>

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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
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**Section 5.9 - Hydrology and Water Quality:**

<p><b>MM HYD-1:</b> The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day.</p> <p><b>Verification comments:</b></p>	<p>Prior to water demand exceeding water supply</p>	<p>Department of Public Utilities (DPU)</p>			X	X	X	
<p><b>MM HYD-2:</b> The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP.</p> <p><b>Verification comments:</b></p>	<p>Ongoing</p>	<p>DPU</p>			X	X	X	
<p><b>MM HYD-5.1:</b> 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.</p> <ul style="list-style-type: none"> <li>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.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceedance of capacity of existing stormwater drainage facilities</p>	<p>Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW</p>			X	X		

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**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Hydrology and Water Quality** *(continued)*:

<p><b>HYD-5.1</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <p>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.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**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
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**Hydrology and Water Quality** *(continued)*:

<p><b>MM HYD-5.2:</b> 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:</p> <p>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:</p> <ul style="list-style-type: none"> <li>• Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, DARM, and PW</p>			X	X		
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**A** - Incorporated into Project  
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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
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**Hydrology and Water Quality** *(continued)*:

<p><b>MM HYD-5.3:</b> 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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedances of capacity of existing urban detention basin (stormwater quality) facilities</p>	<p>FMFCD, DARM, and PW</p>	<p>X</p>		<p>X</p>	<p>X</p>		
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**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
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**Hydrology and Water Quality** *(continued)*:

<p><b>MM HYD-5.4:</b> 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.</p> <ul style="list-style-type: none"> <li>• Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing pump disposal systems</p>	<p>FMFCD, DARM, and PW</p>	<p>X</p>		<p>X</p>	<p>X</p>		
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**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
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**Hydrology and Water Quality** *(continued)*:

<p><b>MM HYD-5.5:</b> 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.</p> <p><b>Verification comments:</b></p>	<p>Prior to development approvals in the Southeast Development Area</p>	<p>FMFCD, DARM, and PW</p>				X	X	
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**Section 5.13 - Public Services:**

<p><b>MM PS-1:</b> 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:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks on the fire department sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation and a “keep clear zone” during emergency responses.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the fire department sites.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future fire department facilities</p>	<p>DARM</p>				X		X
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**A** - Incorporated into Project  
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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
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**Public Services** *(continued)*:

<p><b>MM PS-2:</b> 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:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks on the police department sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the Police Department sites.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future Police Department facilities</p>	<p>DARM</p>						<p>X</p>
<p><b>MM PS-3:</b> 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:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During the planning process for future school facilities</p>	<p>DARM, local school districts, and the Division of the State Architect</p>			<p>X</p>			<p>X</p>

**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
<b>Public Services (continued):</b>								
<p><b>MM PS-3</b> (continued from previous page)</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks placed on school sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures for stadium lights.</li> </ul> <p><b>Verification comments:</b></p>	[see previous page]	[see previous page]						
<p><b>MM PS-4:</b> As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from parks and recreational facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from these facilities includes:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks placed on school sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights.</li> </ul> <p><b>Verification comments:</b></p>	During the planning process for future park and recreation facilities	DARM	X			X		

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**B** - Mitigated

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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
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**Public Services** (continued):

<p><b>MM PS-5:</b> As future court, library, detention, and hospital facilities are planned, the appropriate agencies and DARM, when the City has jurisdiction, shall evaluate if specific environmental effects would occur. Typical impacts from court, library, detention, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce these potential impacts includes:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks placed on school sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future detention, court, library, and hospital facilities</p>	<p>DARM, to the extent that agencies approving/constructing these facilities are subject to City of Fresno regulation</p>						X
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**Section 5.15 - Utilities and Service Systems**

<p><b>MM USS-1:</b> The City shall develop and implement a wastewater master plan update.</p> <p><b>Verification comments:</b></p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>				X	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
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**Utilities and Service Systems** *(continued)*:

