

Exhibit J



DATE: 3/7/2024

TO: Robert Holt, Supervising Planner  
Planning and Development Department

THROUGH: Harmanjit Dhaliwal, PE, Licensed Engineer Manager,  
Land Planning & Subdivision Inspection Section  
Public Works Department, Land Planning Section

FROM: Angela Reis, Chief Engineering Technician  
Department of Public Works, Traffic Operations and Planning Division

SUBJECT: Public Works Conditions of Approval  
**T-6192 / P23-03377a 128-lot** single family subdivision / Private unit development

511-031-42  
DR Horton / Precision Civil Engineering

The Public Works Department, Traffic Operations and Planning Division, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval by the Public Works Department.

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General Conditions:

1. Street Dedications: Provide corner cut dedications at all intersections for accessibility ramps.
2. Right of way: All right-of-way "outside" of the subdivision border shall either be acquired **prior** to recordation of Final Map, or a deposit equal to the value of the right-of-way and an estimate of the City staff time necessary to acquire the right-of-way shall be submitted **prior** to recordation of the Final Map.
3. Plan Submittal: Submit the following plans, as applicable, in a single package, to the Public Works Department for review and approval **prior** to recordation of the Final Map. Street: construction, signing, striping, traffic signal and streetlight: construction, grading, lighting, striping, signing, landscape and irrigation.
4. Sidewalks shall not exceed a 5% longitudinal slope. All existing sidewalks and trails in excess of 2% maximum cross slope must be brought into compliance prior to acceptance by Public Works.
5. Local to Collector Street Intersections: The intersection of two local continuous streets shall have a minimum of **160'** offset measured from centerline to centerline.
6. Traffic Calming: Traffic calming shall be provided for local street lengths exceeding **800'** and four-way intersections. Design to be approved on the street plans.
7. Outlots: If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of *City Administrative Order 8-1*, including, but not limited to, performing a Phase I Soils Investigation. The soils Investigation report shall be submitted to the Public Works Department for review

- and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Public Works Department. Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.
8. Encroachment Covenants: The construction of any private overhead, surface or sub-surface structures and appurtenances in the public right of way is prohibited unless an encroachment covenant is approved by the City of Fresno Public Works Department, Engineering Services Division, **(559) 621-8681**. Encroachment covenants must be approved prior to issuance of building permits.
  9. Street widening and transitions shall also include utility relocations and necessary dedications.
  10. Overhead Utilities: Underground all existing overhead utilities with the limits of this map in accordance with *Fresno Municipal Code Section 15-4114*.
  11. Intelligent Transportation Systems (ITS): Street work on major streets shall be designed to include ITS in accordance with the *Public Works ITS Specifications*, where not existing.
  12. Irrigation /Canal Requirements: The developer shall enter into an agreement with the Fresno Irrigation District (FID) providing for piping the canal(s) and submit an executed copy of the agreement or commitment letter from FID to the Public Works Department. All piping shall be located outside of the proposed street right of way. Any piping across city streets shall be rubber gasketed reinforced concrete pipe (RGRCP) constructed perpendicular to the street. Submit engineered plans to Public Works Department, Engineering Services Division for review and approval. Identify the proposed easement and provide a final cross-sectional detail on the map.
  13. Backing onto a major street: Backing onto a major street is prohibited.
  14. The first order of work shall include a minimum of two points of vehicular access to the major streets for **any** phase of this development.
  15. Intersection Visibility: Maintain visibility at all intersections as described in the *Fresno Municipal Code Section 15-2018*.
  16. Driveway Approaches: The throat of the driveway approaches shall be the same width as the driveway. Approach widths shall be built to *Public Works Standard P-6*.
  17. Provide local street cross sections to *Public Works Standard* or resubmit cross sections to meet our minimum requirements as shown on the standards. Provide cross sections on the map for all streets that are not proposed to a *Public Works Standard*.
  18. Provide an entry gate detail on the map, showing dimensions and an onsite turnaround.
  19. Outlot A: This open space is not accessible to the general public and is not eligible for Park Impact Fee credits.
  20. When permanent facilities are not available from the Fresno Metropolitan Flood Control District, the applicant shall identify a temporary onsite storm water basin per *Public Works Standard P-97* for review and approval from Public Works Engineering Services. The temporary basin will be approved under separate street plans, not on this Tentative Map Exhibit.

## Frontage Improvement Requirements:

### Public Streets:

#### Blythe Avenue: 3-Lane Collector

1. Dedication Requirements:
  - a. Dedicate **36'** of property, from centerline, for public street purposes, within the limits of this application, per *Public Works Standard P-54, P-69, P-70*.
  - b. Dedicate corner cuts for public street purposes, at Blythe and W. Dayton.
  - c. Relinquish direct access rights to Blythe from lots 114 and 115 within this subdivision along the West of their property.
  
2. Construction Requirements:
  - a. Construct concrete curb, gutter and a **6'** sidewalk to *Public Works Standard P-5*. The curb shall be constructed to a **12'** residential pattern (**5.5'– 6' - .5'**).
  - b. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the *Model Water Efficiency Landscape Ordinance, Public Works Standards and Specifications, Section 25 and 26*.
  - c. Construct standard curb ramps per *Public Works Standards* at all intersections.
    - Major street to local street: **R=20'-25'** per **P-24 ,P-25, P-28 and P-32**
  - d. Construct **20'** of permanent paving per *Public Works Standard P-50* (measured from face of curb) within the limits of this subdivision and transition paving, as necessary.
  - e. Construct an underground street lighting system to *Public Works Standard E-1 and E-7A, E-7B*, within the limits of this subdivision. Streetlights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in *Section 3-3.17* of the *City Specifications and Standard Drawings E-15, E-17 and/or E-18* or as approved by the City Engineer.
  - f. Construct a concrete Emergency Vehicle Access (EVA) per *Public Works Standard P-67*.

#### W. Dayton Avenue: 50' Local

1. Dedication Requirements:
  - a. If not existing, dedicate **10'** for a total of 50', for public street purposes on Dayton, within the limits of this application, per *Public Works Standard P-56A*.
  
2. Construction Requirements:
  - a. Construct concrete curb, gutter and a 5.5' sidewalk to *Public Works Standard P-5*, and **P-56A**. The curb shall be constructed to a 7' residential pattern.
  - b. Construct a driveway approach to *Public Works Standards P-4*, and **P-6** for Parcel 511-031-61.
  - c. Construct standard curb ramps per *Public Works Standard* at all intersections.
    - Local street: **P-28** and **P-32**
  
  - d. Construct **36'** of permanent paving per *Public Works Standard P-50*, within the limits of this subdivision and transition paving, as necessary.
  - e. Construct an underground street lighting system to *Public Works Standard E-1 and E-9A*, within the limits of this subdivision **-OR-** Show the existing streetlight locations on the plans, **-AND-** that they are constructed per current City of Fresno Standards.



### **Interior Streets: Private**

1. Entry Gate: Provide a minimum of **100'** from the proposed gate to the back of walk, for vehicle stacking at both entrances and redesign to provide for an onsite turn around.
2. All streets and pedestrian ways shall connect to other streets and pedestrian ways to form a continuous vehicular and pedestrian network with connections within the subdivision and to adjacent development. Pedestrian paths of travel must meet current accessibility regulations. Sidewalks are recommended on both sides of the street. Identify ramps within the proposed subdivision wherever sidewalks are provided.
3. Garages: Garage or carport setbacks are recommended to be a minimum of **18'** from the back of walk or curb, whichever is greater.
4. Provide a **12'** visibility triangle at all driveways.

### **Specific Mitigation Requirements:**

A Traffic Impact Study is required for this subdivision. Comply with the most recent mitigation requirements of the Traffic Operations and Planning Manager for **TIS 24-001** (Attached at the end of this document).

### **Within the subdivision border-**

1. Relinquish direct vehicular access rights to Blythe :
  - a. the West property line of lots 114 and 115.
2. Emergency Vehicle Access (EVA): Construct a concrete EVA per *Public Works Standard P-67*.

### **Outside of the subdivision border-**

1. Improvements required to provide connectivity on W. Dayton beyond the subdivision boundary to the East end of Parcel 511-031-60S.
  - a. Construct concrete curb, gutter and a 5.5' sidewalk to *Public Works Standard P-5*, and **P-56A**. The curb shall be constructed to a 7' residential pattern.
  - b. Construct **36'** of permanent paving per *Public Works Standard P-50*, outside the limits of this subdivision and transition paving, as necessary.
  - c. Construct standard curb ramps per *Public Works Standard* at all intersections.
    - Local street: **P-28** and **P-32**

2. Dedications:

- Dedicate corner cuts for Public street purposes along W. Dayton Avenue, on adjacent parcels 511-031-60S and 511-031-61S.
- Dedicate a 1' pedestrian easement for Parcel 511-031-61, to accommodate a 4' clear path of travel behind the drive approach.

**Traffic Signal Mitigation Impact (TSMI) Fee:** This project shall pay all applicable TSMI Fees **at the time of building permit**. Contact the Public Works Department, Frank Saburit at (559)621-8797. The fees are based on the Master Fee schedule. In some cases, traffic signals may be conditioned on multiple maps. If the signal is existing at the time of the final map, the applicant would not be required to construct the signal but would be required to pay the applicable fee.

TSMI fee is credited against traffic signal and Intelligent Transportation System (ITS) improvements, provided that the improvements are constructed at ultimate locations, contained within the build out of the *General Plan* circulation element and are included in the latest Nexus Analysis for TSMI fee. Project specific impacts that are not consistent with the *General Plan, Public Works Standard Drawings* or not incorporated in the TSMI fee infrastructure costs, are not reimbursable. Failure to pay this fee or construct improvements that are credited / reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence. If the applicant is conditioned with improvements that are credited / reimbursable with this fee, they should work with the Department of Public Works and identify, with a Professional Engineer's estimate, the costs associated with the improvements, prior to paying the TSMI fee at time of building permit.

**Fresno Major Street Impact (FMSI) Fee:** This Map is in the **New Growth Area**; therefore, pay all applicable growth area fees and City-wide regional street impact fees. In some cases, center section improvements or bridges may be conditioned on multiple maps. If the improvements are existing at the time of the final map, the applicant would not be required to construct them, but would be required to pay the applicable fee.

**Fresno Major Street Impact (FMSI) Requirements:**

Blythe Avenue: 3-Lane Collector (New Growth Area)

1. Dedicate and construct a **12'** center two-way left turn lane, (1) **11'** northbound travel lane, (1) **7'** northbound bike lane, (1) **11'** southbound travel lane, and (1) **5'** southbound shoulder, within the limits of this subdivision. If applicable Stripe **200'** left turn pockets at all major intersections. If not existing, an additional **8'** dedication is required beyond the edge of pavement. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

**Regional Transportation Mitigation Fee (RTMF):** Pay all applicable **RTMF** fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; [www.fresnocog.org](http://www.fresnocog.org). Provide proof of payment or exemption **prior** to certificate of occupancy.

Questions relative to these conditions may be directed to Angela Reis (559) 621-8684 [Angela.Reis@fresno.gov](mailto:Angela.Reis@fresno.gov) in the Public Works Department, Traffic Planning Section.

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**DEPARTMENT OF PUBLIC WORKS**

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**TO:** John George, Planner III  
Planning & Development Department

**FROM:** Adrian Gonzalez, Supervising Engineering Technician  
Public Works, Land Planning & Subdivision Inspection Section

**DATE:** March 7, 2024

**SUBJECT:** P21-04821; Tract 6192 (APN: 511-031-42S) located on the northeast corner of North Blythe Avenue and West Dayton Avenue. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street rights-of-way, landscape easements, outlots and median islands:

## **GENERAL REQUIREMENTS**

### **STREET TREE REQUIREMENTS**

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 40' of street frontage or one tree per home (whichever is greater) by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with AB 1881.
2. Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 40' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.
  - a. Street tree inspection fees shall be collected for each 40' of public street frontage or one tree per lot whichever is greater.
  - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
  - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
  - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city-controlled property is in conformance with the Specifications of the City of Fresno.
  - e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.
  - f. Choose appropriate trees from the list of Approved Street Trees.  
<https://www.fresno.gov/publicworks/developer-doorway/#tab-5>

## **BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS**

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by forming a Homeowner's Association.
2. Maintenance Service Through Annexation into the Community Facilities District. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works Street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.
  - a. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with AB1881, water efficient landscaping.
  - b. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.
  - c. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the sidewalk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.
  - d. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.
  - e. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.
  - f. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the City of Fresno Water Division and may not be included in the CFD.

Submit all landscape and irrigation plans, to the scale of 1" = 20', to [dpwplansubmittal@fresno.gov](mailto:dpwplansubmittal@fresno.gov) for plan review, prior to the installation of any landscaping within the right-of-way.



**DATE:** March 7, 2024

**TO:** John George, Planner III  
Planning and Development Department

**FROM:** Adrian Gonzalez, Supervising Engineering Technician  
Public Works Department, Land Planning & Subdivision Inspection Section

**SUBJECT:** PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP NO. 6192 REGARDING MAINTENANCE REQUIREMENTS (P21-04821)

**LOCATION:** 3230 North Blythe Avenue  
**APN:** 511-031-42S

The Public Works Department, Land Planning & Subdivision Inspection Section, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval. These requirements are based on City of Fresno code, policy, standards and the public improvements depicted on the exhibits submitted for this development.

<b>ATTENTION:</b>			
The item below requires a separate process with additional costs and timelines. In order to avoid delays with the final map approval, the following item shall be submitted for separate processing to the Public Works Department, Land Planning & Subdivision Inspection Section <b>prior</b> to final map approval.			
X	<b>CFD Annexation Request Package</b>	Adrian Gonzalez	(559) 621-8693 <a href="mailto:Luis.Gonzalez@fresno.gov">Luis.Gonzalez@fresno.gov</a>

The Community Facilities District annexation process takes from three to four months and SHALL be completed prior to final map approval. INCOMPLETE Community Facilities District (“CFD”) Annexation Request submittals may cause delays to the annexation process and final map approval.

- All applicable construction plans for this development shall be submitted to the appropriate City Department for review and approval **prior** to the CFD process.
- a. Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process and the approval of the final map.
  - b. Proposed park amenities shall be reviewed and approved by the Building & Safety Services Division or as approved in writing by the City Engineer at time of submittal for the CFD process and prior to final map approval.**

Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.

Any change affecting the items in these conditions shall require a revision of this letter

**The Property Owner’s Maintenance Requirements**

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements (“Services”) associated with all new Single-Family developments are the ultimate

responsibility of the Developer. The Developer shall provide these Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 11 ("CFD No. 11").

The following public improvements (Existing and Proposed) are eligible for Services by CFD No. 11 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within the street rights-of-way and landscape easements; including without limitation, the median island (1/2, if fronting only one side of median), parkways, buffers, street entry medians and sides (**10' wide minimum landscaped areas allowed**) in **all Local and Major Streets**.
- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlots having the purpose for open spaces and trails.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, median island concrete maintenance band and cap (1/2, if fronting only one side of median), and street lights in **all Major Streets**.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, and street entry and interior median island curbing and hardscape, street paving, street name signage and street lights in **all Local Streets**.

**\*All end lots, side yards, and front yards are the responsibility of the property owner and are not eligible for Services for maintenance by the CFD.**

**The Property Owner may choose to do one or both of the following:**

- a. The Property Owner may petition the City of Fresno to request annexation to CFD No. 11 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic Operations and Planning Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Land Development.
  - **Proceedings to annex the final map to CFD No. 11 SHALL NOT commence unless the final map is within the City limits and all construction plans (this includes Street, Street Light, Signal, Landscape and Irrigation plans, and any other plans needed to complete the process) and the final map are considered technically correct.**
  - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 11 are not subject to change and after acceptance for processing.**
  - Public improvements not listed above will require written approval by the Public Works Department Director or his designee.
  - All areas not within the dedicated street rights-of-way and approved for Services by CFD No. 11 shall be dedicated as a public easement for maintenance purposes. Outlots purposed for required public open space or City trails shall be dedicated in fee to the City of Fresno or as approved by the Public Works Department City Engineer.

- b. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 11 for Services **SHALL** be included in the DCC&Rs or some other City approved mechanism for the required Services associated with this development. Contact the Planner in the Planning and Development Department for more details.

For questions regarding these conditions please contact Adrian Gonzalez at (559) 621-8693 or [Luis.Gonzalez@fresno.gov](mailto:Luis.Gonzalez@fresno.gov)

City Hall  
2600 Fresno Street, 4<sup>th</sup> Floor  
Fresno, California 93721  
Ph. (559) 621-8800  
www.fresno.gov

Scott L. Mozier, P.E.  
Public Works Director

March 4, 2024

John George, Planner III  
Planning and Development Department  
2600 Fresno Street, 3<sup>rd</sup> Floor  
Fresno, CA 93721

SUBJECT: REVIEW OF THE TRAFFIC IMPACT ANALYSIS (TIA) DATED JANUARY 9, 2024, FOR THE PROPOSED TENTATIVE TRACT MAP 6192 PROJECT LOCATED AT THE SOUTHEAST QUADRANT OF NORTH BLYTHE AVENUE AND WEST DAKOTA AVENUE.  
TIS 24-001, P21-00481, P23-03377

**PROJECT OVERVIEW**

Traffic Operations and Planning staff has reviewed the Traffic Impact Analysis (TIA) prepared by JLB Traffic Engineering, Inc. for the proposed Tract Map 6192 Project located at the Southeast Quadrant of North Blythe Avenue and West Dakota Avenue, “project”, which plans to develop 128 single-family dwelling units. The subject property is currently zoned as RS-5 (Residential Single-Family, High Density). The approximately 15.82-acre site is currently vacant.

The TIA evaluated the trip generation characteristics for the proposed project. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 11<sup>th</sup> Edition. The table below includes the weekday (ADT), AM and PM peak hour trips projected to be generated by proposed project as shown in the TIS.

