

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH NO. 2024030739 AS RELATED TO THE AIRPORT AIR TRAFFIC CONTROL TOWER REPLACEMENT AT FRESNO YOSEMITE INTERNATIONAL AIRPORT; ADOPTING FINDINGS OF FACT AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(A) AND CEQA GUIDELINES SECTION 15091, APPROVING A MITIGATION MONITORING PROGRAM AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081.6 AND CEQA GUIDELINES SECTION 15097, ADOPTING THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(B) AND CEQA GUIDELINES SECTION 15093.

WHEREAS, on August 29, 2024 the Council of the city of Fresno adopted Resolution 24-1008 authorizing the Director of Aviation or other authorized representative to apply to the Federal Aviation Administration (FAA) for Airport Improvement Program (AIP) grants for federal fiscal years 2025 and 2026 for Fresno Yosemite International Airport (FAT) and accept FAA AIP grant(s) for FY 2025 and FY 2026 projects; and

The U.S. Department of Transportation (DOT) Federal Aviation Administration (FAA) issued a Notice of Funding Opportunity (NOFO) for the Fiscal Year (FY) 2026 Airport Terminal Program (ATP); and

WHEREAS, the United States of America, acting through the Department of Transportation, Federal Aviation Administration (FAA) is offering a Grant Agreement(s) to Airport Sponsors (City) for the following:

TO SUPPORT AIRPORT DEVELOPMENT PROJECTS THAT UPGRADE, MODERNIZE, AND REBUILD AGING AIRPORT TERMINALS AND AIRPORT-OWNED AIRPORT TRAFFIC CONTROL TOWERS (ATCTs); and

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. _____

WHEREAS, the City of Fresno seeks to replace its Air Traffic Control Tower, built in 1962; and

WHEREAS, the City of Fresno has made significant efforts in advancing the planning and environmental phases of the Air Traffic Control Tower Replacement Project; and

WHEREAS, The City, as the lead agency under the CEQA, determined an EIR was required for the proposed project; and

WHEREAS, upon the City's determination that an EIR was required for this project, an NOP was made available on March 22, 2024, to the general public and responsible trustee agencies to solicit input on issues of concern that should be addressed in the EIR; and

WHEREAS, on September 10, 2024, the City issued a Notice of Completion pursuant to Public Resources Code Section 21161 and CEQA Guidelines Section 15085; and,

WHEREAS, on September 10, 2024, a public Notice of Availability of the Draft EIR was posted in the office of the Fresno County Clerk pursuant to Section 15087(d) of the CEQA Guidelines; and

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

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

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

WHEREAS, on December 18, 2025, the City Council conducted a public hearing and considered the record of proceedings for the EIR, which includes, but is not limited to the following:

- (1) The Notice of Preparation for the Project (the “NOP”), and all other public notices issued by the City in connection with the Project;
- (2) The Final EIR dated November 2025;
- (3) The Draft EIR dated September 2025;
- (4) All written comments submitted by agencies or members of the public during any public review comment period on the Recirculated Draft EIR.
- (5) All written and verbal public testimony presented during a public hearing for the Project (consistent with City Council policy) at which such testimony was taken, including without limitation, the Report to Council, including all attachments, any all presentations by City staff, the City’s consultants, the public, and any other interested party; and
- (6) The Mitigation Monitoring and Reporting Program for the Project (MMRP) included as Appendix F of the Final EIR;
- (7) The reports, studies and technical memoranda included and/or referenced in the Draft EIR and the Final EIR and/or their appendices;
- (8) All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and the Final EIR;
- (9) All Resolutions presented to and/or adopted by the City in connection with the Project; and all documents incorporated by reference therein.
- (10) Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies and the professional qualifications of its staff members;

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

(12) Any other relevant materials required to be the record of proceedings under Section 21167 .6(e) of the Public Resources Code; and

WHEREAS, the City Council concluded the public comment portion of the hearing on December 18, 2025, deliberated the matter on the same day; and

WHEREAS, on December 18, 2025, the City Council considered and discussed the adequacy of the proposed Final EIR as an informational document and applied its own independent judgement and analysis to the review and hereby desires to take action to certify the Final EIR, as having been completed in compliance with CEQA, based on the findings found herein; and

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

SECTION 15090. CERTIFICATION OF THE FINAL EIR

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

- (1) The Final EIR has been completed in compliance with CEQA;
- (2) The Final EIR was presented to the decision making body of the lead agency and that the decision making body reviewed and considered the information contained in the Final EIR prior to approving the project; and
- (3) The Final EIR reflects the lead agency's independent judgement and analysis

SECTION 15091. FINDINGS

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant

effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible the mitigation measures or project alternatives identified in the Final EIR.