<p><b>MM USS-2:</b> 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:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>			X	X	X	
<p><b>MM USS-3:</b> 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.</p> <p><i>(continued on next page)</i></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>			X	X		

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>MM USS-3</b> <i>(continued from previous page)</i>:                      After approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>MM USS-4:</b> Prior to construction, 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 hours of construction and for deliveries, haul routes, access and parking restrictions, pavement markings and signage; and it shall include the</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to construction of water and sewer facilities</p>	<p>PW for work in the City; PW and Fresno County Public Works when unincorporated area roadways are involved</p>	X					

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** (continued):

<p><b>MM USS-4</b> (continued from previous page): notification plan, and coordination with emergency service providers and schools.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>MM USS-5:</b> 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.</p> <ul style="list-style-type: none"> <li>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.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing wastewater collection system facilities</p>	<p>DPU</p>				X	X	

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**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>MM USS-5</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**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
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**Utilities and Service Systems** *(continued)*:

<p><b>MM USS-5</b> <i>(further continued from previous two pages)</i>: to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. <b>Verification comments:</b></p>	[see Page 34]	[see Page 34]						
<p><b>MM USS-6</b>: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in MEIR 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. <b>Verification comments:</b></p>	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	X	
<p><b>MM USS-7</b>: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that would demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.  <i>(continued on next page)</i></p>	Prior to exceeding existing water supply capacity	DPU			X	X	X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>USS-7</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**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
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**Utilities and Service Systems** *(continued)*:

<p><b>MM USS-8:</b> 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.</p> <ul style="list-style-type: none"> <li>• Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>			X	X	X	
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>MM USS-8</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>MM USS-9:</b> 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.</p> <ul style="list-style-type: none"> <li>• Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.</li> <li>• Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.</li> </ul> <p>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.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>			X	X	X	
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**Utilities and Service Systems - Hydrology and Water Quality**

<p><b>USS-10:</b> 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.</p> <p><b>Verification comments:</b></p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</p>				X	X	

**Utilities and Service Systems - Biological Resources:**

<p><b>USS-11:</b> When FMFCD proposes to provide drainage service outside of urbanized areas:</p> <p>(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.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development approvals outside of highly urbanized areas</p>	<p>California Regional Water Quality Control Board (RWQCB), and USACE</p>				X		X

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**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-11</b> <i>(continued from previous page):</i></p> <p>(b) Where proposed activities could have an impact on areas verified by the USACE 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 CDFW, Section 404 and 401 permits would be obtained from the USACE and RWQCB 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.</p> <p>(c) Where proposed activities could have an impact on areas verified by the USACE 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 USACE. 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:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-11</b> <i>(further continued from previous two pages)</i></p> <ul style="list-style-type: none"> <li>i. Specific location, size, and existing hydrology and soils within the wetland creation area.</li> <li>ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.</li> <li>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.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see Page 41]</i></p>	<p><i>[see Page 41]</i></p>						
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**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-11</b> <i>(further continued from previous three pages)</i></p> <p>(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.</p> <p>Or</p> <p>(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.</p> <p><b>Verification comments:</b></p>	<p><i>[see Page 41]</i></p>	<p><i>[see Page 41]</i></p>						
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**A** - Incorporated into Project  
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**C** - Mitigation in Process  
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**E** - Part of City-Wide Program  
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-12:</b> When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(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 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 CDFW/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFW and/or implement a Section 7 consultation with USFWS, shall</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During FMFCD facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>California Department of Fish &amp; Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)</p>						X
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**A** - Incorporated into Project  
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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
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-12</b> <i>(continued from previous page)</i></p> <p>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:</p> <ul style="list-style-type: none"> <li>• The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).</li> <li>• The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.</li> <li>• The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population.</li> </ul> <p>(c) Prior to design approval, and in consultation with the CDFW 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.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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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
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-12</b> <i>(further continued from previous two pages)</i></p> <ul style="list-style-type: none"> <li>The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population.</li> </ul> <p>(c) Prior to design approval, and in consultation with the CDFW 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.</p> <p><b>Verification comments:</b></p>	<p><i>[see Page 45]</i></p>	<p><i>[see Page 45]</i></p>						
<p><b>MM USS-13:</b> When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(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.</p> <p><i>(continued on next page)</i></p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>CDFW and USFWS</p>						X