Table 1 – Proposed Project Trip Generation from TIS

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Single-Family Detached Housing (ITE Code 210)	128 DU	1,207	23	67	90	76	44	120
Totals		1,207	23	67	90	76	44	120

DU = Dwelling Unit



## GENERAL COMMENTS and CONDITIONS

1. Transportation impact criteria are tiered based on a project's location. Four (4) Traffic Impact Zones (TIZ) have been identified in the General Plan. Each TIZ has specific criteria to be used in determining the level of analysis required for a project. The proposed project is located in Traffic Impact Zone (TIZ) III. This TIZ requires a traffic impact study if a project is projected to generate more than 100 trips during a peak hour. The proposed project is projected to generate at least 120 trips during the PM peak hour. The TIA submitted for this project is sufficient for the project as proposed.
2. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule at the time of building permit.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the General Plan circulation element and are included in the Nexus Study for the TSMI fee. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

3. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at the time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
4. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; [www.fresnocog.org](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
5. The proposed project shall pay the \$525 Traffic Study review fee for review of the document per the City's Master Fee Schedule. Proof of payment shall be provided to the Traffic Engineering Division, Land Planning Section.

**To address healthy and safety concerns identified in the TIS, the following conditions shall be met:**

1. The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno standards at the intersection of North Blythe Avenue at West Dakota Avenue prior to issuance of 51 building permits. Permit number 51 will not be issued until this traffic signal is constructed and operational. The traffic signal equipment shall be installed in the ultimate location and may require the acquisition of right-of-way. The intersection shall be designed to the following configuration:
  - Eastbound – one (1) left turn lane\*, one (1) through lane\* and one (1) right turn lane.
  - Westbound – one (1) left turn lane\*, one (1) through lane\* and one (1) right turn lane\*.
  - Northbound – one (1) left turn lane\*, one (1) through lane\* and one (1) right turn lane.
  - Southbound – one (1) left turn lane\*, one (1) through lane\*, and one (1) right turn lane.
  - Bike lanes and conflict markings shall be provided in all directions\*.
  - \*Denotes lanes that shall be constructed.
2. The proposed project shall construct a Safe Route to School path of travel (Minimum four (4) feet wide) from the northern property line along the east side of North Blythe Avenue to West Dakota Avenue and on the north side of West Dakota Avenue from West Blythe Avenue to the eastern property line of APN 511-200-30T.
3. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Land Planning & Subdivision Inspection Section.
4. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.

If you have any further questions regarding this matter, please contact me at (559) 621-8694 or [harmanjit.dhaliwal@fresno.gov](mailto:harmanjit.dhaliwal@fresno.gov).

Sincerely,



Harmanjit Dhaliwal, PE  
Licensed Engineer Manager, Land Planning & Subdivision Inspection Section  
Public Works Department, Traffic & Engineering Services Division

C: Copy filed with Traffic Impact Study  
Jill Gormley, Assistant Director  
Angela Reis, Chief Engineering Technician  
Scott Tyler, City Traffic Engineer/Licensed Engineer Manager  
Jason Camit, Chief Surveyor



## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

**DATE:** February 2, 2024

**TO:** JOHN GEORGE – Planner III  
Planning & Development Department – Current Planning

**FROM:** DEJAN PAVIC, PE, Projects Administrator  
Department of Public Utilities – Utilities Planning & Engineering

**SUBJECT: DPU CONDITIONS OF APPROVAL FOR P21-04821 TENTATIVE TRACT  
MAP 6192 – APN 511-031-42S**

#### **General Requirements**

1. Engineered improvement plans, prepared by a Registered Civil Engineer, if necessary, shall be submitted for Department of Public Utilities review and approval.
2. All Department of Public Utilities facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.
3. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
4. A street work permit is required for any work in the Right-of-Way.
5. All underground utilities shall be installed prior to permanent street paving.

#### **Water Service Requirements**

The nearest water mains to serve the Project are a 14-inch water main located in North Blythe Avenue and an 8-inch water main located in West Dayton Avenue. Water facilities are available to provide service to the Project subject to the following requirements:

1. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.
2. Installation of a new water service(s) and meter(s) shall be required.
3. The applicant shall be financially responsible for the abandonment of any unused water services previously installed to the property, if any.
4. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of

water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Department of Public Utilities Director or designee.

5. Destroy any existing on-site well(s) in compliance with the State of California Well Standards, Bulletins 74-81 and 74-90, or current revisions, issued by California Department of Water Resources, Fresno County standards, and City of Fresno standards. The applicant shall comply with Fresno Municipal Code (FMC) Section 6-518, as may be amended from time to time.

### **Water Supply Requirements**

1. The applicant shall be required to pay Water Capacity Fee charges for the installation of new water services and meters to serve the Project.
  - a. The Water Capacity Fee charge assessed to the applicant shall be based on the number and size of service connections and water meters required to serve the Project.
  - b. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule (MFS).
  - c. The City reserves the right to require an applicant to increase or decrease the size of a water meter for the Project to ensure that it is properly sized to accommodate fire protection requirements, and to allow for accurate volumetric flow measurements at low- and high-flow conditions.
  - d. The Water Capacity Fee Charge for any new or expanded service connection shall be payable prior to the issuance of a building permit at the fee level in effect on the date such permit is issued.
2. The applicant shall be required to pay all other water-related fees and charges in accordance with the City's MFS and FMC.

### **Sewer Requirements**

The nearest sanitary sewer main to serve the Project is a 15-inch sewer main located in West Dakota Avenue. Sanitary sewer facilities are available to provide service to the Project subject to the following requirements:

1. A preliminary sewer design layout shall be prepared by the applicant's engineer and submitted to the Department of Public Utilities for review and conceptual approval prior to submittal for City review or acceptance of the final map(s) and engineered plan and profile improvement drawing(s).
2. Construct an 8-inch sanitary sewer main (including sewer service branches to adjacent properties) in North Blythe Avenue from the existing 15-inch sewer main in West Dakota Avenue located north of the Project to the south property line of said Project.

3. All sanitary sewer mains shall be extended within the Project to provide service to each lot.
4. Installation of separate sewer service branch(es) to each lot shall be required.
5. All existing on-site private septic systems (including septic tanks) shall be destroyed and abandoned in compliance with the State of California standards, Fresno County standards, and City of Fresno standards, as may be amended from time to time. All sewer connections and sewer main extensions shall comply with FMC Section 6-303(a), as may be amended from time to time.
6. The applicant shall be financially responsible for abandonment of any unused sewer services previously installed to the property.

### **Sanitary Sewer Fees**

The following Sewer Connection Charges are due and shall be paid for the Project:

1. Lateral Sewer Charge.
2. Oversize Sewer Charge: Area #22.
3. Wastewater Facility Sewer Charge (Residential).
4. Trunk Sewer Service Charge: Cornelia.

### **Solid Waste Requirements**

The Project will be serviced as a Single-Family Residential property with Basic Container Service. Each lot will receive 3 containers to be used as follows: 1 (one) Gray container for solid waste, 1 (one) Green container for green waste, and 1 (one) Blue container for recyclable material.



**FIRE DEPARTMENT**

**MEMORANDUM**

**DATE:** July 1, 2024

**TO:** ROBERT HOLT, Supervising Planner  
Planning & Development Dept/Current Planning

**FROM:** Justin H. Beal, Fire Prevention Engineer  
Fresno Fire Department

**SUBJECT:** TENTATIVE TRACT MAP COMMENTS – TRACT 6192 / P21-04821

The Fresno Fire Department has the following comments related to the above-mentioned project.

1. *A This is a 128-lot proposed subdivision with multiple width private streets shown. There are no relevant Public Works Standards for these streets shown on the map and these should be required to be placed on the map plans prior to any final approval of this map. FFD staff are unable to determine if there will be any on-street parking restrictions.*
2. *This tract is within the primary service area of Fire Station 16 and there are no development restrictions related to fire department response.*
3. *The current tract map under review is a major revision from the earlier proposed maps.*
4. *Each lot is subject to the citywide fire service delivery impact fee.*
5. *Each lot proposed is subject to the city-wide fire protection impact fee paid to the Planning and Development Department.*
6. *All lots in the subdivision are subject to the city-wide fire service delivery impact fee.*
7. *UGM Fee Requirements & Development restrictions related to fire services can be found in the Fresno Municipal Code.*

## MEMORANDUM

Robert Holt, Supervising Planner

Subject: Tract 6192 / P21-04821

July 1, 2024

Page 2 of 4

8. *The curb lines at several intersections and the development entrance shown on the revised map may require significant modification, as both are near the limit of the review software based on line weights. It is the obligation of the permit applicant to ensure that the field conditions accommodate fire department apparatus turn radii, and any final map approval is subject to compliant field inspection.*
9. *Prior to final map approval, the permit applicant shall install a install a COF Public Works approved "NO OUTLET" sign at the intersection of "C" Ave & N. El Capitan Ave.*
10. *Prior to final map approval, the permit applicant designate the fire lanes with red curb and NO PARKING FIRE LANE in 3 in white letters 50 feet on center.*
11. *Prior to final map approval, the permit applicant shall include on the map an indication that a CVC §22658 Fire Lane/Towaway warning sign will be provided at each entrance drive approach, including the EVA.*
12. *Prior to final map approval, the permit applicant shall include on the map an indication that a graphic address directory shall be installed at each driveway per Development Policy G-002.*
13. *Prior to final map approval, the permit applicant shall show all fire lanes. Fire lanes shall be designated with a red curb and "NO PARKING FIRE LANE" in 3" white letters every 50 feet on center.*
14. *It is common for single family lot private gated sub-divisions to have guest parking stalls provided in several areas within the tract; this map has no guest parking provided. Failure to provide such stalls will increase the likelihood of illegal parking on the street. It is the responsibility of HOA for a tract with private streets to enforce no parking in fire lanes. Due to the lack of guest parking and as a condition of final approval of this map, the HOA will be required to contract with a licensed towing company to routinely patrol and remove illegally parked vehicles.*
15. *No phasing of construction has been proposed by the permit applicant.*
16. *Prior to approval of the final map, the permit applicant shall show all required details of the proposed gates, including elevations. No final map approval by FFD will be granted with the current configuration shown.*

**MEMORANDUM**

Robert Holt, Supervising Planner

Subject: Tract 6192 / P21-04821

July 1, 2024

Page 3 of 4

17. *Prior to approval of the final map, the permit applicant shall update the entrance to the development. This has been noted during at least three separate fire department reviews, and the current gate arrangement has been changed again, and is still not compliant. It has also been changed (again) without the benefit of a cloud or delta to display the change. The current entrance gate arrangement shown is still not compliant with FFD policy for gated development access. See FFD policy #403.002.*
18. *Since this location is equipped with electric gates, Click-2-Enter and Fire X1 bypass hardware, etc. will be required. Electric gates must also be equipped with a battery backup.*
19. *Click-2-Enter installation requires a separate permit from the Fire Department issued to the gate installation contractor.*
20. *Prior to approval of the final map, the permit applicant shall delete the callouts for installation of "Fire KNOX Box" based on the Click to Enter requirements.*
21. *There are no hydrants shown on this map. Prior to final approval of this map, fire hydrants and compliant fire hydrant spacing must be shown and comply with FFD requirements.*
22. *There are no water mains shown on this map. Prior to final approval of this map, the map must show 8-inch minimum public water mains throughout the development per Public Utilities and Fire Department requirements for local residential streets.*
23. *Provide public fire hydrants per Public Works and Public Utilities requirements for residential subdivisions with a minimum fire flow of 1500 gpm at a residual pressure of 20 psi with fire hydrants spaced no more than 600 feet apart with two points of connection.*
24. *Fire hydrants must be inspected and in service (approved) prior to the delivery of combustible material to the location.*
25. *Two points of all-weather access provided and maintained during all stages of construction.*
26. *Dwelling units require an NFPA 13D residential fire sprinkler system supplied from the domestic water supply to each dwelling unit.*
27. *This map has had a final approval of deviation for the required separation of entrances per Deputy Fire Chief/Fire Marshal T. Semonious dated May 14th, 2024. This approval is on file at FFD.*



**MEMORANDUM**

Robert Holt, Supervising Planner

Subject: Tract 6192 / P21-04821

July 1, 2024

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*28. It is the permit applicant's obligation to confirm and comply with all fire & life safety provisions per '22 CFC §106.2.3*

2600 Fresno Street  
Fresno, California 93721-3604

## Fresno County Environmental Health Comments:

### Public Health

01/16/2024

#### Comments

#### Recommended Conditions of Approval

- Construction permits for the proposed development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the proposed development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- Due to the location, the proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City of Fresno municipal code and Fresno County Ordinance Code.
- Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS**

**PUBLIC AGENCY**

JUAN LARA  
DEVELOPMENT SERVICES/PLANNING  
CITY OF FRESNO  
2600 FRESNO ST., THIRD FLOOR  
FRESNO, CA 93721

**DEVELOPER**

SHIN TU, PRECISION CIVIL ENGINEERING  
100 FOWLER AVE., APT.119  
CLOVIS, CA 93611

PROJECT NO: **6192REV2**

ADDRESS: **3230 N. BLYTHE AVE.**

APN: **511-031-42S**

SENT: **July 05, 2024**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
AK	\$116,490.00	NOR Review	\$690.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$1,926.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review		For amount of fee, refer to <a href="http://www.fresnofloodcontrol.org">www.fresnofloodcontrol.org</a> for form to fill out and submit with first storm drain plan submittal (blank copy attached).
<b>Total Drainage Fee: \$116,490.00</b>		<b>Total Service Charge: \$2,616.00</b>		

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District’s Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District’s reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/25 based on the site plan submitted to the District on 6/18/24 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Creditable facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

**FR TRACT No. 6192REV2**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 2 of 5

FR TRACT No. 6192REV2

Approval of this development shall be conditioned upon compliance with these District Requirements.

1.  a. Drainage from the site shall  
 b. Grading and drainage patterns shall be as identified on Exhibit No. 1.  
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
  
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:  
 Developer shall construct facilities as shown on Exhibit No. 1 as MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER.  
 None required.
  
3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:  
 Grading Plan  
 Street Plan  
 Storm Drain Plan  
 Water & Sewer Plan  
 Final Map  
 Drainage Report (to be submitted with tentative map)  
 Other  
 None Required
  
4. Availability of drainage facilities:  
 a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).  
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.  
 c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.  
 d. See Exhibit No. 2.
  
5. The proposed development:  
 Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)  
 Does not appear to be located within a flood prone area.
  
6.  The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 3 of 5

FR  
TRACT  
No. 6192REV2

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
  - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
  - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10.   X   See Exhibit No. 2 for additional comments, recommendations and requirements.



Brent Sunamoto  
District Engineer, RCE

Digitally signed by Brent Sunamoto Date: 7/5/2024 2:36:37 PM



Shauna L. Espinoza Mendoza  
Engineer III, RCE

Digitally signed by Shauna L. Espinoza Mendoza Date: 7/5/2024 2:29:05 PM

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 4 of 5

CC:

EMERSON BONIQUE, PRECISION CIVIL ENGINEERING

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1234 O STREET

---

FRESNO, CA 93721

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MARTIN WELL, SIAR LLC

---

7112 N. FRESNO AVE., #450

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FRESNO, CA 93720

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**FR TRACT No. 6192REV2**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**  
**NOTICE OF REQUIREMENTS**

Page 5 of 5

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees in the amount identified below for Storm Drain Review. The fee shall be paid to the District by Developer with first plan submittal. Checks shall be made out to Fresno Metropolitan Flood Control District.

**Application No.**                       **FR TRACT 6192REV2**          

**Name / Business**              **SHIN TU, PRECISION CIVIL ENGINEERING**          

**Project Address**             **3230 N. BLYTHE AVE.**          

**Project APN(s)**               **511-031-42S**          

**Project Acres (gross)**             **16.05**          

Please fill in the table below of proposed storm drain facilities to be constructed with this development and return completed form with first plan submittal. If you have any questions or concerns regarding the construction of facilities list, you can contact the Fresno Metropolitan Flood Control District at 559-456-3292.