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

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

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

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

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

SECTION 15092. APPROVAL

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

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

- (1) The project as approved will not have a significant effect on the environment, or
- (2) The agency has:
 - (A). Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and
 - (B). Determined that any remaining significant effects on the environment found to be unavoidable as shown in findings under Section 15091 are acceptable due to the overriding concerns as described in Section 15093.

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

SECTION 15093. STATEMENT OF OVERRIDING CONSIDERATIONS

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

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

- (1). Recitals. The foregoing recitals are true and correct and incorporated herein by reference.
- (2). Findings. Council finds based upon the substantial evidence in the record of proceedings, and its independent judgement and analysis that:
 - (a). Compliance with CEQA. The Final EIR, dated September 2025, in Attachment 1: Final EIR to this Resolution which is

attached hereto and incorporated herein by this reference, includes Draft EIR SCH No. 2024030739 dated September 2025 and all related appendices, the Response to Comments, the Revisions, the Mitigation Monitoring and Reporting Program (MMRP) as Appendix F to the Final EIR document, and all related appendices, in compliance with the requirements of the California Environmental Quality Act (CEQA).

- (b). Ratifications of Findings and Analysis in the Final EIR. In making the findings in this Resolution, the City ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions in the Final EIR relating to environmental impacts and mitigation measures.
- (c). Findings Regarding Significant Effects that Can be Mitigated to Less Than Significant. Council adopts the statements and findings in Attachment 2: Findings of Fact and Statement of Overriding Considerations to this Resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that can be mitigated to a less than significant level through the imposition of mitigation measures. All mitigation measures in the MMRP are feasible. To the extent that many of the mitigation measures are within the responsibility and jurisdiction of another public agency and of the City, those mitigation measures can and will be adopted and imposed by the other agency based on state and/or federal law, communications by those agencies, and/or existing policies and/or intergovernmental relationships with those agencies
- (d). Findings Regarding Unavoidable Significant Impacts. Council adopts the statements and findings in Attachment 2: Findings

of Fact and Statement of Overriding Considerations (Section III) to this Resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that cannot be mitigated to a less than significant level through the imposition of mitigation measures. These significant effects are identified in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section 3).

Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR for the significant impacts identified in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section) including considerations based upon the findings in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section VII) to this Resolution, and the findings in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section VI) regarding the proposed alternatives. Therefore, those impacts are found to be significant and unavoidable.

- (e). Finding Regarding Insignificant Impacts. Any and all potential significant impacts discussed in the Final EIR that are not subject to paragraph 2(c) or 2(d) above, as either an avoidable significant impact, or as an unavoidable significant impact, are insignificant impacts to the environment.
- (f). Alternatives. The City Council adopts the Statement of Findings on Project Alternatives in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section VI) to this Resolution, which is attached hereto and incorporated herein by this reference.

- (3). Final EIR Reviewed and Considered. The Council certifies that the Final EIR:
- (a). Has been completed in compliance with CEQA;
 - (b). Was presented to the Council and that the Council has reviewed and considered the information contained in the Final EIR prior to approval of the Project and all other information contained therein has substantially influenced all aspects of the decision by the Council; and
 - (c). Reflects Council's independent judgement and analysis.
- (4). Statement of Overriding Considerations. The council adopts the Statement of Overriding Considerations in Attachment 2: Findings of Fact and Statement of Overriding Considerations which is attached hereto and incorporated herein by this reference. Council finds that each of the Significant and Unavoidable Impacts identified in Attachment 2: Findings of Fact and Statement of Overriding Considerations (Section III) may be considered acceptable.
- (5). Mitigation Monitoring. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, the Mitigation Monitoring and Reporting Program (MMRP) set forth in Appendix F of the Final EIR Document, attached as Attachment 1: Final EIR to this Resolution, which sets forth specific monitoring actions, timing requirements and monitoring/verification entities for each mitigation measure contained in the Final EIR and which is attached hereto and incorporated herein by this reference, is hereby adopted to ensure that all mitigation measures adopted for the Air Traffic Control Tower Replacement Project.

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

Development Department and the Planning Director shall be the custodian of the documents.