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

<p><b>MM USS-13</b> <i>(continued from previous page)</i></p> <p>(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.</p> <p>(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.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-14:</b> When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:</p> <p>(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.</p> <p>(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.</p> <p>(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.</p> <p><b>Verification comments:</b></p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>						<p>X</p>
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-15:</b> Prior to ground disturbing activities during nesting season (March through July) for a FMFCD drainage facility 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.</p> <p><b>Verification comments:</b></p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X
<p><b>MM USS-16:</b> When FMFCD proposes to construct drainage facilities in an area that supports burrowing owl nesting habitat:</p> <p>(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (e.g., 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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to, and during, the breeding season (approximately February 1 through August 31) of the same calendar year that construction is planned to begin</p>	<p>CDFW and USFWS</p>						X

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

<p><b>MM USS-16</b> <i>(continued from previous page)</i></p> <p>above survey shall be valid only for the season when it is conducted</p> <p>(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.</p> <p>Based on approval by CDFW, 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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>MM USS-16</b> <i>(further continued from previous two pages)</i></p> <p>burrows according to current CDFW protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby).</p> <p><b>Verification comments:</b></p>	<p>[see Page 49]</p>	<p>[see Page 49]</p>						
<p><b>MM USS-17:</b> When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor:</p> <p>(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.</p> <p>(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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During instream activities conducted between October 15 and April 15</p>	<p>National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)</p>						X

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

<p><b>MM USS-17</b> (continued from previous page)</p> <p>FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Recreation / Trails:**

<p><b>MM USS-18:</b> When FMFCD updates its District Service Plan:</p> <p>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:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to final design approval of all elements of the FMFCD District Service Plan</p>	<p>DARM, PW, City of Clovis, and County of Fresno</p>				X		X
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**Utilities and Service Systems – Recreation / Trails (continued):**

<p><b>MM USS-18</b> (continued from previous page)</p> <p>(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.</p> <p>(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.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Air Quality:**

<p><b>MM USS-19:</b> When District drainage facilities are constructed, FMFCD shall:</p> <p>(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.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>	X			X		
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**Utilities and Service Systems – Air Quality (continued):**

<p><b>MM USS-19</b> (continued from previous page)</p> <p>(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.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by the California Air Resources Board), or be re-powered with an engine that meets this standard.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:**

<p><b>MM USS-20:</b> 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.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and DARM</p>	<p>X</p>			<p>X</p>		

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**Utilities and Service Systems – Adequacy of Water Supply Capacity:**

<p><b>USS-21:</b> Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demands 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.</p> <p>Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU and DARM</p>			X	X	X	

**Utilities and Service Systems – Adequacy of Landfill Capacity:**

<p><b>USS-22:</b> 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.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>				X	X	

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 F - Not Applicable

**EXHIBIT D-CITY OF FRESNO  
MITIGATED NEGATIVE DECLARATION  
PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST  
ENVIRONMENTAL ASSESSMENT NO. C-15-165/TPM-2015-09**