Description	Qty	Unit	Price	Amount

Storm Drain Facilities Cost Sheet	
15" Concrete Pipes \$148.00 LF	
18" Concrete Pipes \$158.00 LF	
24" Concrete Pipes \$178.00 LF	
30" Concrete Pipes \$211.00 LF	
36" Concrete Pipes \$261.00 LF	
42" Concrete Pipes \$303.00 LF	
48" Concrete Pipes \$353.00 LF	
54" Concrete Pipes \$430.00 LF	
60" Concrete Pipes \$507.00 LF	
66" Concrete Pipes \$599.00 LF	
72" Concrete Pipes \$691.00 LF	
84" Concrete Pipes \$773.00 LF	
96" Concrete Pipes \$837.00 LF	
15" Jacked Pipes \$1,648.00 LF	
18" Jacked Pipes \$1,754.00 LF	
24" Jacked Pipes \$2,089.00 LF	
30" Jacked Pipes \$2,430.00 LF	
36" Jacked Pipes \$3,383.00 LF	
42" Jacked Pipes \$4,090.00 LF	
48" Jacked Pipes \$4,275.00 LF	
54" Jacked Pipes \$4,529.00 LF	
60" Jacked Pipes \$4,633.00 LF	
66" Jacked Pipes \$4,872.00 LF	
72" Jacked Pipes \$5,051.00 LF	
84" Jacked Pipes \$5,322.00 LF	
Manholes \$8,200.00 EA	
Inlets & Laterals \$5,900.00 EA	
Outfalls \$17,200.00 EA	
Canal Turnout \$44,300.00 EA	
Basin Excavation \$1.50 CY	
<b>IMPROVEMENTS ADJACENT TO BASIN</b>	
Fence, Pad, and Gate \$40.00 LF	
Mowstrip \$27.00 LF	
Arterial Paving \$121.00 LF	
Local Paving \$55.00 LF	
Curb and Gutter \$52.00 LF	
Sidewalk \$109.00 LF	
Sewer Line \$30.00 LF	
Water Line \$31.00 LF	
Street Lights \$149.00 LF	
Pump Station/Intake \$700,000.00 EA	

**FR TRACT No. 6192REV2**

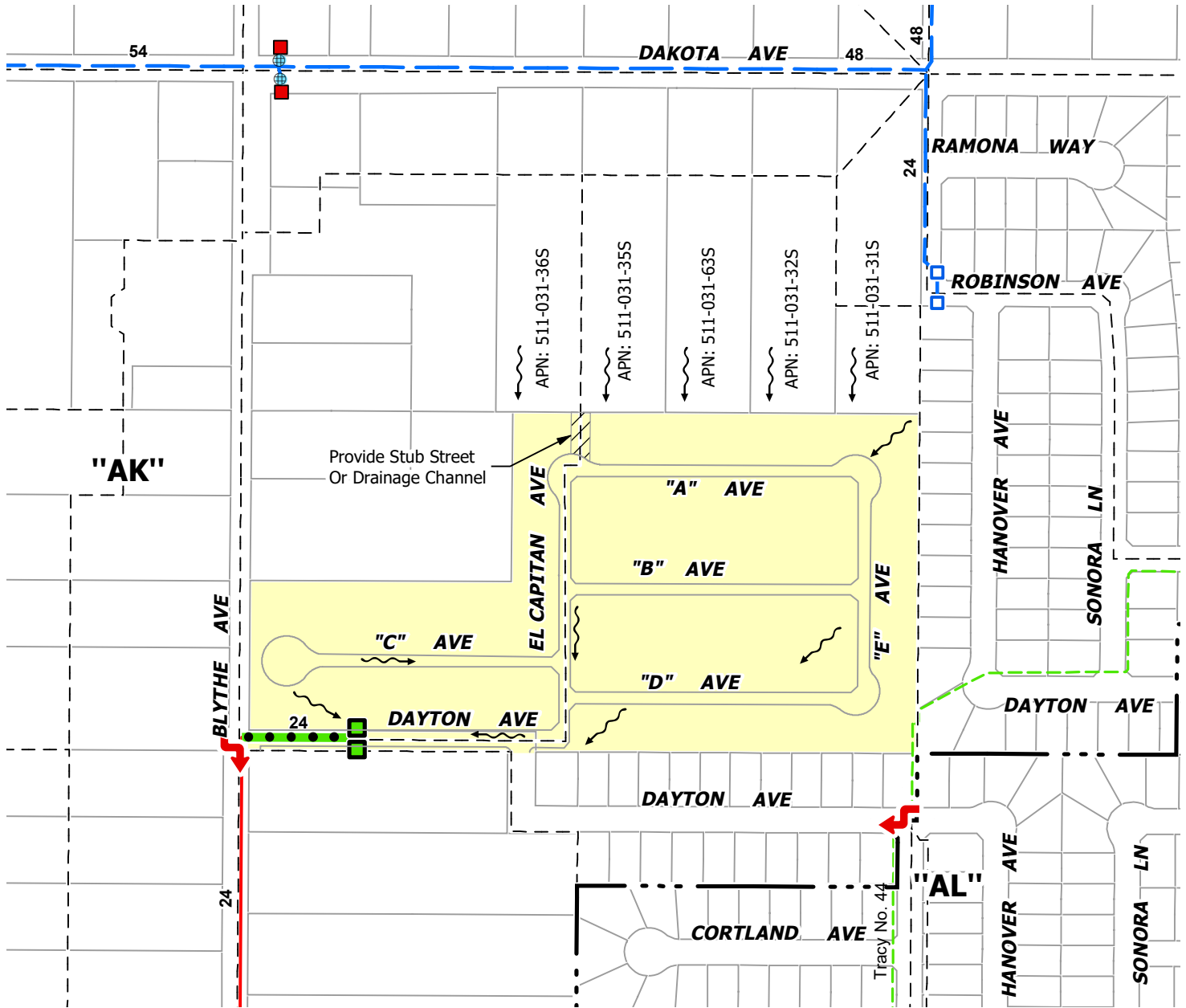
Estimated Construction Cost \_\_\_\_\_

Fee equals lesser of





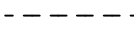
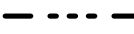




\$375.00 plus 3% of the estimated construction costs \_\_\_\_\_ Total (\$300.00 gross per acre) **\$4,815.00**

**Amount Due** \_\_\_\_\_

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



### LEGEND

-  Creditable Facilities (Master Plan Facilities To Be Constructed By Developer) - Pipeline (Size Shown) & Inlet
-  Existing Master Plan Facilities
-  Future Master Plan Facilities
-  Existing FID Facilities
-  Inlet Boundary
-  Drainage Area Boundary
-  Existing Temporary Inlet
-  Direction Of Drainage
-  Major Storm Breakover
-  Limits Of Tract 6192REV2



1" = 300'

**TRACT 6192REV2**  
**DRAINAGE AREA "AK"**

### EXHIBIT NO. 1

## FRESNO METROPOLITAN FLOOD CONTROL DISTRICT





## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

The minimum finish floor elevation shall be 284.90 (U.S.G.S. Datum).

The cost of construction of Master Plan facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee of the drainage area served by the facilities. A Development Agreement shall be executed with the District to effect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City or District.

Tract 6192REV2 is located in an area that has historically provided a passage for storm water flows from the areas north of Tract 6192REV2 across the proposed site to Dayton Avenue. The grading of the proposed site shall be designed such that there are no adverse impacts to the passage of said storm water. Therefore, the District recommends a stub street to the north of Tract 6192REV2 to provide surface drainage from APNs 511-031-36S, 511-031-35S, 511-031-63S, 511-031-32S and 511-031-31S to the proposed Master Plan inlet located on Dayton Avenue as shown on Exhibit No. 1. If a stub street is not constructed, then the Developer of Tract 6192REV2 will be responsible for the construction of a drainage channel and dedication of a Drainage Channel easement.

The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inches height) be used the same criteria shall apply whereby flow remains below the top of curb. Any extensions or pipe size increases due to meeting the requirement listed above shall be at the developer's expense.



2907 S. Maple Avenue  
Fresno, California 93725-2208  
Telephone: (559) 233-7161  
Fax: (559) 233-8227

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

January 25, 2024

John George  
Development & Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Tentative Tract Map No. 6192, Planning Application P23-03377  
S/E Dakota and Blythe avenues

Dear Mr. George:

The Fresno Irrigation District (FID) has reviewed the Tentative Tract Map No. 6192, Planning Application P23-03377 for which the applicant proposes modifications to the zoning code to reduce the minimum lot size, street side setback, rear setback, and increase maximum lot coverage. A reduction in street width for the private roads is also requested, APN: 511-031-42S. This project is being reviewed concurrently with Tentative Tract Map 6192, Planning Application P21-04821. FID has the following comments:

1. FID previously reviewed and commented on the subject property on August 16, 2021, as Tracy No. 44. Those comments and conditions still apply, and a copy has been attached for your reference.

FID has the following additional comments:

**Summary of Requirements:**

- FID Board Approval.
- Existing Encroachments removed and/or relocated.
- Review and Approval of all Plans.
- Execute Pipeline Replacement Agreement.
- Replace existing 24" C-76 pipeline with 24" ASTM C-361 RGRCP (with MacWrap).
- Execute additional Agreement(s), if necessary.
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

G:\Agencies\FresnoCity\Tract Map\P23-03377 - T6192\6192, P23-03377 FID Comments.doc

**BOARD OF DIRECTORS**

President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF  
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

1. FID requires the applicant to provide two points of entrance to the pipeline. One on Tract 3834 and one on Tract 3150. Access points shall be surge chambers or standpipes.
2. Should the applicant propose to build any additional improvements within FID's easement, FID requires it review and approve all private and public facilities that encroach into FID's property/easement.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or [jlandrith@fresnoirrigation.com](mailto:jlandrith@fresnoirrigation.com).

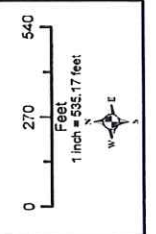
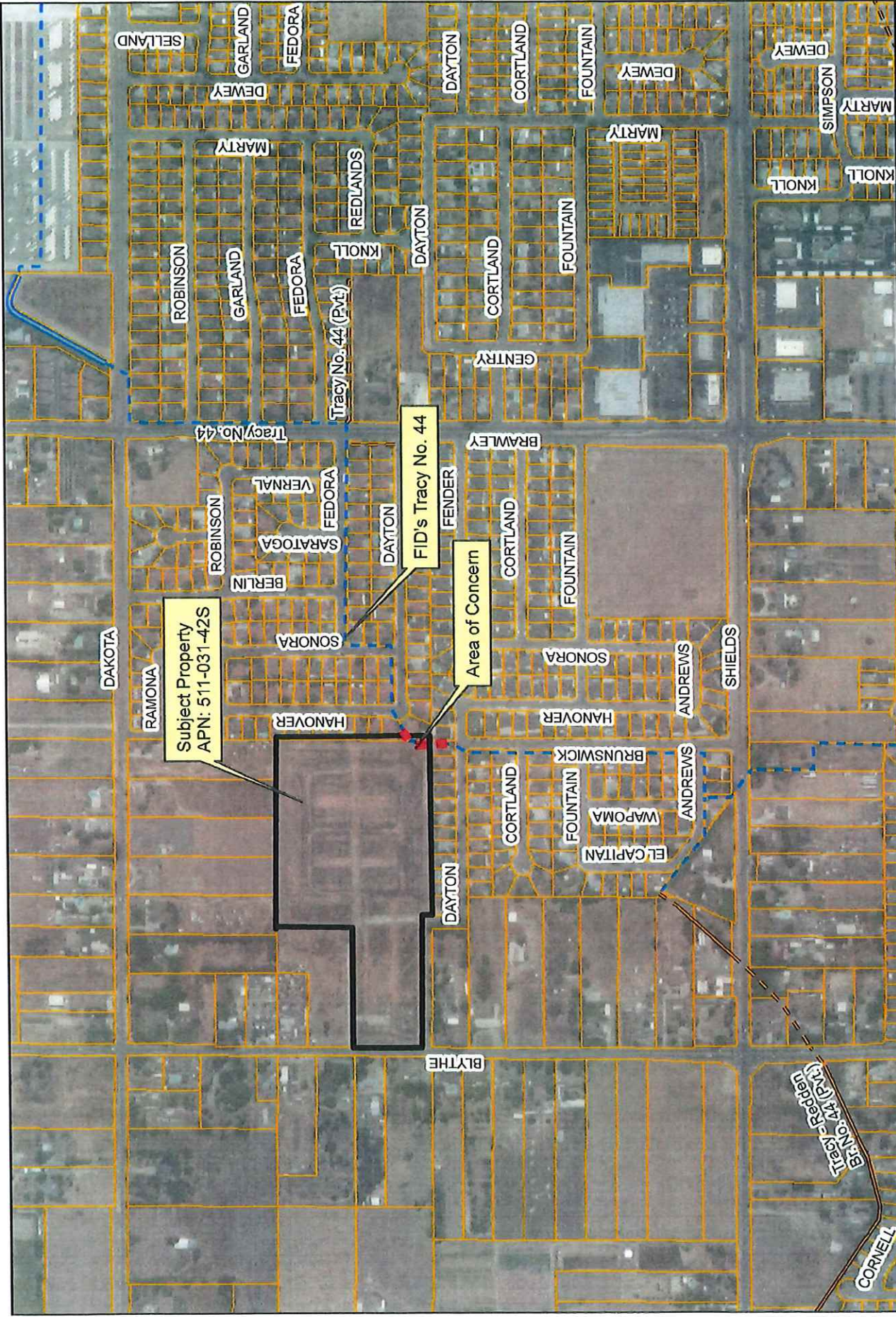
Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment





This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 232-7161 for further information on FID facilities.

Spatial Reference Name: NAD 1983 StatePlane California IV FIPS 5004 Path: C:\fig\fig\022\FID Master.mxd

- Legend**
- FID Canal
  - FID Pipeline
  - Private Canal
  - Private Pipeline
  - Abandoned Canal
  - Abandoned Pipeline
  - Stream Group
  - Other-Creek/River
  - Other-Pipeline
  - FID Boundary
  - Railroad
  - Streets & Hwys
  - Parcel
  - FIMFCD Acquired Basins
  - FIMFCD Proposed Basins



FRESNO IRRIGATION DISTRICT





2907 S. Maple Avenue  
Fresno, California 93725-2208  
Telephone: (559) 233-7161  
Fax: (559) 233-8227

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

August 16, 2021

Bonique Emerson  
Precision Civil Engineering, Inc.  
1234 O Street  
Fresno, CA 93721

RE: Tracy No. 44  
S/E Dakota and Blythe avenues

Dear Ms. Emerson:

The Fresno Irrigation District (FID) is in receipt of your email dated August 9, 2021. You inquired as to FID's Conditions of Approval for the Tracy No. 44 that traverses your property APN: 511-031-42S. FID has the following comments:

**Summary of Requirements:**

- FID Board Approval
- Review and Approval of all Plans.
- Installation of off-site surge chamber.
- Replacement of existing CIP-MCP with 24-inch ASTM B-25 C-361 RGRCP (with warning tape and red slurry cap).
- Execute Pipeline Replacement Agreement.
- Execute additional Agreement(s), as necessary.
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

**Area of Concern**

1. FID's Tracy No.44 runs southwesterly traversing the southeasterly portion of the subject property, as shown on the attached FID exhibit map and will be impacted by the proposed development. Records indicate a 20 feet wide Easement recorded on July 20, 1983, as Document No. 83064600, Official Records of Fresno County. Should this project include any street and/or utility improvements along Dakota Avenue, Brawley Avenue, Shields Avenue, or in the vicinity of the pipeline, FID requires it review and approve all plans.
2. The attached plans for the Tracy indicates the pipeline was installed in 1982 (39 years old) as a 24-inch diameter ASTM C-76 Rubber Gasket Reinforced Concrete Pipe (RGRCP). FID's current standard for developed parcels located in the urban areas (residential, industrial, and commercial) is ASTM C-361 RGRCP. The ASTM C-76 pipe

G:\Agencies\Misc (Consultants)\Precision Civil Engineering\TM6192\TM6192.doc

**BOARD OF DIRECTORS**

President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF  
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

has a weaker joint connection and is not designed to handle the constant internal head pressure that is typically experienced on low-head irrigation pipelines such as this one.

3. FID requires the applicant replace the existing pipeline across the subject property as a part of this project with new 24-inch diameter ASTM B-25 C-361 Rubber Gasketed Reinforced Concrete Pipe (RGRCP) in accordance with FID standards for developed parcels and that the applicant enter into an agreement with FID for that purpose.
4. The applicant shall grant to FID a new exclusive pipeline easement. The width of the easement depends on several factors including pipe size, alignment, depth, etc. The applicant can expect the easement to be a minimum of 20 feet wide.
  - a. FID typically requires its pipeline to be placed outside the backyards of future parcels. Past experiences have shown that having pipe in residential backyards creates unexpected encumbrances to the property owners and results in unhappy home owners. In many cases, the new owners have not been able to construct swimming pools or landscape as they desire. A pipeline through the backyard also requires FID to remove fences and other surface features at the landowners expense in order for FID to gain access to the pipeline for inspections and/or repairs.
    - i. FID requires the applicant 2-sack red slurry backfill approximately 12 inches over top of the pipeline.
    - ii. Provide two (2) rows of warning tape located one-foot from centerline of the pipe on both sides.
  - b. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers and increases the risk of flooding in upstream open channel sections. Subsequent pipeline repairs can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved. FID may require external wrap be installed at all pipeline joints within the subject property or any areas where root intrusion may be a future concern based on the proposed improvement at the time of review. This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.
5. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractors grading activities.



6. FID requires the applicant and/or the applicant's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.

#### **General Comments**

1. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing the final map/plans.
2. Footings of retaining walls and fencing shall not encroach onto FID property/easement areas.
3. No trees will be allowed within FID's easement; any trees to be planted around the pipeline shall maintain a distance of 12 feet from edge of pipe.
4. FID requires the Developer and or the Developer's engineer contact FID at their earliest convenience to discuss specific requirements.
5. FID requires all existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the development project limits. No permanent building(s) or structures within FID's easement/property.
6. FID does not allow FID owned property, pipelines, and/or easements to be in backyards, in common use with public utility, utility easements, and road right-of-ways.
7. FID requires its review and approval of all Private and Public facilities that encroach into FID's property/easement. If FID allows the encroachment, the Public or Private party will be required to enter into the appropriate agreement which will be determined by FID.
8. FID requires the Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the pipeline, or result in drainage patterns that could adversely affect FID.
9. FID requires it review, approve and be made a party to signing all improvement plans which affect its easements and pipeline facilities including but not limited to Grading and Drainage, Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.
10. FID is concerned about the potential vibrations caused by construction efforts near existing District facilities as it may cause damage to FID's canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment and stockpile outside of FID's easement and a minimum of 30 feet away from existing concrete pipe. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities.
11. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area is currently open land with minimal to no water use, supplemented by groundwater pumping. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed

development result in a conversion from imported surface water to groundwater, this deficit will increase. FID recommends the City of Fresno require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

12. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the development on the City's ability to comply with requirements of SGMA.
13. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.
14. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or [jlandrith@fresnoirrigation.com](mailto:jlandrith@fresnoirrigation.com).

Sincerely,

Laurence Kimura, P.E.  
Chief Engineer

Attachment



GRANT OF EASEMENT AND RIGHT OF WAY

83064600

CANAL: TRACY DITCH NO. 44

THIS INDENTURE, made and entered into this 17th

day of June, 19 83, by and between Einer H. and

Eleanor M. Hansen, Trust

as Grantors, and FRESNO IRRIGATION DISTRICT, a public corporation in the County of Fresno, State of California, as Grantee,

WITNESSETH:

Grantors, for good and valuable consideration, do hereby grant to Grantee the perpetual and exclusive right and easement to construct, install, operate, use, maintain, alter, repair, improve, reconstruct, enlarge or supplement pipes, pipelines, and conduits, and to flow and conduct water through said pipes, pipelines and other conduits, across, over, through, and under the following described real property in the County of Fresno, State of California, to wit:

See Exhibit "A" attached hereto

in, along, and through a right of way, therefore, 20.00 feet in width described as follows:

See Exhibit "B" attached hereto

together with all rights convenient or incidental thereto, including the right of ingress to and egress from said right of way and easement over and across said real property of Grantors.

Grantor as owner of said real property, subject to said easement and right of way, shall have the right to use said land for any purpose which does not interfere with the purposes of said easement and right of way, provided said Grantors as owners shall not build or construct any building or other permanent structure thereon without the written permission and consent of Grantee; and Grantors, for themselves, their heirs, executors, administrators, successors and assigns, covenant and agree that Grantee shall have the right, without notice and at Grantors' expense to remove any structures, fences, trees, vines, shrubs or other encroachments from said easement and right of way that does interfere with the purposes or use of said easement and right of way.

IN WITNESS WHEREOF, Grantors have executed this grant the day and year first above written.