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

* * * * *

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

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

AYES :
NOES :
ABSENT :
ABSTAIN :

AMY K. ALLER
Interim City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kristi M. Costa Date
Supervising Deputy City Attorney

Attachments:

- Attachment 1: Final EIR
- Attachment 2: Findings of Fact and Statement of Overriding Considerations

Appendix E
Notice of Availability and Response to Comments

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NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE AIRPORT TRAFFIC CONTROL TOWER REPLACEMENT AT FRESNO YOSEMITE INTERNATIONAL AIRPORT

Date: September 10, 2025

To: State Clearinghouse, Responsible Agencies, Interested Parties and Organizations

Subject: Notice of Availability of a Draft Environmental Impact Report for the Airport Traffic Control Tower Replacement at Fresno Yosemite International Airport (FAT)

Lead Agency: City of Fresno
Airports Department
4995 East Clinton Way
Fresno, CA 93727
(559) 621-4500
AirportEnvironmental@fresno.gov

Contact: Francisco Partida
Interim Director of Aviation
City of Fresno – Airports Department
4995 East Clinton Way
Fresno, CA 93727
(559) 621-4500
Francisco.Partida@fresno.gov

Comment Period: September 10, 2025 to October 27, 2025

Notice is Hereby Given that the City of Fresno (City) is the Lead Agency on the below-described proposed replacement of the existing Airport Traffic Control Tower (ATCT) facility and associated infrastructure (Proposed Project) at the Fresno Yosemite International Airport (FAT or Airport), and has completed a Draft Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA).

Project Title: Airport Traffic Control Tower Replacement at Fresno Yosemite International Airport (State Clearinghouse No. 2024030739).

Project Location: The Airport is owned and operated by the City under the Airports Department within the City's administration. The Proposed Project is located on Airport property at 5055 East Andersen Avenue, Fresno, CA 93727. The Airport encompasses about 1,728 acres within the city of Fresno, approximately five miles northeast of downtown Fresno and adjacent to the city of Clovis. The existing ATCT is located on a 2.25-acre site northwest of the passenger terminal and adjacent to the Aircraft Rescue and Fire Fighting (ARFF) building. Site coordinates are 36° 46' 24.34" N and 119° 43' 19.00" W. The Assessor's Parcel Number (APN) is 494-071-78.

Project Description: The Proposed Project is the replacement and relocation of the existing ATCT facility and associated infrastructure at the Airport. The Proposed Project includes the following components:

- Construction of a new ATCT facility and demolition of the existing ATCT facility once the new ATCT facility is fully operational.
- Installation of new equipment in the new ATCT and utility services to the new ATCT facility.
- Reconstruction of the existing employee parking and installation of security fencing around the new ATCT facility and accompanying employee parking lot.

Significant and Unavoidable Impacts: The Draft EIR identifies significant and unavoidable impacts related to Historical Resources

Impacts Reduced to Less Than Significant with Mitigation

- Archaeological and Tribal Cultural Resources
- Paleontological Resources
- Hazards and Hazardous Materials

Mitigation measures identified in the Draft EIR would reduce potentially significant effects to less-than-significant levels in all areas except for Historical Resources. The project site is not contaminated and is not identified as a cleanup site as defined by Government Code Section 65962.5.

Public Review Period: The City of Fresno will receive public comments on the Draft EIR from September 10, 2025 to October 27, 2025. All documents related to this project are available for public review during normal business hours (Monday – Friday, 8:00 am – 5:00 pm) by appointment only, at the Planning and Development Department at 2600 Fresno Street, Room 3043, Fresno, CA 93721, and at Fresno Yosemite International Airport Administrative Office at 4995 East Clinton Way, Fresno, California 93727. Documents related to this project can also be accessed electronically on the Airport's website: <https://flyfresno.com/statistics/> and the City's Planning and Development website: <https://www.fresno.gov/planning/plans-projects-under-review/#airport-tower-relocation-project>.