**Project/EA No. C-15-165/TPM-2015-09**

**Date: November 26, 2018**

	Mitigation Measure	Implemented By	When Implemented	Verified By
<i>VIII – Hazards and Hazardous Material</i>	VIII.1 A Phase I Environmental Site Assessment (ES) will be required to be conducted prior to grading or construction occurring in association with the proposed project. If areas of concern are found during the Phase I, and there is suspect of possible subsurface contamination, a Phase II ESA may be required based upon the recommendations of the Phase I report. Should contamination be found to exist, then a Health Risk Assessment (HRA) or remediation will be required in accordance with recommendations of the ESA, HRA, and/or applicable California Department of Toxic Substances Control and/or County Health requirements.	Applicant	Prior to issuance of grading and/or building permits.	
<i>IX – Hydrology and Water Quality</i>  <i>XIV- Public Services</i>  <i>XVII- Utilities and Service Systems</i>	<p>IX.1 The cost of the Fresno Metropolitan Flood Control District (FMFCD) Master Plan facilities are to be paid for through the collection of drainage fees to the FMFCD in accordance with the Notice of Requirements from the Fresno Metropolitan Flood Control District dated October 24, 2018.</p> <p>IX.2 The District has indicated that permanent drainage facilities are not currently available to serve the proposed project and has required construction of temporary ponding facilities to collect and store surface runoff until permanent service is available. This project can be accommodated by the district provided the developer comply with FMFCD requirements as detailed in its memorandum dated October 24, 2018, which includes compliance with the District's Flood Plain Policy and the City of Fresno Floodplain Management Ordinance.</p> <ul style="list-style-type: none"> <li>➤ Development of the site must not interfere with the ability to operate and maintain the existing Epstein Canal/proposed pipeline along North La Paz Avenue and the existing capacity must be preserved.</li> <li>➤ The developer shall construct Master Plan Facilities in West Barstow Avenue from North La Paz Avenue to West Keats Avenue.</li> </ul>	Applicant	Prior to issuance of grading and/or building permits.	Fresno Metropolitan Flood Control District & City of Fresno Development and Resource Management Department

**EXHIBIT D-CITY OF FRESNO  
MITIGATED NEGATIVE DECLARATION  
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ENVIRONMENTAL ASSESSMENT NO. C-15-165/TPM-2015-09**

**Project/EA No. C-15-165/TPM-2015-09**

**Date: November 26, 2018**

	Mitigation Measure	Implemented By	When Implemented	Verified By
	<ul style="list-style-type: none"> <li>➤ Construction of future Master Plan Facilities in Barstow Avenue from North La Paz Avenue to Veterans Boulevard, as shown on Exhibit No. 1 of the FMFCD memorandum dated October 24, 2018, shall be deferred until street improvements for this section are required.</li> <li>➤ The developer shall construct temporary facilities for the area east of Veterans Boulevard (portion of Outlot C for future development), as shown on Exhibit No. 1 of the FMFCD memorandum dated October 24, 2018, until permanent drainage service is available.</li> <li>➤ Outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.</li> </ul>			
<i>XVI- Transportation / Traffic</i>	<p>XVI.1 A minimum of two points of vehicular access to the major streets shall be included for any phase of development.</p> <p>XVI.2 The proposed project shall pay the Traffic Signal Mitigation Impact (TSMI) Fee, per the Master Fee Schedule, at the time of building permit.</p> <p>XVI.3 The proposed project shall pay the Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit.</p> <p>XVI.4 The proposed project shall pay the Regional Transportation Mitigation Fee (RTMF) to the Joint Powers Agency. Provide proof of payment prior to issuance of building permits.</p> <p>XVI.5 The proposed project shall make necessary improvements and right-of-way and public easement dedication along adjacent public</p>	Applicant	Prior to issuance of building permit for any phase of development.	City of Fresno, Department of Public Works, Traffic & Engineering Services Division

**EXHIBIT D-CITY OF FRESNO  
 MITIGATED NEGATIVE DECLARATION  
 PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST  
 ENVIRONMENTAL ASSESSMENT NO. C-15-165/TPM-2015-09**

**Project/EA No. C-15-165/TPM-2015-09**

**Date: November 26, 2018**

	Mitigation Measure	Implemented By	When Implemented	Verified By
	<p>street(s) and within the site boundaries per City of Fresno standards/requirements.</p> <p>➤ Future phased development of the proposed project will be required to dedicate and construct improvements along all major street frontages and on any future proposed interior local streets within respective phases in accordance with City of Fresno standards, specifications and requirements.</p> <p>XVI6. The proposed project shall install a traffic signal pole with a 150-watt safety and an oversize street sign to Public Works Standards at the southeast corner of Keats and Grantland Avenues.</p>			