Einer H. Hansen

Einer H. Hansen

Eleanor M. Hansen

Eleanor M. Hansen

Accepted for and on behalf of Fresno Irrigation District this Thirteenth day of July, 1983.

Robert L. [Signature] Secretary

RECORDED IN OFFICIAL RECORDS OF FRESNO COUNTY, CALIFORNIA. AT 12 MIN. PAST 08 M. JUL 20 1983. GALEN LARSON, County Recorder. FEE \$

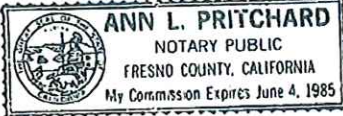
EXHIBIT A

The South Half of the Northwest Quarter of the Southeast Quarter of Section 23, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the United States Government Township Plats.

EXCEPTING THEREFROM the North 330 feet of the West 528 feet thereof.

State of CALIFORNIA }  
 County of FRESNO } ss.

On this the 17th day of June 1983, before me,  
ANN L. PRITCHARD  
 the undersigned Notary Public, personally appeared  
Einer H. Hansen and Eleanor M. Hansen  
 personally known to me  
 proved to me on the basis of satisfactory evidence  
 to be the person(s) whose name(s) are subscribed to the  
 within instrument, and acknowledged that they executed it.  
 WITNESS my hand and official seal.  
Ann L Pritchard  
 Notary's Signature

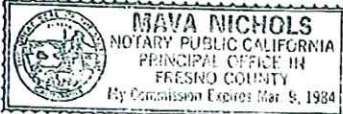


GENERAL ACKNOWLEDGMENT FORM 7110 052

NATIONAL NOTARY ASSOCIATION • 23012 Ventura Blvd • Woodland Hills, CA 91364

STATE OF CALIFORNIA }  
 COUNTY OF Fresno } ss.

On this 13th day of July, in the year 1983  
 before me, the undersigned, a Notary Public in and for said State, personally appeared  
Robert L. Simpson  
 \_\_\_\_\_, personally known to me  
 (or proved to me on the basis of satisfactory evidence) to be the person whose name \_\_\_\_\_  
 subscribed to the within instrument, and acknowledged to me that he  
 executed it.  
 WITNESS my hand and official seal.  
Mava Nichols  
 Notary Public in and for said State.



ACKNOWLEDGMENT—General—Wolcotts Form 233CA—Rev. 5 82  
 ©1982 WOLCOTTS, INC

830E4600

EXHIBIT B

The East 20.00 feet of the South 140.00 feet of the South Half of the Northwest Quarter of the Southeast Quarter of Section 23, Township 13 South, Range 19 East, Mount Diablo Base and Meridian.



83055764

GRANT OF EASEMENT AND RIGHT-OF-WAY  
AND AGREEMENT FOR SUBSTITUTION OF  
PIPELINE FOR OPEN CANAL OWNED BY  
FRESNO IRRIGATION DISTRICT

RECORDED IN OFFICIAL RECORDS OF FRESNO COUNTY, CALIFORNIA	
AT <u>SS</u> MIN. PAST <u>10</u> M	
JUN 23 1983	
GALEN LARSON, County Recorder	FEE \$ —

CANAL: TRACY DITCH NO. 44  
F.I.D. JOB NO. 027

FOR TRACT NO. 3150  
TREND HOMES NO. 11

THIS AGREEMENT, made and entered into this 22nd day  
of June, 1983, by and between TREND HOMES INC.,  
a California corporation, hereinafter referred to as "FIRST PARTY,"  
and FRESNO IRRIGATION DISTRICT, a public corporation, hereinafter  
referred to as "SECOND PARTY";

W I T N E S S E T H :

WHEREAS, First Party is the owner of that certain real  
property in the County of Fresno, State of California, described  
as follows:

SEE EXHIBIT "A"

WHEREAS, Second Party owns a right-of-way and easement  
forty feet (40') wide over said real property for an irrigation  
canal, thereon known as Tracy Ditch No. 44 which is described as  
follows:

A strip of land forty feet (40') wide lying  
twenty feet on each side of the following des-  
cribed centerline:

Commencing at the Northeast corner of the East  
half of the Southwest quarter of the Southeast  
quarter of Section 23, Township 13 South, Range  
19 East, M. D. B. & M.; thence, Westerly along  
the North line of said East half a distance of  
80 feet, more or less, to the centerline of  
Tracy Ditch and the TRUE POINT OF BEGINNING;  
thence, along the centerline of said Tracy  
Ditch South 29° 41' West, a distance of 1119  
feet, more or less; thence, South 52° 32' East  
a distance of 577 feet, more or less, to the  
South line of said East half.

WHEREAS, First Party desires to substitute for said Tracy  
Ditch, a twenty-four inch (24") inside diameter rubber gasket re-  
inforced concrete pipeline upon a right-of-way as provided herein,  
and Second Party is willing to consent to the installation and sub-  
stitution of such pipeline for said existing canal subject to the  
conditions herein specified:

NOW, THEREFORE, it is agreed as follows:

## I

First Party does hereby grant to Second Party the perpetual and exclusive right and easement to construct, install, maintain, alter, repair, improve, reconstruct, enlarge and supplement pipes, pipelines and conduits, and to flow and conduct water through said pipes, pipelines and conduits, across, over, through and under the above described real properties owned by First Party in a perpetual and exclusive right-of-way and easement, therefore, consisting of a strip of land described as follows:

SEE EXHIBIT "B"

together with all rights convenient or incidental thereto, including the right of ingress to and egress from said right-of-way and easement, over and across said real property of First Party; and First Party for themselves, their heirs, executors, administrators, successors, and assigns, covenant and agree that no building, fence, or other structure, shall be constructed, and no trees, vines or shrubs, shall be planted or maintained upon said right-of-way and easement without the consent of Second Party, which in any way interfere with the use of said right-of-way and easement, and that Second Party shall have the right, without notice, and at First Party's expense, to remove any such structures, fences, trees, vines, shrubs, or other encroachments from said right-of-way and easement.

## II

First Party agrees at their expense to lay construct and install in and along the said right-of-way and easement, herein above granted to Second Party, a twenty-four inch (24") inside diameter, rubber gasket reinforced concrete irrigation pipeline, with twenty-four inch (24") inside diameter rubber gasket reinforced concrete culvert pipe, at all proposed or existing roads, streets, or alleys, and with inlets, outlets, and such connections and other structures as may be specified by the engineer of Second Party. Said pipeline, structures and other appurtenances, shall be laid, constructed, installed and backfilled in accordance with plans and specifications approved by Second Party; and the top of said pipe-

line shall be not less than twenty-four inches (24") below the surface of the surrounding ground and any proposed or existing roads, streets, or alleys crossed thereby. All pipe shall be laid and installed in a good workmanlike manner.

## III

All precast concrete irrigation pipe, herein agreed to be installed, if any, shall meet the minimum requirements of the latest A.S.T.M. C-76 Specifications. Any other type of irrigation pipe, herein agreed to be installed, shall be constructed and installed in accordance with the requirements of Second Party.

## IV

First Party agrees to commence the laying and installation of said pipeline and structures within a reasonable time, and to complete the installation and construction, thereof, not later than February 1, 1984. First Party agrees that the construction and installation of said pipeline and structures shall not interfere with the flow or distribution of water through the present facilities as required by Second Party.

## V

First Party agrees not to damage, destroy, alter, disrupt, discard, remove, or connect to existing facilities without the written permission of Second Party.

## VI

First Party agrees within thirty (30) days after the completion of the work, to pay the entire cost of laying, constructing and installing said pipeline, inlets, outlets, and other structures, including the cost of all labor, materials, equipment, installation, trenching, backfilling, leveling, and testing. In the event First Party neglects, fails, or refuses to pay the entire cost thereof, and complete said work in accordance herewith, Second Party may, but shall not be required to pay such cost and complete such work, and First Party does hereby agree to repay to Second Party any amounts so expended with interest, thereon, at the rate of 10% per annum.



## VII

First Party agrees to keep and maintain said pipeline, inlets, outlets, and other structures appurtenant thereto, in good operating condition and repair for a period of one (1) year after the completion of construction and the acceptance, thereof, by Second Party, and to pay all costs of such repairs and maintenance and of any replacement of any part, thereof, required to maintain said pipeline and structures in good operating condition. First Party agrees that the date of acceptance must be evidenced by a written and dated letter from Second Party. First Party further understands that any letter with conditional provisions is not a letter of acceptance. In the event First Party fails, neglects or refuses to repair, maintain or replace any part of said pipelines or structures, during said period of one (1) year, Second Party shall have the right, but shall not be required to make any such repairs or replacements, and First Party does, hereby, agree to repay to Second Party the cost of any such repairs or replacements with interest at the rate of 10% per annum.

## VIII

First Party agrees that upon construction and installation the said pipeline, inlets, outlets, and other structures shall become and remain the property of Second Party, and that First Party shall have no right, title, or interest therein. First Party further agrees that said easement and said pipeline and any other pipelines and conduits to be constructed therein, by or for Second Party, and the manner, method and time of conducting and discharging water through said pipeline, pipelines, or conduits, shall be in the sole and absolute control of Second Party, and the nature and extent of right-of-way and easement shall in no wise be diminished or restricted by the construction of said pipeline by First Party.

## IX

First Party agrees at their own expense, to procure a surety company bond in the sum of Sixty-One Thousand Five Hundred and no/100 Dollars (\$61,500.00) from a responsible surety company, guaranteeing the performance of this agreement by First Party and the

payment of all amounts herein agreed to be paid by First Party. Said bond or other type of assurance procured by First Party may be reduced to Nine Thousand Three Hundred Dollars (\$9,300.00) after the completion and acceptance, thereof, by Second Party. Said \$9,300.00 bond shall be for guaranteeing the maintenance and repair of said pipeline and structures for a period of one (1) year.

## X

First Party agrees, at its own expense, to procure a policy of title insurance issued to Second Party, with liability limited to Sixty-One Thousand Five Hundred and no/100 Dollars (\$61,500.00) showing title to the rights-of-way herein granted to Second Party to be free and clear of encumbrances, which would in any way interfere with Second Party's use of said easement.

## XI

First Party agrees to pay Second Party, payment to accompany this agreement, the sum of Five hundred Dollars (\$500.00) to cover the cost of inspection during the period of construction of said pipeline project. First Party further agrees to pay those costs for inspection that exceed the amount of Five Hundred Dollars (\$500.00) to Second Party, as determined by Second Party. First Party agrees and acknowledges that this fee is non-refundable and non-transferable.

## XII

Upon full performance of this agreement by First Party and the acceptance of said pipeline and structures by Second Party, Second Party agrees to abandon that portion of its present Tracy Ditch #44 and right-of-way which will be replaced by said pipeline and easement, which are not within the right-of-way and easement herein, granted to Second Party.

This agreement shall apply to and bind the heirs, executors, administrators, successors, and assigns of the respective parties hereto.



IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above mentioned.

TREND HOMES INC.

FRESNO IRRIGATION DISTRICT

John Bonadelle PRES.

BY F.A. Preuss  
Vice-President

Robert E. Leake, Jr. SECT.

ATTEST Robert E. Leake, Jr.  
Acting Secretary


"FIRST PARTY"

"SECOND PARTY"

State of California }  
County of Fresno } ss.

On this the 16th day of June 1983, before me,  
Vicki K. Washer,  
the undersigned Notary Public, personally appeared  
John Bonadelle and Robert A. McCaffrey,  
 personally known to me  
 proved to me on the basis of satisfactory evidence  
to be the person(s) who executed the within instrument as  
\_\_\_\_\_ or on behalf of the corporation therein  
named, and acknowledged to me that the corporation executed it.  
WITNESS my hand and official seal.

Vicki K. Washer  
Notary's Signature



CORPORATE ACKNOWLEDGMENT FORM 7120 052

NATIONAL NOTARY ASSOCIATION • 23012 Ventura Blvd. • Woodland Hills, CA 91364

State of California )  
County of Fresno ) ss

On this 22nd day of June 1983, before me, Mava Nichols, the undersigned Notary Public, personally appeared F.A. Preuss

Robert E. Leake, Jr.,  
personally know to me, or proved to me on the basis of satisfactory evidence, to be the person (s) who executed the within instrument as Vice-President and Acting Secretary

and acknowledged to me that the FRESNO IRRIGATION DISTRICT, a public corporation executed it.

WITNESS my hand and official seal.

Mava Nichols

Notary Public in and for said County and State



EXHIBIT A

That portion of the East Half of the Southwest Quarter of the Southeast Quarter of Section 23, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the United States Government Township Plats, described as follows:

BEGINNING at a point on the South line of said Section 23, distant thereon 178.58 feet Westerly from the Southeast corner of said Southwest Quarter of the Southeast Quarter, said point being the intersection of said South line with the centerline of Fresno Irrigation District's Tracy Ditch as same existed on January 25, 1955; thence North 52°32' West, along said centerline, 576.83 feet, more or less, to a point at which said centerline turns to a course of North 27°40' East, and being also the point of intersection thereof with the centerline of a private lateral ditch as same existed on January 25, 1955; thence along the centerline of said lateral ditch, South 22°29' West 69.09 feet, more or less, to the intersection thereof with the West line of the East Half of the Southwest Quarter of the Southeast Quarter of said Section 23, thence North 0°01' East, along said West line 1035.0 feet, more or less, to the Northwest corner of said East Half of the Southwest Quarter of the Southeast Quarter of Section 23; thence North 89°53' East along the North line thereof 660.32' feet, more or less, to the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section 23; thence South 0°02' West along the East line thereof 1323.0 feet, more or less, to the Southeast corner of said Southwest Quarter of the Southeast Quarter of Section 23; thence South 89°52' West along the South line of said Section, 175.58 feet to the Point of Beginning.

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EXHIBIT B

## FID EASEMENT IN TRACT 3150

That portion of the East Half of the Southwest Quarter of the Southeast Quarter of Section 23, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of said East Half; thence South 89°52'37" West, along the North line of said East Half, a distance of 20.00 feet; thence South 16°40'43" East, a distance of 20.86 feet; thence South 0°02'01" West, parallel with and 14.00 feet West of the East line of said East Half, a distance of 85.00 feet; thence South 35°44'02" West, a distance of 61.69 feet; thence South 0°02'01" West, parallel with and 50.00 feet West of the East line of said East Half, a distance of 466.00 feet; thence South 8°00'01" West, a distance of 50.51 feet; thence South 0°02'01" West, parallel with and 57.00 feet West of the East line of said West Half, a distance of 495.00 feet; thence South 89°52'37" West, a distance of 322.68 feet; thence South 52°32'08" East, a distance of 24.59 feet; thence North 89°52'37" East, a distance of 115.15 feet; thence South 0°02'01" West, a distance of 88.45 feet; thence South 52°32'08" East, a distance of 5.48 feet; thence North 89°51'52" East, a distance of 25.65 feet; thence North 0°02'01" East, a distance of 91.79 feet; thence North 89°52'37" East, a distance of 173.00 feet; thence North 0°02'01" East, parallel with and 42.00 feet West of the East line of said East Half, a distance of 510.00 feet; thence North 5°44'33" East, a distance of 50.26 feet; thence North 0°02'01" East, parallel with and 37.00 feet West of the East line of said East Half, a distance of 466.00 feet; thence North 36°28'47" East, a distance of 62.28 feet; thence North 0°02'01" East, a distance of 105.00 feet to the Point of Beginning.



FORM OF PERFORMANCE BOND ON AGREEMENTS  
FOR SUBSTITUTION OF PIPELINES FOR OPEN  
DITCHES

BOND#: U 44 69 46

KNOW ALL MEN BY THESE PRESENTS:

That we, TREND HOMES, INC.,  
of Fresno County, California, as Principal, and the UNITED PACIFIC  
INSURANCE COMPANY, as Surety, are held and firmly bound  
unto FRESNO IRRIGATION DISTRICT of Fresno County, California, here-  
in referred to as District, in the sum of SIXTY-ONE THOUSAND FIVE HUNDRED  
(\$61,500.), for the payment whereof said Principal and Surety bind  
themselves firmly by these presents.

WHEREAS, the Principal has entered into a written agreement  
dated June 22, 1983 with District providing for the granting  
of an easement for a pipeline and structures and the construction  
of a pipeline and structures on such easement, and for the repair  
and maintenance of said pipeline and structures in accordance with  
the provisions of said agreement, reference to which is made for  
further particulars;

NOW, THEREFORE, the condition of this obligation is such that  
if the Principal shall perform said agreement in accordance with  
its terms and shall indemnify the District against any loss or  
damage directly arising by reason of the failure of Principal to  
faithfully perform the said agreement and to construct, or cause  
to be constructed, and repair and maintain, or cause to be re-  
paired and maintained, the said pipeline and structures in accord-  
ance therewith, and to pay, or cause to be paid in full, the  
entire expense thereof, then this obligation shall be void; other-  
wise to remain in full force and effect.

Signed and sealed this 14th day of June, 19 83.

TREND HOMES, INC.

BY: *John B. ...* Pres.  
Principal

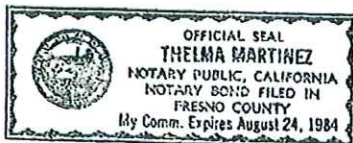
UNITED PACIFIC INSURANCE COMPANY

BY: *Wayne Lamb*  
WAYNE LAMB Attorney-in-Fact  
Surety

AFFIDAVIT

STATE OF CALIFORNIA)  
COUNTY OF FRESNO ) ss.

On this 14th day of June, 19 83, before me,  
Thelma Martinez, a Notary Public in and  
for the County and State aforesaid, duly commissioned and sworn,  
personally appeared Wayne Lamb  
known to me to be the person whose name is subscribed to the fore-  
going instrument as the Attorney-in-Fact of the UNITED PACIFIC  
INSURANCE Company, and acknowledged to me that he sub-  
scribed the name of the UNITED PACIFIC INSURANCE  
Company thereto as Surety and his own name as Attorney-in-Fact,  
respectively.



*Thelma Martinez*  
Notary Public in and for the County  
of Fresno, State of California

NOTE: If the bond is signed by any different officer or agent of  
the corporation than an attorney-in-fact, the form of acknowledg-  
ment should be changed accordingly.