Written comments concerning the Draft EIR must be received **no later than 5 pm (PDT) on October 27, 2025**, and should be submitted by email: AirportEnvironmental@fresno.gov or U.S. mail:

Fresno Yosemite International Airport
ATTN: Francisco Partida
Address: 4995 East Clinton Way
Fresno, California 93727

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
45550	18273	Legal Ad - IPL0247639	250622_FAT_ATCT REPLACE-MENT	2.0	194.0L

ATTENTION: CITY OF FRESNO PLANNING & DEV IP
2600 FRESNO STREET ROOM 3065
FRESNO, CA 93721
Gabriela.Fernandez@fresno.gov

COUNTY OF FRESNO
STATE OF CALIFORNIA

The undersigned states:
McClatchy Newspapers in and on all dates herein stated was a corporation, and the owner and publisher of The Fresno Bee.
The Fresno Bee is a daily e-Edition and printed newspaper of general circulation now published, and on all-the-dates herein stated was published in the City of Fresno, County of Fresno, and has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of November 28, 1994, Action No. 520058-9.
The undersigned is and on all dates herein mentioned was a citizen of the United States, over the age of twenty-one years, and is the principal clerk of the printer and publisher of said newspaper; and that the notice, a copy of which is hereto annexed, marked Exhibit A, hereby made a part hereof, was published in The Fresno Bee in each issue thereof (in type not smaller than nonpareil), on the following dates.

2.0 insertion(s) published on:
06/22/25 Print, 06/29/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Sherry Chasteen

Sherry Chasteen



Amanda Rodela



Sworn to and subscribed before
me on

Jun 30, 2025, 10:41 AM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX®

PUBLIC NOTICE

NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL ASSESSMENT AND 45-DAY REVIEW PERIOD

Airport Traffic Control Tower Replacement
Fresno Yosemite International Airport (FAT)
Draft Environmental Assessment

Fresno, California

Pursuant to Paragraphs 6-2.2(g) of Federal Aviation Administration (FAA) Order 1050.1F, Environmental Impacts: Policy and Procedures, the National Historic Preservation Act (36 CFR § 800.2), and Section 4(f) of the Department of Transportation Act of 1966, (23 CFR § 774.5), notice is hereby given by FAA and the City of Fresno (City) that a Draft Environmental Assessment (Draft EA) has been prepared to evaluate the potential environmental effects for the proposed replacement of the existing Airport Traffic Control Tower (ATCT) facility and associated infrastructure (Proposed Project) at the Fresno Yosemite International Airport (FAT or Airport) and is available for review.

The Proposed Project includes the following components:

- Construction of a new ATCT facility and demolition of the existing ATCT facility once the new ATCT facility is fully operational.
- Installation of new equipment in the new ATCT and utility services to the new ATCT facility.
- Reconstruction of the existing employee parking and installation of security fencing around the ATCT facility and accompanying employee parking lot.

The Draft EA evaluates the potential environmental effects of the Proposed Project and the No Action Alternative and has been prepared pursuant to the requirements of Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, and FAA Order 5050.4B, National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions.

FAA is the lead federal agency to ensure compliance with NEPA for airport development actions and the City is the project sponsor. The Draft EA includes an analysis of reasonable alternatives, potential environmental impacts, and mitigation measures, as appropriate. FAA has preliminarily determined that the ATCT is eligible for listing on the National Register of Historic Places, and the Proposed Project would have an adverse effect on the historic property. The adverse effect finding constitutes a Section 4(f) use under the Department of Transportation Act of 1966. This Draft EA includes the draft Section 4(f) evaluation and draft Section 106 Memorandum of Agreement.

Upon consideration of comments received on the Draft EA, the FAA will determine the adequacy of the environmental document. If further documentation is necessary, preparing an Environmental Impact Statement (EIS) or revising the Draft EA would accomplish this. If an EIS is not necessary, the FAA will prepare a Final EA and a Finding of No Significant Impact.

Public Review and Comment

The public is invited to review the Draft EA and submit comments. The purpose of the public comment period is to receive comments on the Draft EA. Comments should be as specific as possible and should be organized so that they are meaningful and make the FAA clearly aware of the commenter's views, interests, and concerns related to the Proposed Project.

Beginning on June 22, 2025, the Draft EA will be available for public review through August 6, 2025. The Draft EA can be viewed electronically on the Airport's website: <https://flyfresno.com/statistics/> and the City's Planning website: <https://www.fresno.gov/planning/plans-projects-under-review/#airport-tower-relocation-project>. A hard copy of the Draft EA can be viewed in person during regular business hours at the locations below.

- Fresno Yosemite International Airport Administrative Office, 4995 East Clinton Way, Fresno, California 93727
- City Planning and Development Office, 2600 Fresno Street, Room 3043, Fresno, CA 93721
- FAA's Airport District Office, 2999 Oak Road Suite 200, Walnut Creek, CA 94597
- Betty Rodriguez Regional Library, 3040 N. Cedar Avenue, Fresno, CA 93703

Written comments may be submitted by email: AirportEnvironmental@fresno.gov and U.S. mail:

Fresno Yosemite International Airport
ATTN: Francisco Partida
Address: 4995 East Clinton Way
Fresno, California 93727

Comments received on the Draft EA and the responses to those comments will be disclosed in the Final EA. Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

All comments must be received by 5:00 p.m. PDT on August 6, 2025, to be considered for this Draft EA.