UNITED PACIFIC INSURANCE COMPANY

HEAD OFFICE, FEDERAL WAY, WASHINGTON

83055764

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the UNITED PACIFIC INSURANCE COMPANY, a corporation duly organized under the laws of the State of Washington, does hereby make, constitute and appoint

WAYNE LAMB of FRESNO, CALIFORNIA-----

its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed

ANY AND ALL BONDS AND UNDERTAKINGS OF SURETYSHIP----

and to bind the UNITED PACIFIC INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the UNITED PACIFIC INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of UNITED PACIFIC INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows.

ARTICLE VII - EXECUTION OF BONDS AND UNDERTAKINGS

1. The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorneys-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney-in-Fact at any time and revoke the power and authority given to him.

2. Attorneys-in-Fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

3. Attorneys-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By-Laws of the Company or any article or section thereof.

This power of attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of UNITED PACIFIC INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed

"Resolved, that the signatures of such directors and officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the UNITED PACIFIC INSURANCE COMPANY has caused these presents to be signed by its Vice President, and its corporate seal to be hereto affixed, this 30th day of July 1982



UNITED PACIFIC INSURANCE COMPANY

Charles B. Schmalz

Vice President

STATE OF Washington } ss.
COUNTY OF King
On this 30th day of July

19 82 personally appeared Charles B. Schmalz

to me known to be the Vice-President of the UNITED PACIFIC INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII, Section 1, 2, and 3 of the By-Laws of said Company, and the Resolution, set forth therein, are still in full force.

My Commission Expires

May 1 19 86



Michele Gallagher

Notary Public in and for State of Washington

Residing at Tacoma

1. Charles J. Falskow, Assistant Secretary of the UNITED PACIFIC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said UNITED PACIFIC INSURANCE COMPANY, which is still in full force and effect

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 14th day of June 19 83



Assistant Secretary Charles J. Falskow

State of California

County of Fresno

} ss.

On this the 16th day of June, 1983, before me,

Vicki K. Washer

the undersigned Notary Public, personally appeared

John Bonadelle

personally known to me

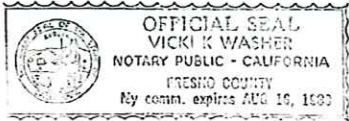
proved to me on the basis of satisfactory evidence

to be the person(s) who executed the within instrument as

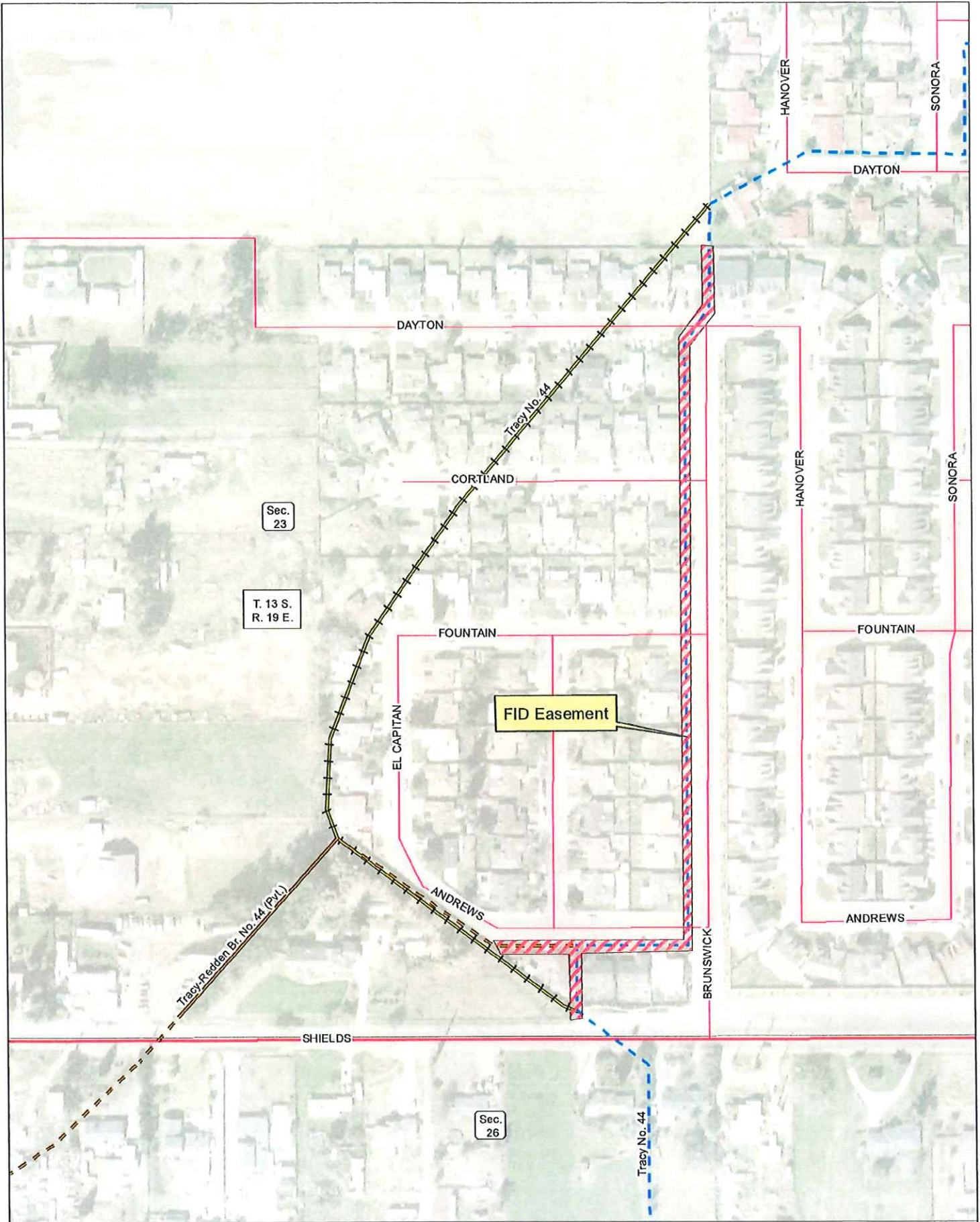
\_\_\_\_\_ or on behalf of the corporation therein  
named, and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.

*Vicki K. Washer*  
Notary's Signature





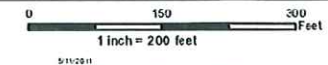


FID Easement



FRESNO IRRIGATION DISTRICT

- Legend**
- FID Canal
  - - - FID Pipeline
  - Private Canal
  - - - Private Pipeline
  - Abandoned Canal
  - - - Abandoned Pipeline
  - Stream Course
  - - - Other Creek/River
  - Other Pipeline
  - FID Boundary
  - - - Railroad
  - Streets & Highways
  - Parcel
  - FMCD Acquired Basins
  - FMCD Proposed Basins



5/1/2011  
C:\Documents and Settings\corcoran\My Documents\FID Easement.mxd

DOCUMENTARY TRAFFIC  
M. Nichols  
For the Benefit of the  
Fresno Irrigation District

87033506

FRESNO COUNTY, CALIFORNIA	
AT 15	MIN. PAST 29 M
MAR 18 1987	
GALEN LARSON, County Recorder	FEE \$ 0

10

CANAL: TRACY NO. 44

FOR TRACT NO. 3834

F.I.D. JOB NO 295

THIS AGREEMENT, made and entered into this 11th day of March, 1987, by and between PIERCE LATHING CO., INC., a California corporation, dba Pierce Enterprises, hereinafter referred to as "FIRST PARTY,"

PARKVIEW DEVELOPMENT COMPANY, a California corporation, hereinafter referred to as "SECOND PARTY," and FRESNO IRRIGATION DISTRICT, a public corporation, hereinafter referred to as "THIRD PARTY";

W I T N E S S E T H:

WHEREAS, Second Party is the owner of that certain real property in the City of Fresno, in the County of Fresno, State of California, described as follows:

SEE ATTACHED EXHIBIT "A"

Whereas, Third Party owns a right-of-way and easement forty feet (40') in width over said real property for an irrigation canal thereon known as Tracy Canal No. 44 which is described as follows:

A strip of land forty feet (40') wide lying twenty feet on each side of the following described centerline:

Commencing on the centerline of Fresno Irrigation District's Tracy Canal No. 44 located approximately 2250 feet North of and 40 feet East of the Southeast corner of Section 23, Township 13 South, Range 19 East, M.D.B. & M.; thence Southwesterly 1600 feet, more or less, to a point on the West line of the Northeast quarter of the Southeast quarter of said Section 23 approximately 120 feet North of the Southwest corner of said Northeast quarter of the Southeast quarter of said Section 23.

Whereas, First Party and Second Party desire to substitute for said canal a twenty-four inch (24") inside diameter concrete pipeline upon a right-of-way as provided herein, and Third Party is willing to consent to the installation and substitution of such pipeline for a portion of said existing Tracy Canal No. 44; subject to the conditions herein specified:

GIS 1097



NOW, THEREFORE, it is agreed as follows:

## I

Second Party does hereby grant to Third Party the perpetual and exclusive right and easement to construct, install, maintain, alter, repair, improve, reconstruct, enlarge and supplement pipes, pipelines and conduits, and to flow and conduct water through said pipes, pipelines and conduits, across, over, through and under the above described real properties owned by Second Party in a perpetual and exclusive right-of-way and easement, therefore, described as follows:

SEE ATTACHED EXHIBIT "B"

Together with all rights convenient or incidental thereto, including the right of ingress to and egress from said right-of-way and easement, over and across said real property of Second Party; First Party and Second Party for themselves their heirs, executors, administrators, successors, and assigns, covenant and agree that no building, fence, or other structure shall be constructed or maintained upon said right-of-way and easement without the consent of Third Party, which in any way interferes with the use of said right-of-ways and easements, and that Third Party shall have the right, without notice, and at the expense of First Party and Second Party or their executors, administrators, successors, and assigns, to remove any such structures, fences, or other encroachments from said right-of-way and easement.

## II

First Party agrees at their expense to lay, construct and install in and along the said right-of-way and easement, herein above granted to Third Party, a twenty-four inch (24") inside diameter, rubber gasket reinforced pipe, and with inlets, outlets, and such connections and other structures as may be specified by the engineer of Third Party. Said pipeline, structures and other appurtenances shall be laid, constructed, installed and backfilled in accordance with plans and specifications approved by Third Party; and the top of said pipeline shall be not less than twenty-four inches (24") below the surface of the finished grade of the ground and any proposed or existing roads, streets, or alleys crossed thereby. All pipe shall be laid and installed in a good workmanlike manner.

## III

All precast concrete irrigation pipe, herein agreed to be installed, shall meet the minimum requirements of the latest A.S.T.M. Specifications. Any other type of irrigation pipe agreed to be installed shall be constructed and installed in accordance with the requirements of Third Party.

2

## IV

First Party agrees to commence the laying and installation of said pipeline and structures within a reasonable time, and to complete the installation and construction, thereof, not later than January 31, 1988. First Party agrees that the construction and installation of said pipeline and structures shall not interfere with the flow or distribution of water through the present facilities as required by Third Party.

## V

First Party agrees not to damage, destroy, alter, discard, remove, or connect to existing facilities without the written permission of Third Party.

## VI

First Party agrees within thirty (30) days after the completion of the work, to pay the entire cost of laying, constructing and installing said pipeline, inlets, outlets, and other structures, including the cost of all labor, materials, equipment, installation, trenching, backfilling, leveling, and testing. In the event First Party neglects, fails, or refuses to pay the entire cost thereof, and complete said work in accordance herewith, Third Party may, but shall not be required to pay such cost and complete such work, and First Party does hereby agree to repay to Third Party any amounts so expended with interest, thereon, at the rate of 10% per annum.

## VII

First Party agrees to keep and maintain said pipeline, inlets, outlets and other structures appurtenant thereto, in good operating condition and repair for a period of one (1) year after the completion of construction and the acceptance, thereof, by Third Party, and to pay all costs of such repairs and maintenance and of any replacement of any part, thereof, required to maintain said pipeline and structures in good operating condition. First Party agrees that the date of acceptance must be evidenced by a written and dated letter from Third Party. First Party further understands that any letter with conditional provisions is not a letter of acceptance. In the event First Party fails, neglects, or refuses to repair, maintain, or replace any part of said pipelines, or structures, during said period of one (1) year, Third Party shall have the right, but shall not be required to make any such repairs or replacements, and First Party does hereby agree to repay to Third Party the cost of any such repairs or replacements with interest at the rate of 10% per annum.

## VIII

First Party and Second Party agree that upon construction and installation, the said pipelines, inlets, outlets and other structures shall become and remain the property of Third Party, and that First Party and Second Party shall have no right, title, or interest therein. First Party and Second Party agree that said easement and said pipeline and any other pipelines and conduits to be constructed therein, by or for Third Party, and the manner, method and time of conducting and discharging water through said pipeline, pipelines, or conduits, shall be in the sole and absolute control of Third Party, and the nature and extent of right-of-way and easement shall in no way be diminished or restricted by the construction of said pipeline by First party.

## IX

First Party agrees at their own expense, to procure a surety company bond in the sum of Eighty-seven Thousand and no/100 Dollars (\$87,000.00) from a responsible surety company, guaranteeing the performance of this agreement by First Party and the payment of all amounts herein agreed to be paid by First Party. Said bond procured by First Party may be reduced to Thirteen Thousand and no/100 Dollars (\$13,000.00) after the completion and acceptance, thereof, by Third Party. Said \$13,000.00 bond shall be for guaranteeing the maintenance and repair of said pipeline and structures for a period of one (1) year.

## X

First Party agrees, at its own expense, to procure a policy of title insurance issued to Third Party with liability limited to Eighty-seven Thousand and no/100 Dollars (\$87,000.00) showing title to the right-of-way herein granted to Third Party to be free and clear of encumbrances, which would in any way interfere with Third Party's use of said easement.

## XI

First Party agrees to pay Third Party, payment to accompany this agreement, the sum of Five Hundred Dollars (\$500) to cover the cost of inspection during the period of construction of said pipeline project. First Party further agrees to pay those costs for inspection that exceed the amount of Five Hundred Dollars (\$500) to Third Party, as determined by Third Party. First Party agrees and acknowledges that this fee is non-refundable and non-transferable.

d



Upon full performance of this agreement by First Party and Second Party and the acceptance of said pipeline and structures by Third Party, Third Party agrees to abandon that portion of its present easement and right-of-way which will be replaced by said pipeline and easement, which are not within the right-of-way and easement herein granted to Third Party.

This agreement shall apply to and bind the heirs, executors, administrators, successors, and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above mentioned.

PIERCE LATHING CO., INC.,  
dba PIERCE ENTERPRISES

*[Handwritten signature]*  
- TREASURER

"FIRST PARTY"

FRESNO IRRIGATION DISTRICT

BY *Jacole Anderson*

ATTEST *[Handwritten signature]*

"THIRD PARTY"

PARKVIEW DEVELOPMENT COMPANY

*[Handwritten signature]*  
Executive Vice President

"SECOND PARTY"

Accepted for and on behalf of the Fresno Irrigation District  
this 11th day of March, 19 87.

*[Handwritten signature]*  
Secretary

5

CORPORATE ACKNOWLEDGMENT

State of California }  
County of Fresno } SS.

On this the 3rd day of March 1987, before me,

DOROTHY A. MORAGA  
the undersigned Notary Public, personally appeared

D Kent Kurz

personally known to me  
 proved to me on the basis of satisfactory evidence  
to be the person(s) who executed the within instrument as  
President or on behalf of the corporation therein  
named, and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.

Dorothy A. Moraga  
Notary's Signature



... P.O. Box 4625 • Woodland Hills, CA 91355-4625

STATE OF CALIFORNIA }  
COUNTY OF San Diego } SS.

On this 3rd day of March, in the year 1987  
before me, the undersigned, a Notary Public in and for said State, personally appeared

Terald L. Embree and

\_\_\_\_\_, personally known to me  
(or proved to me on the basis of satisfactory evidence) to be the persons who executed the  
within instrument as Executive Vice President and \_\_\_\_\_ Secretary,  
respectively, of the Corporation therein named, and acknowledged to me that the Corporation  
executed it pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Julia E. Gallardo  
Notary Public in and for said State



ACKNOWLEDGMENT—Corp.—Pres. & Sec.—Wolcotts Form 222CA—Rev. 11-83

STATE OF CALIFORNIA }  
COUNTY OF Fresno } SS.

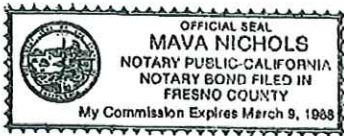
On this 11th day of March, in the year 1987,  
before me, the undersigned, a Notary Public in and for said State, personally appeared

Jacob C. Andresen

\_\_\_\_\_ and \_\_\_\_\_  
Robert L. Simpson, personally known to me  
(or proved to me on the basis of satisfactory evidence) to be the persons who executed the  
within instrument as \_\_\_\_\_ President and \_\_\_\_\_ Secretary,  
respectively, of the Corporation therein named, and acknowledged to me that the Corporation  
executed it pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Mara Nichols  
Notary Public in and for said State.



ACKNOWLEDGMENT—Corp.—Pres. & Sec.—Wolcotts Form 222CA—Rev. 11-83  
©1983 WOLCOTTS, INC. (price class B-2)

EXHIBIT "A"

PARCEL A:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THE EAST 330 FEET OF THE NORTH 660 FEET THEREOF.

PARCEL B:

THE SOUTHERLY HALF OF THE EAST 330 FEET OF THE NORTH 660 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL C:

PARCEL 1 OF PARCEL MAP NO. 2661, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17 PAGE 50 OF PARCEL MAPS, FRESNO COUNTY RECORDS.

EXHIBIT "B"  
(Page 1 of 3)

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF; THENCE NORTH 0° 04' 06" EAST, ALONG THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 339.00 FEET; THENCE NORTH 89° 52' 41" EAST, A DISTANCE OF 30.00 FEET, TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF NORTH BRAWLEY AVENUE; THENCE NORTH 0° 04' 06" EAST, PARALLEL TO AND 30.00 FEET FROM THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 587.70 FEET; THENCE NORTH 89° 52' 41" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 0° 04' 06" WEST, PARALLEL TO AND 50.00 FEET FROM THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 587.70 FEET; THENCE SOUTH 89° 52' 41" WEST, A DISTANCE OF 15.00 FEET TO THE TRUE POINT OF BEGINNING.

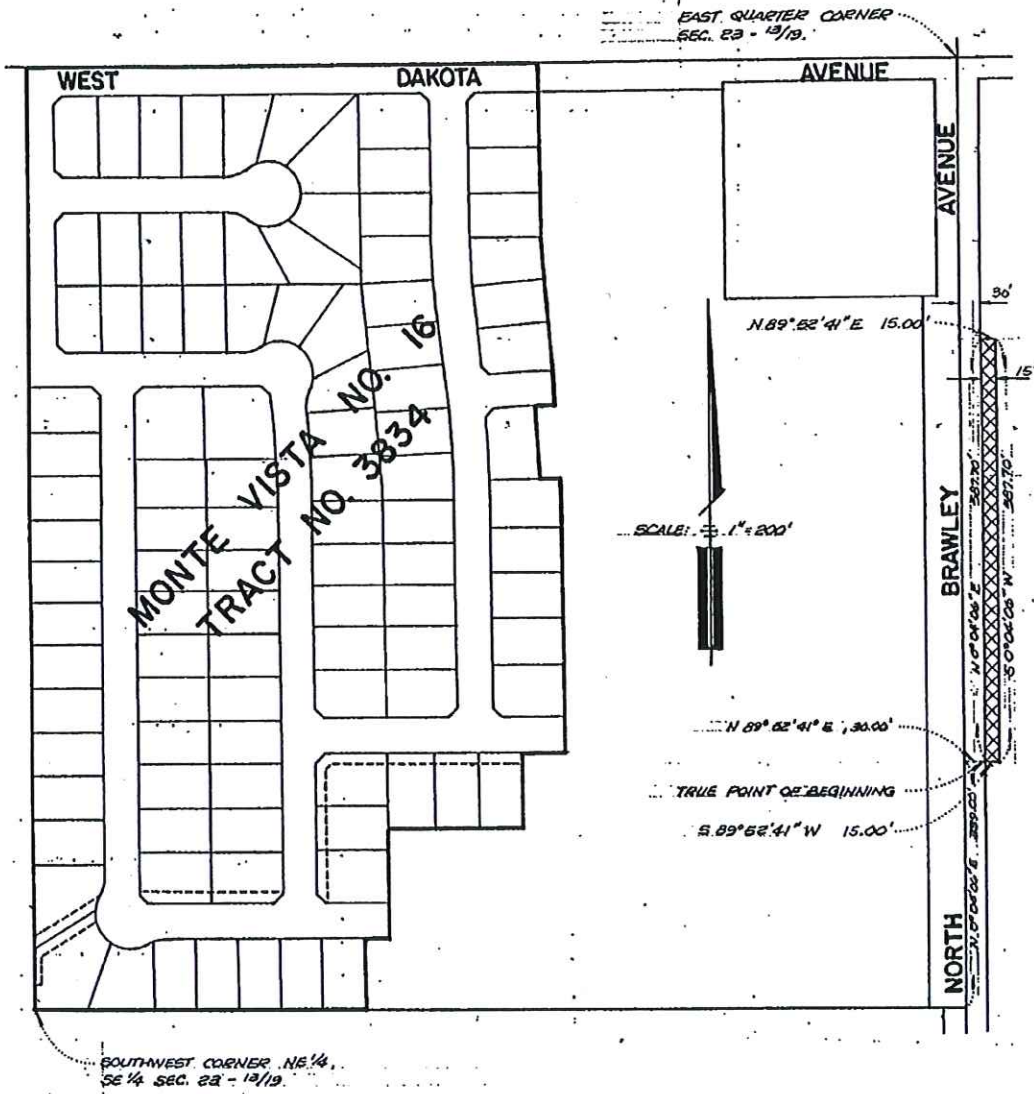
TOGETHER WITH:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF; THENCE SOUTH 89° 52' 41" WEST, ALONG THE SOUTH LINE OF SAID QUARTER, QUARTER SECTION, A DISTANCE OF 54.00 FEET, TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NORTH BRAWLEY AVENUE; THENCE NORTH 0° 04' 06" EAST, PARALLEL TO AND 54.00 FEET FROM THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 339.00 FEET, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 52' 41" WEST, A DISTANCE OF 200.00 FEET; THENCE NORTH 88° 16' 27" WEST, A DISTANCE OF 62.03 FEET; THENCE SOUTH 89° 52' 41" WEST, A DISTANCE OF 310.53 FEET; THENCE NORTH 0° 02' 07" EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 89° 52' 41" EAST, A DISTANCE OF 310.54 FEET; THENCE SOUTH 88° 16' 27" EAST, A DISTANCE OF 62.03 FEET; THENCE NORTH 89° 52' 41" EAST, A DISTANCE OF 200.00 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NORTH BRAWLEY AVENUE; THENCE SOUTH 0° 04' 06" WEST, PARALLEL TO AND 54.00 FEET FROM THE EAST SECTION LINE OF SAID SECTION 23, A DISTANCE OF 15.00 FEET TO THE TRUE POINT OF BEGINNING.

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87033506



# EXHIBIT 'B'

(Page 2 of 3)





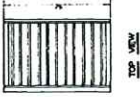
# IRRIGATION PIPELINE PLAN

FOR

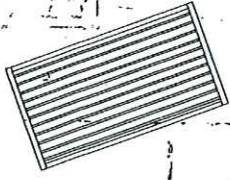
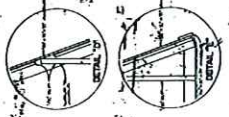
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### TREND HOMES NO. 11

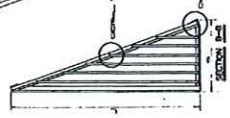
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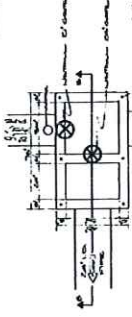
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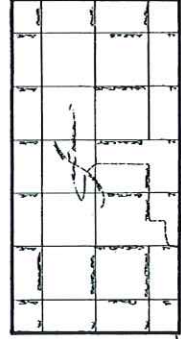
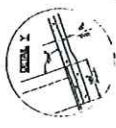
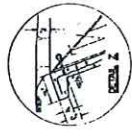
SECTION 2-2



SECTION 3-3



SECTION 4-4

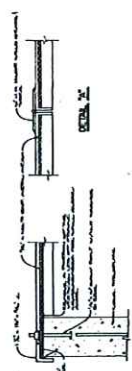


VINTY MAP

ENGINEER:  
*[Signature]*

APPROVED:  
*[Signature]*

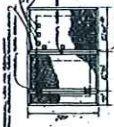
**Giannetta Engineering**  
Professional Engineers  
1000 North 10th Street, Suite 100  
Tulsa, Oklahoma 74103  
Phone: (918) 438-1111



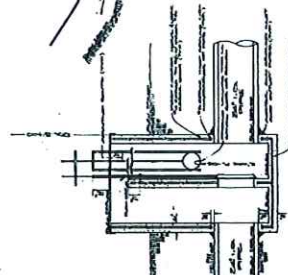
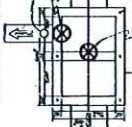
SECTION 5-5



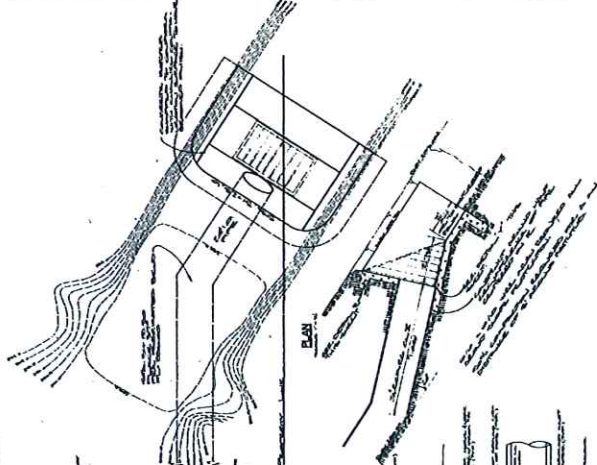
SECTION 6-6



SECTION 7-7

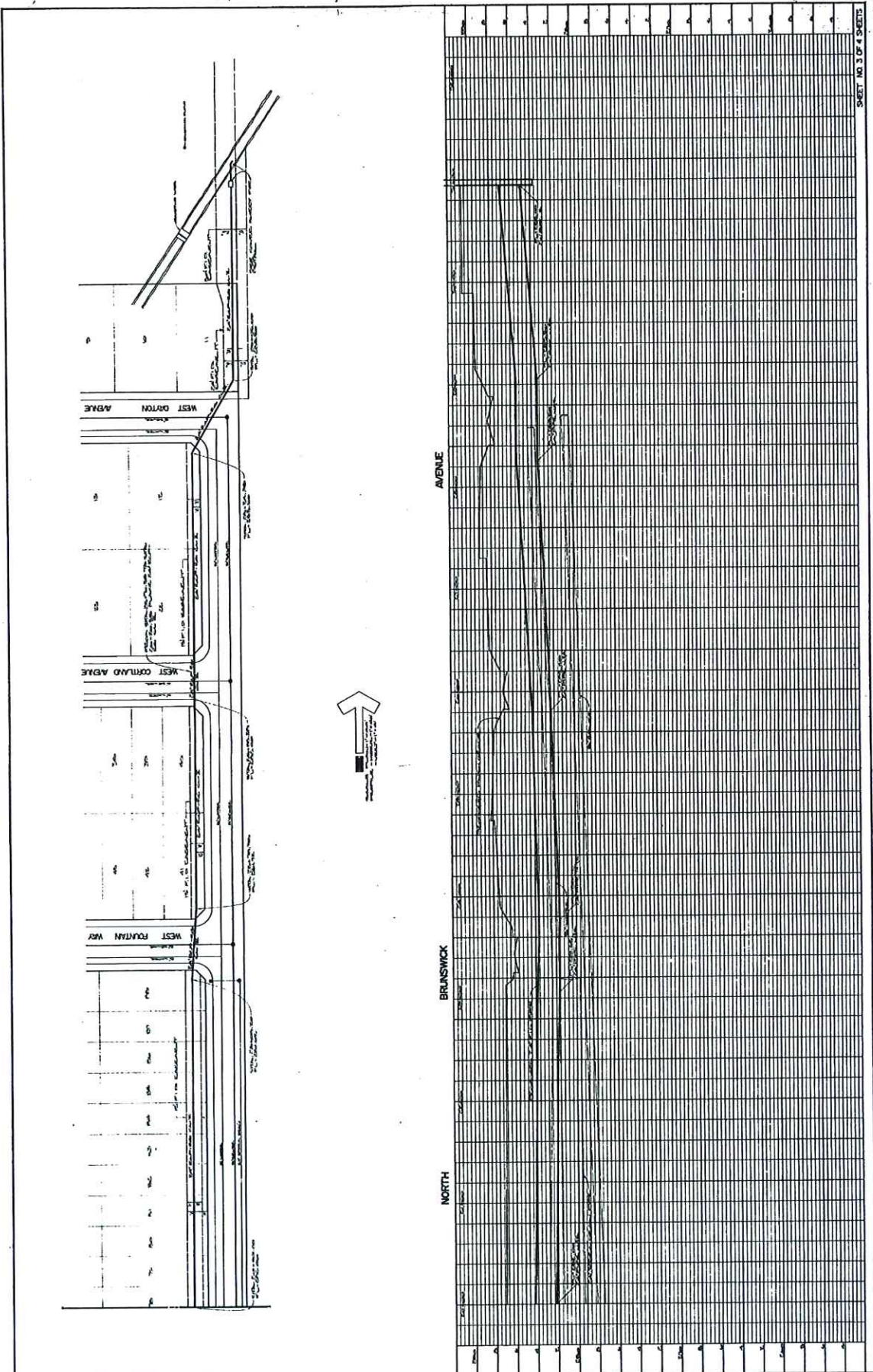


SECTION 8-8



PLAN





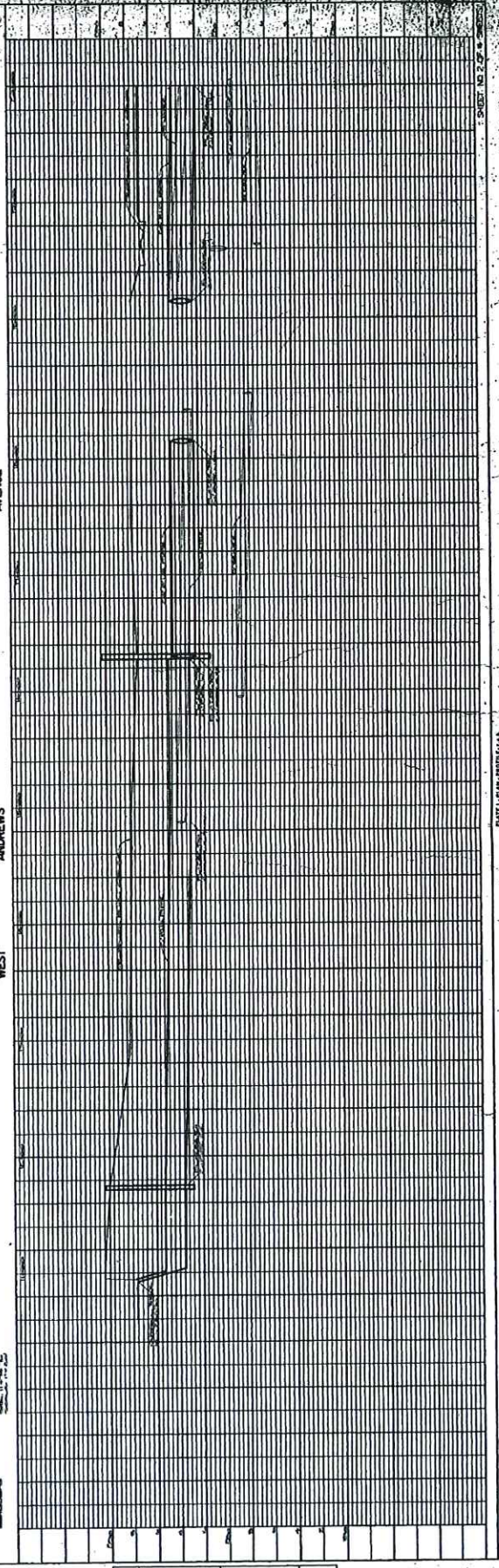
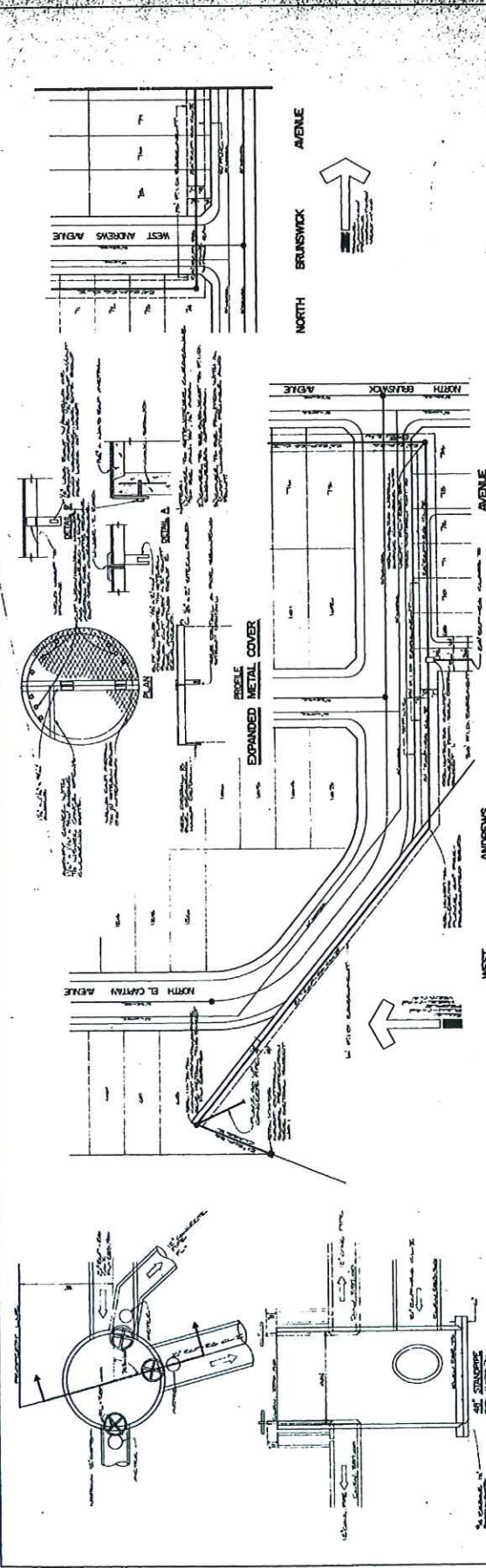
SHEET NO 3 OF 4 SHEETS

MOE PAULI ENGINEERING  
 48 1988 UNIVERSITY

DATE	11/11/88
BY	MOE PAULI
PROJECT	STREET RECONSTRUCTION
NO. OF SHEETS	4
SHEET NO.	3
SCALE	AS SHOWN

DATE	11/11/88
BY	MOE PAULI
PROJECT	STREET RECONSTRUCTION
NO. OF SHEETS	4
SHEET NO.	3
SCALE	AS SHOWN





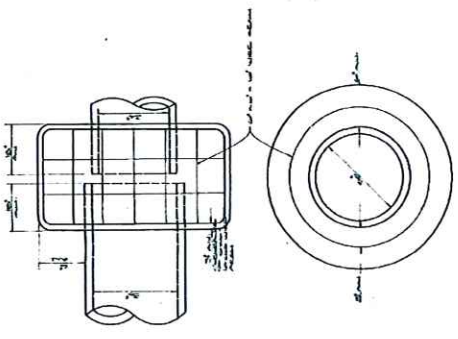
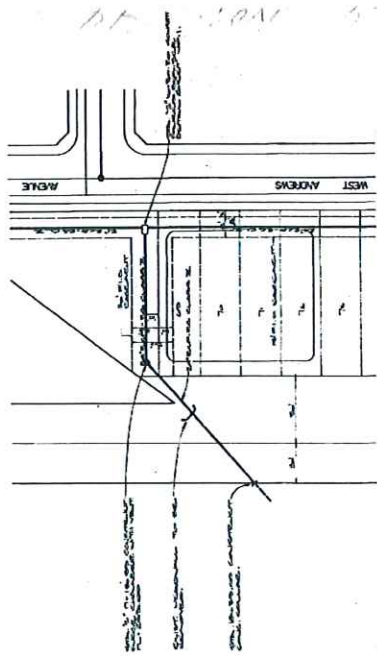
1 SHEET NO. 2 OF 3 SHEETS

PLANNING ENGINEER  
 CIVIL ENGINEER  
 1000

PLAN	
DATE	10/1/58
BY	J. H. [unclear]
CHECKED BY	[unclear]
APPROVED BY	[unclear]
SCALE	AS SHOWN

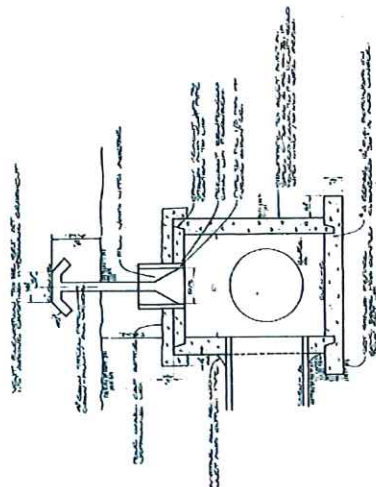
PROFILE	
DATE	10/1/58
BY	J. H. [unclear]
CHECKED BY	[unclear]
APPROVED BY	[unclear]
SCALE	AS SHOWN





**CONCRETE COLLAR DETAIL**

CONCRETE COLLAR DETAIL  
 1. CONCRETE COLLAR SHALL BE 12" THICK AND 18" HIGH.  
 2. COLLAR SHALL BE CAST WITH 4" CLEARANCE FROM THE SURFACE.  
 3. COLLAR SHALL BE CAST WITH 4" CLEARANCE FROM THE SURFACE.  
 4. COLLAR SHALL BE CAST WITH 4" CLEARANCE FROM THE SURFACE.