IPL0247639
Jun 22, 2025

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Notice of Availability

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Public Comments and Response to Comments

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E.1 Introduction

This appendix contains comments on the Draft Environmental Impact Report (EIR) received during the 45-day comment period (September 10 to October 27, 2025) and responses to those comments.

The City of Fresno (City) solicited comments through public notices and accepted comments in writing via U.S. mail or electronically via email. Each written comment is presented as it was received by the City and no misspellings have been corrected. Each comment is identified by an alpha-numeric code. Additional numbering is applied to discrete comments contained within a comment submittal, as annotated in the margin. The responses to all of the comments in a particular submittal are organized based on that submittal. Where a response includes a change to the EIR, a reference is made to the chapter or section in the EIR where the change was made and identifies what the change is.

There was only one comment letter received during the comment period. This letter is from Mark Montelongo with the San Joaquin Valley Air Pollution Control District (SJVAPCD), and was received on October 23, 2025, via email.

Section E.2 includes a copy of the letter. Responses follow the letter. No revisions to the Draft EIR resulted from the comment letter.

E.2 Comments and Responses to Comments on the Draft EIR

San Joaquin Valley Air Pollution Control District Marrk Montelongo



October 23, 2025

Francisco Partida
City of Fresno
Airports Department
4995 East Clinton Way
Fresno, CA 93727

**Project: Draft Environmental Impact Report – Fresno Yosemite Airport (FAT)
Airport Traffic Control Tower Replacement**

District CEQA Reference No: 20251108

Dear Mr. Partida:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Fresno (City) for the proposed project. Per the DEIR, the project consists of the demolition of the existing Air Traffic Control Tower (ATCT) and construction of a new ATCT 250 feet south of the existing ATCT (Project). The Project is located at the Fresno-Yosemite Airport in Fresno, CA.

The District offers the following comments at this time regarding the Project:

1

1) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

www.healthyliving.com

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- 1 The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.
- 2
 - 1a) **District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.
- 3
 - 1b) **District Rule 9510 - Indirect Source Review (ISR)**

The District has reviewed the information provided and determined that there is no construction of a new building, facility, or structure, or reconstruction of a building, facility, or structure for the purpose of increasing capacity or activity. Therefore, the project does not meet the definition of a "Development Project", as defined in District Rule 9510 section 3.13, and District Rule 9510 requirements and related fees do not apply to the Project.
- 4
 - 1c) **District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

The Project will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

4 Information on how to comply with District Rule 4002 can be found online at:
<https://ww2.valleyair.org/compliance/demolition-renovation/>.

5 **1d) District Rule 4601 (Architectural Coatings)**

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:
<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

6 **1e) District Regulation VIII (Fugitive PM10 Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at:
<https://ww2.valleyair.org/dustcontrol>

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1f) Other District Rules and Regulations

The Project may also be subject to the following District rule: Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

If you have any questions or require further information, please contact Jacob Torrez by e-mail at Jacob.torrez@valleyair.org or by phone at (559) 230-6558.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs



For: Daniel Martinez
Program Manager

Response to Comments:

1. The City will comply with all current required SJVAPCD rules, regulations, and permits. The City will coordinate with SJVAPCD prior to construction and operation of the Proposed Project.
2. The City will comply with SJVAPCD Rule 2010 and Rule 2201 in relation to the Proposed Project. The City will coordinate with SJVAPCD to apply and obtain Authority to Construct (ATC) and Permit to Operate (PTO), as necessary, prior to construction of the Proposed Project.
3. The statement that SJVAPCD Rule 9510 does not apply to the Proposed Project is acknowledged.
4. The City will comply with SJVAPCD Rule 4002 as it relates to the Proposed Project. Any asbestos detected would be handled according to applicable local, state, and federal laws and policies.
5. The City will comply with SJVAPCD Rule 4601 regarding architectural coatings in the new ATCT.
6. This City will review and comply with SJVAPCD Regulation VIII and submit a Construction Notification Form and Dust Control Plan, as applicable, prior to construction of the Proposed Project.
7. The City will review SJVAPCD Rule 4641, along with other SJVAPCD rules and regulations, and comply with all required rules, regulations, and permits, as applicable.

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