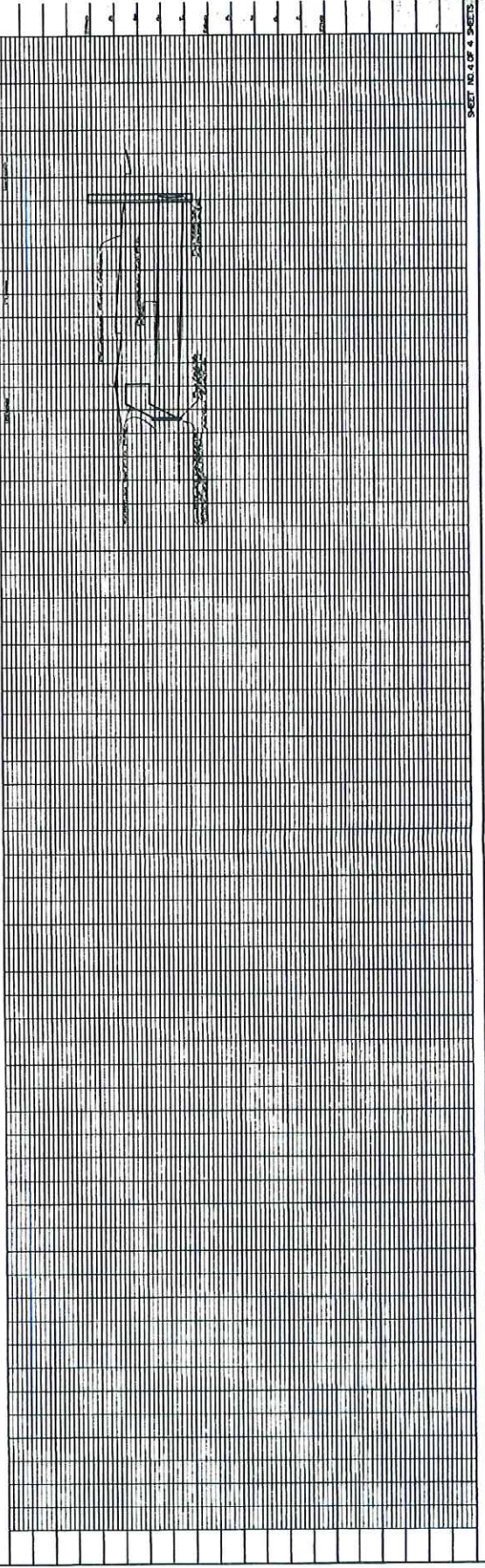


**PIPE SURGE CHAMBER W/VENT**

PIPE SURGE CHAMBER W/VENT  
 1. SURGE CHAMBER SHALL BE 48" HIGH AND 36" DIAMETER.  
 2. VENT PIPE SHALL BE 12" DIAMETER AND 12' HIGH.  
 3. SURGE CHAMBER SHALL BE CAST WITH 4" CLEARANCE FROM THE SURFACE.  
 4. VENT PIPE SHALL BE CAST WITH 4" CLEARANCE FROM THE SURFACE.

PLAN	
DATE	10/15/11
BY	JK
CHECKED	JK
APPROVED	JK
SCALE	AS SHOWN

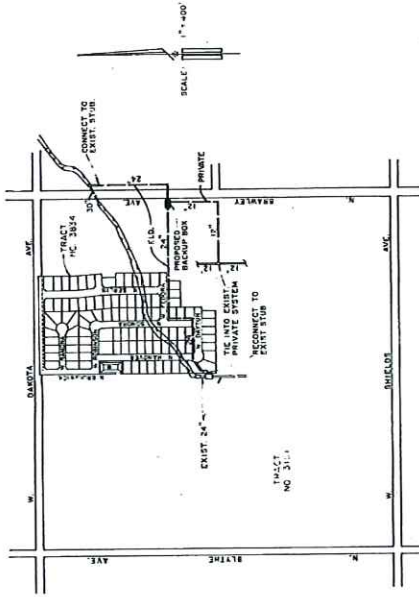
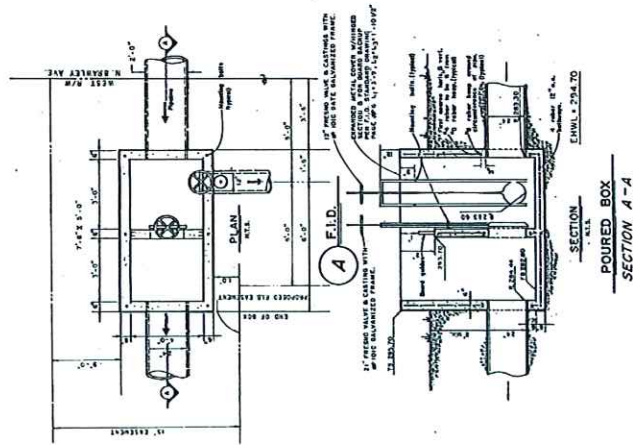
PROFILE	
DATE	10/15/11
BY	JK
CHECKED	JK
APPROVED	JK
SCALE	AS SHOWN





# FRESNO IRRIGATION DISTRICT

## CONSTRUCTION PLANS FOR TRACY DITCH NO. 44



LOCATION DIAGRAM

### TABLE OF CONTENTS

SHEET 1	COVER SHEET	W DARTON AVE & N SONORA AVE.
SHEET 2	TRACY DITCH	W FEDORA AVE.
SHEET 3	TRACY DITCH	N BRAWLEY AVE.
SHEET 4	TRACY DITCH	N BRAWLEY AVE.
SHEET 5	PRIVATE LATERAL	N BRAWLEY AVE.
SHEET 6	DETAILS	

### GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE STANDARDS AND REQUIREMENTS OF FRESNO IRRIGATION DISTRICT.
- CONCRETE PIPE SHALL CONFORM TO ASTM C-76.
- ALL CEMENT SHALL CONFORM TO ASTM C-150.
- PROPOSED COMPASSION SHALL BE 4 MILLIPIES.
- ALL JOINTS OF CONCRETE SHALL BE PROTECTED.

### LEGEND

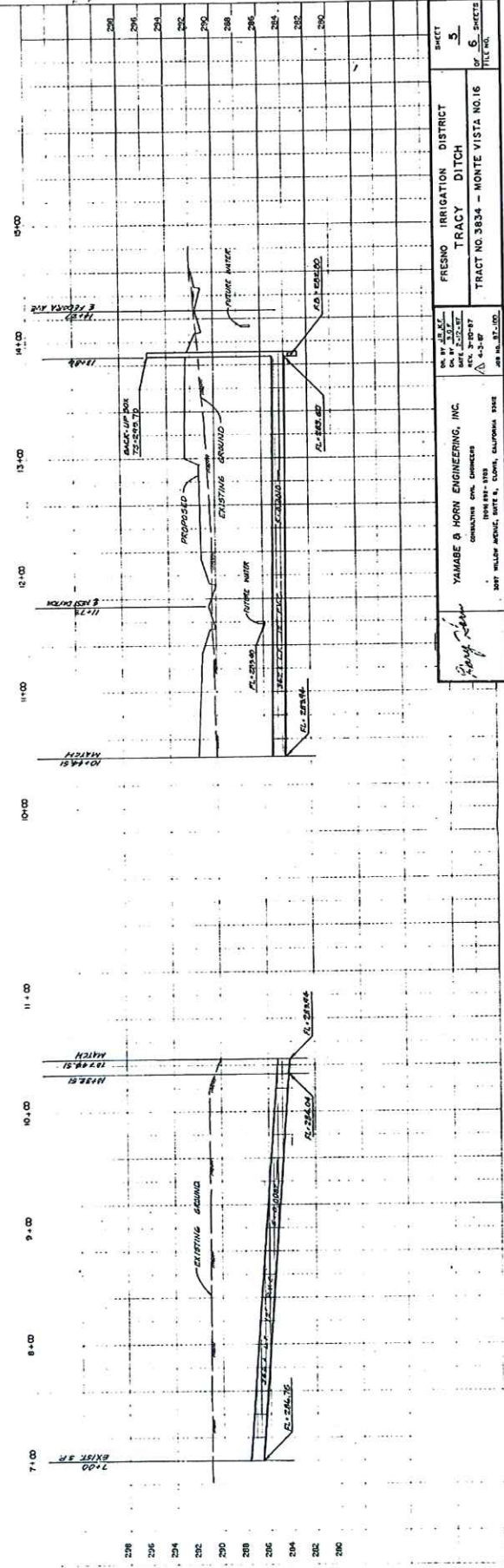
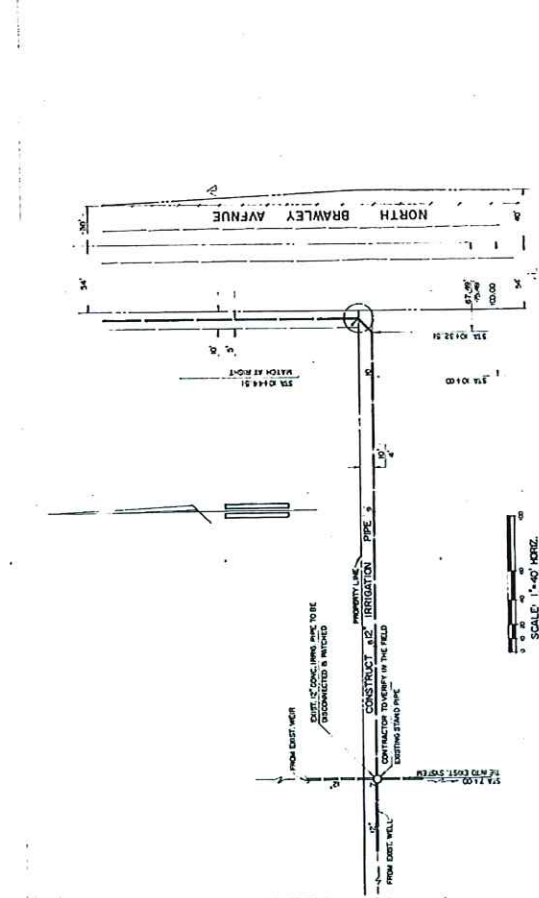
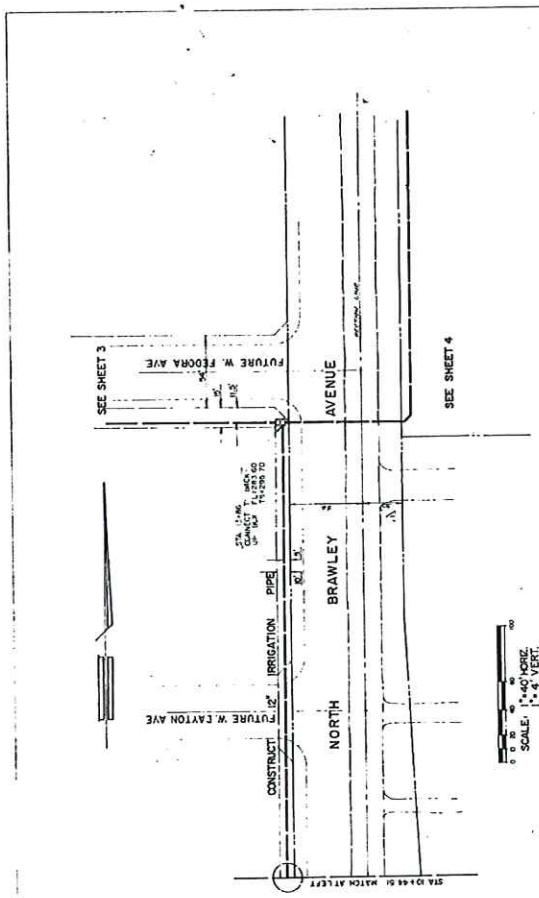
- PROPOSED IRRIGATION PIPE & SIZE
- EXISTING IRRIGATION PIPE & SIZE
- PROPOSED BACK UP BOX
- EXISTING BACK UP BOX
- PROPOSED VENT
- EXISTING VENT
- FL FLOWLINE
- TS TOP OF STRUCTURE
- TV TOP OF VENT
- PI POINT OF INTERSECTION OF ANGLE
- FB FLOOR OF BOX

**SEARCH MARK**  
 THIS MARK IS TO BE USED TO IDENTIFY THE LOCATION OF THE STRUCTURE ON THE GROUND. IT SHALL BE PLACED AT THE CORNER OF THE STRUCTURE. THE MARK SHALL BE A 4" X 4" SQUARE OF CONCRETE WITH THE WORDS 'SEARCH MARK' AND 'TRACT NO. 3834' IN THE CENTER.

APPROVED: *[Signature]* DATE: 3-27-87  
 FRESNO IRRIGATION DISTRICT  
 ALL RIGHTS RESERVED. THESE PLANS ARE PRIVATE.  
 REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF THE DISTRICT.

**YAMABE & HORN ENGINEERING, INC.**  
 CONSULTING CIVIL ENGINEERS  
 1808 8TH ST. S.W.  
 SEASIDE, CALIFORNIA 94134  
 415-441-1100

TRACT NO. 3834 - MONTE VISTA NO. 16  
 STRUCTURE DETAILS  
 SHEET 1 OF 6  
 FILE NO.



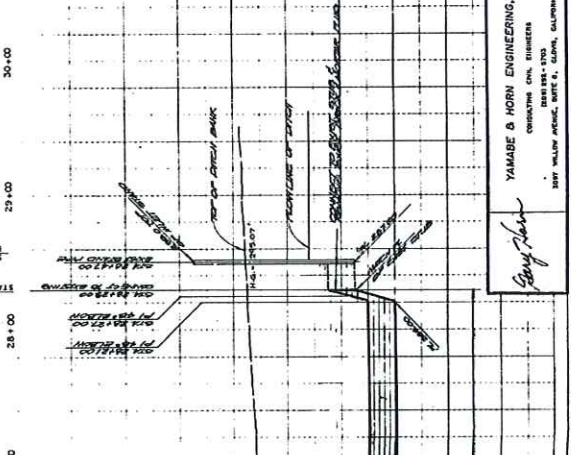
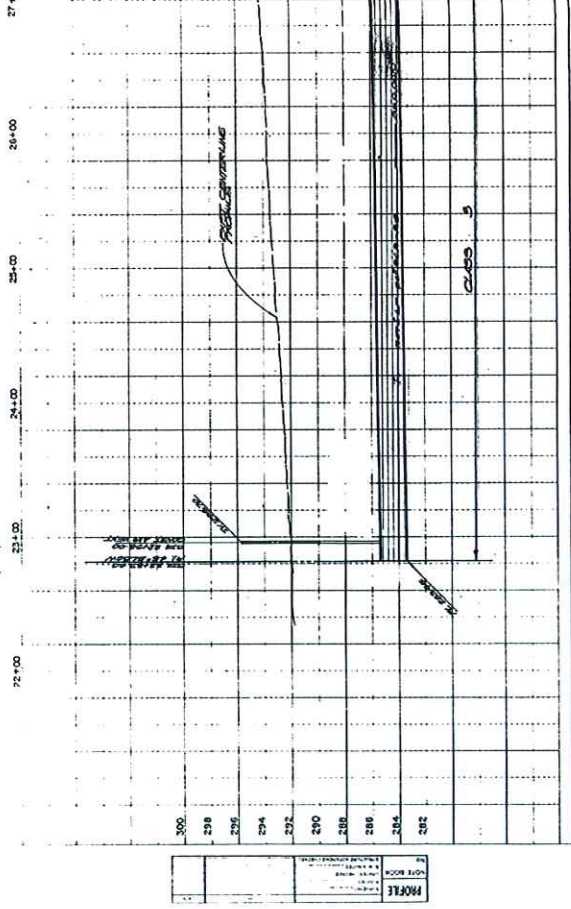
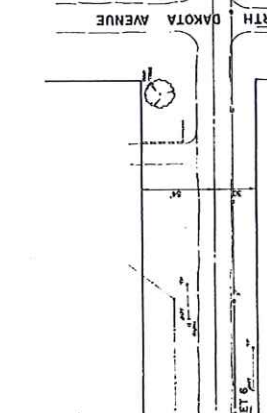
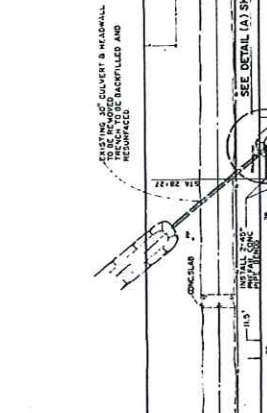
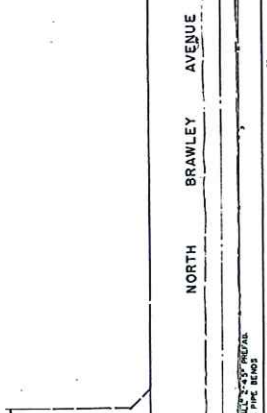
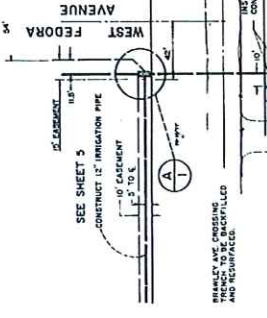
**YAMABE & HORN ENGINEERING, INC.**  
 CONSULTING CIVIL ENGINEERS  
 1004 8TH ST. S.W.  
 987 WILLOW AVENUE, SUITE 21, CUMMINGS, CALIFORNIA 95826

DRAWING NO. 3834-01  
 SHEET NO. 37 OF 38

FRESNO IRRIGATION DISTRICT  
 TRACY DITCH  
 TRACT NO. 3834 - MONTE VISTA NO. 16

SHEET 3 OF 6  
 (SEE PLAN)

DATE	
BY	
CHECKED	
APPROVED	

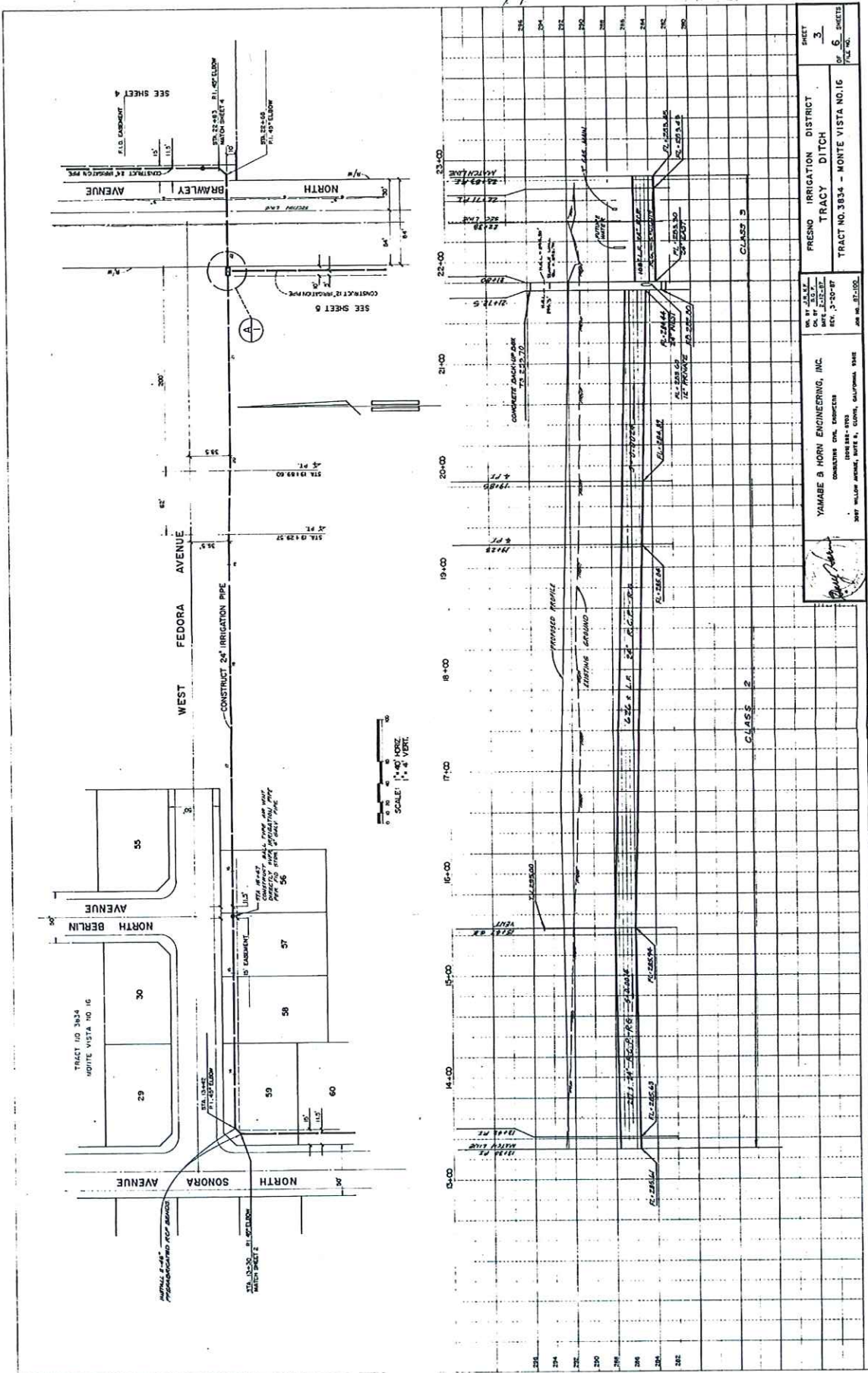


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DATE	11/11/2011	PROJECT NO.	11111
BY	J. J. J.	TRACT NO.	3834 - MONTE VISTA NO. 16
CHECKED	J. J. J.	DISTRICT	TRACY DITCH
APPROVED	J. J. J.	SHEET	4
		OF	6 SHEETS
		FILE NO.	

YAMABE & HORN ENGINEERING, INC.  
 QUATMAN CIVIL ENGINEERS  
 1887 WILLOW AVENUE, SUITE 2, CLONE, CALIFORNIA 95301  
 (916) 382-5703  
 FAX (916) 382-5703





PREPARED BY YAMABE & HORN ENGINEERING, INC. CONTRACT NO. 3834	CHECKED BY DATE	SHEET NO. 3 OF 5 SHEETS
PROJECT TITLE TRACY DITCH TRACT NO. 3834 - MONTE VISTA NO. 16		

STATION	CLASS	DESCRIPTION
0+00 - 15+00	CLASS 1	CONCRETE CHANNEL
15+00 - 20+00	CLASS 2	CONCRETE CHANNEL
20+00 - 23+00	CLASS 3	CONCRETE CHANNEL

SCALE: 1" = 40' HORIZ. 1" = 4' VERT.  
 DATE: 11/15/11  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]

TRACT NO. 3834  
 MONTE VISTA NO. 16

WEST FEDORA AVENUE  
 NORTH BERLIN AVENUE  
 NORTH SONORA AVENUE  
 NORTH AVENUE

CONSTRUCT 24" IRRIGATION PIPE  
 WITH 12" DIA. MANHOLES  
 AND 12" DIA. VALVES

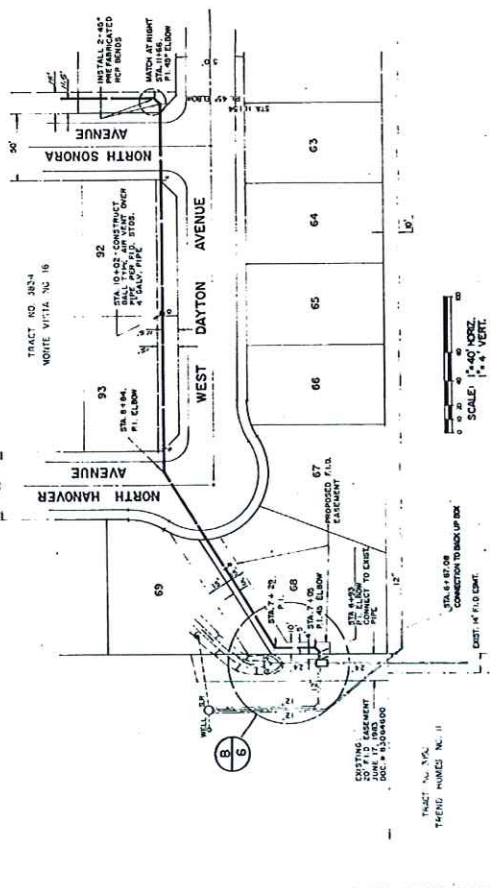
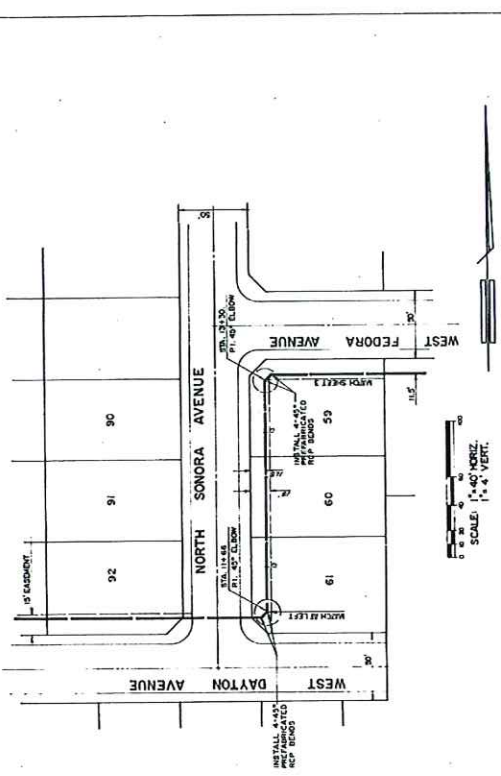
SEE SHEET 4  
 SEE SHEET 5

STA. 19+89.60  
 STA. 19+12.57  
 STA. 19+12.57  
 STA. 19+12.57

23+00  
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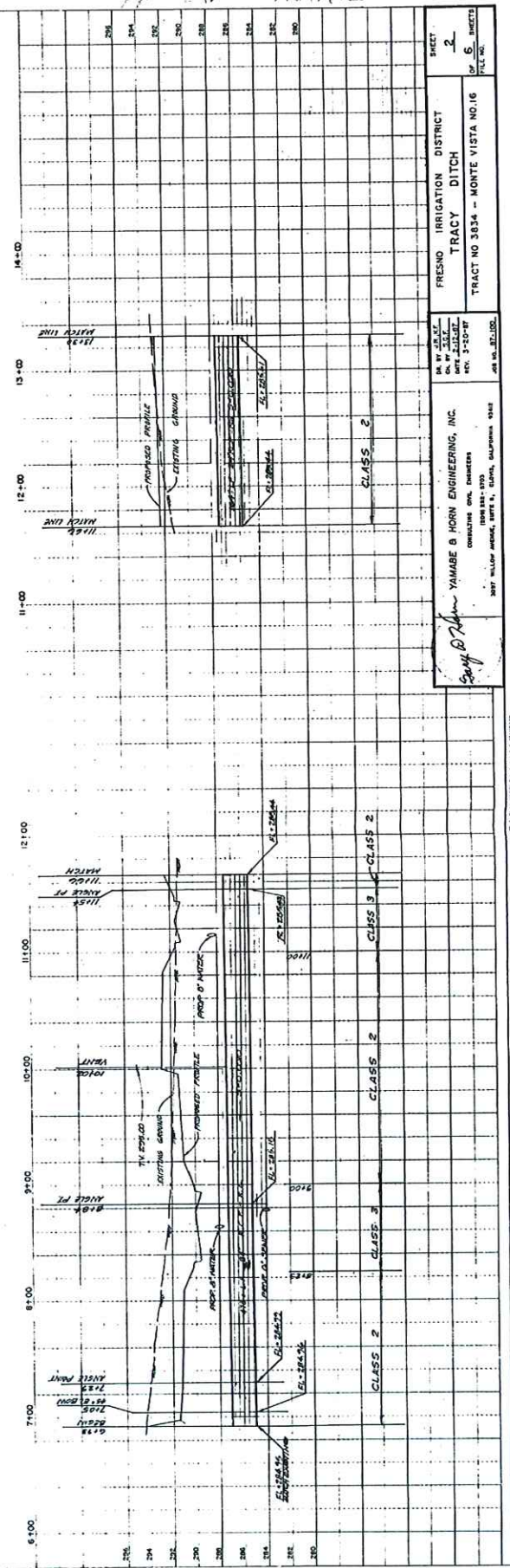
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PLAN

NO.	DESCRIPTION	DATE
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2	REVISED TO ADD	12/15/00
3	REVISED TO ADD	1/10/01
4	REVISED TO ADD	1/10/01
5	REVISED TO ADD	1/10/01
6	REVISED TO ADD	1/10/01
7	REVISED TO ADD	1/10/01
8	REVISED TO ADD	1/10/01
9	REVISED TO ADD	1/10/01
10	REVISED TO ADD	1/10/01
11	REVISED TO ADD	1/10/01
12	REVISED TO ADD	1/10/01



PROFILE

NO.	DESCRIPTION	DATE
1	AS SHOWN	11/24/00
2	REVISED TO ADD	12/15/00
3	REVISED TO ADD	1/10/01
4	REVISED TO ADD	1/10/01
5	REVISED TO ADD	1/10/01
6	REVISED TO ADD	1/10/01
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9	REVISED TO ADD	1/10/01
10	REVISED TO ADD	1/10/01
11	REVISED TO ADD	1/10/01
12	REVISED TO ADD	1/10/01

**FRESNO IRRIGATION DISTRICT**  
**TRACY DITCH**  
**TRACT NO 3834 - MONTE VISTA NO.16**

SHEET **2** OF **6** SHEETS  
 FILE NO.

SCALE:  $1" = 40'$  HORIZ.  $1" = 4'$  VERT.

DESIGNED BY: **YAMABE & HORN ENGINEERING, INC.**  
 CONSULTING CIVIL ENGINEERS  
 3050 N. W. 10th St., Fresno, California 93728

PART 1 - DRAWINGS, ALL RIGHTS RESERVED



January 25, 2024

John George  
City of Fresno  
Planning and Development  
2600 Fresno Street  
Fresno, CA 93721

**Project: Tentative Tract Map No. T-6192. P21-04821**

**District CEQA Reference No: 20240021**

Dear Mr. George,

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Tentative Tract Map (TTM) from the City of Fresno for P21-04821. Per the TTM, the project consists of the development of a 128-lot subdivision (Project). The Project is located at the northeast corner of N. Blythe Ave and W. Dayton Ave, Fresno.

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

### **1) Project Related Emissions**

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM2.5) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 standards.

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):

<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

---

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

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

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

## **1a) Construction Emissions**

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

## **2) Health Risk Screening/Assessment**

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

### Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

### Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.



A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org)
- Calling (559) 230-5900

*Recommended Measure:* Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

### **3) Ambient Air Quality Analysis**

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:  
<https://ww2.valleyair.org/permitting/ceqa/>.

#### **4) Vegetative Barriers and Urban Greening**

There are residential units near the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

#### **5) Clean Lawn and Garden Equipment in the Community**

Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/>

#### **6) On-Site Solar Deployment**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

## **7) District Rules and Regulations**

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

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). 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.

### **7a) 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.

### **7b) District Rule 9510 - Indirect Source Review (ISR)**

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 residential units.

The purpose of District Rule 9510 is to reduce the growth in both NO<sub>x</sub> and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction

and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at [ISR@valleyair.org](mailto:ISR@valleyair.org).

### **7c) District Rule 4601 (Architectural Coatings)**

The Project may 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>

### **7d) 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>

#### **7e) District Rule 4901 - Wood Burning Fireplaces and Heaters**

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: <https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/>

#### **7f) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

#### **8) District Comment Letter**

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Ryan Grossman by e-mail at [Ryan.grossman@valleyair.org](mailto:Ryan.grossman@valleyair.org) or by phone at (559) 230-6569.

Sincerely,

Brian Clements  
Director of Permit Services

A handwritten signature in blue ink, appearing to read "Brian Clements", with a stylized flourish extending to the right.

For: Mark Montelongo  
Program Manager



March 25, 2022

Re: P21-04821  
3230 N Blythe Avenue, Fresno, CA 93722

Dear City of Fresno:

Thank you for giving us the opportunity to review the proposed Tract Map No. 6192. The installation of new gas and electric facilities and/or relocation of existing PG&E facilities will be performed in accordance with common law or Rules and Tariffs as authorized by the California Public Utilities Commission.

Following our review, PG&E recommends the following language be expressly stated for the offer to dedicate Public Utility Easements (PUE):

I/We the undersigned, as Owner(s) of the land shown hereon, do hereby state that I/we am/are the only person(s) whose consent is necessary to pass clear title to said land and do hereby consent to the preparation and recordation of this map and offer for dedication and do hereby dedicate for public uses the Public Utility Easements (PUEs) shown on this map for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby offered for dedication are to be kept open and free of buildings, structures and wells of any kind.

The final map must contain a statement setting forth dedications and offers to dedicate interests in real property for public utility purposes. If the offer of dedication has terminated, or the local agency declines to accept it, the applicant maybe required to provide an easement in gross satisfactory to PG&E. Please note that this is our preliminary review and PG&E reserves the right for future review as needed.

Please work with PG&E's Service Planning department at [www.pge.com/cco](http://www.pge.com/cco) for additional services you may require, or for any modification and/or relocation requests.

Sincerely,

Justin Newell  
Land Management  
916-594-4068



2600 Fresno Street  
Fresno, California 93721-3604

FAX Comments:

FAX

01/24/2024

**Comments**

FAX requires a solid 40' x 9' solid sidewalk along Blythe extending north from the intersection of Dayton. No landscaping between the curb and the back of sidewalk.



2600 Fresno Street  
Fresno, California 93721-3604

Long Range Planning Comments:

Long Range Planning

06/19/2024

**Comments**

1. Property is located in an area with a draft plan in process [West Area Neighborhoods Specific Plan] Please see [www.fresno.gov/westareaplan](http://www.fresno.gov/westareaplan) for more information.

2. 3.37 acres of APN 511-031-42 will be redesignated to Medium High Residential upon adoption of the West Area Neighborhoods Specific Plan.

HE: This project is located on a parcel listed in the 2013-2023 RHNA Housing Element Sites Inventory, which anticipates a minimum capacity of 77 above moderate units for this site. The 2013-2023 RHNA obligation for above moderate is 10,116 and the existing surplus capacity is 5,394 for a total existing capacity of 15,510 units. This project proposes 128 units of above moderate housing.

As the remaining sites identified in the Housing Element are adequate to meet the requirements of Section 65583.2 of the California Government Code and to accommodate the City's share of the regional housing need pursuant to Section 65584, this project is consistent with the Housing Element.